

Parramatta Light Rail Stage 2 Conditions of Approval

Infrastructure approval

Section 5.19 of the *Environmental Planning & Assessment Act 1979*

I grant approval to the carrying out of the Critical State significant infrastructure (CSSI) referred to in Schedule 1, subject to the conditions in Schedule 2.



The Hon.
Minister for Planning and Public Spaces

Sydney

22/02/2024

SCHEDULE 1

Application no.:	SSI 10035
Proponent:	Transport for NSW
Approval Authority:	Minister for Planning and Public Spaces
Land:	Camellia, Rosehill, Rydalmere, Ermington, Melrose Park, Wentworth Point, Sydney Olympic Park, Parramatta
Description of State Significant Infrastructure:	<p>Development for the purpose of Parramatta Light Rail (Stage 2) being the construction and operation of new passenger light rail infrastructure from Parramatta to Lidcombe including:</p> <ul style="list-style-type: none">• light rail tracks and associated works;• light rail stops and facilities;• stabling and maintenance facilities and associated rail turnbacks;• Ancillary development including:<ul style="list-style-type: none">○ rail and bus interchange facilities○ modification of public transport facilities○ railway stations○ public amenities○ pedestrian and cycle facilities and urban design features (including fencing, landscaping, lighting and planting trees)○ construction of substations○ utilities○ amenities and signage, and○ road bridge modification works.
Declaration as Critical State Significant Infrastructure	The proposal is Critical State Significant Infrastructure by virtue of Schedule 5, section 35 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> .

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DEFINITIONS

The definitions below apply to terms used in this approval, unless otherwise stated or the context indicates otherwise.

Table 1: Definitions

Term	Definition
AA	The Acoustics Advisor for the CSSI approved by the Planning Secretary
Aboriginal object	The same meaning as in the <i>National Parks and Wildlife Act 1974</i> (NSW)
Adjoining or adjacent	bordering; contiguous; not separated by anything of the same kind
AEP	Annual Exceedance Probability or the probability that a flood of a specified magnitude will occur within a year
AG DCCEEW	Australian Government Department of Climate Change, Energy, the Environment and Water
AHIMS	Aboriginal Heritage Information Management System
Amendment Report	The Amendment Report submitted to the Planning Secretary under clause 179(3) of the Environmental Planning and Assessment Regulation 2021 that describes amendments to the CSSI.
At-property acoustic treatment	Includes courtyard walls and building treatments. Building treatments may include but are not limited to ventilation, acoustic blinds / curtains, glazing, window and door seals, sealing of vents or underfloor areas, shutters and secondary glazing
BCS of NSW DCCEEW	Biodiversity Conservation and Science group of the NSW Department of Climate Change, Energy, the Environment and Water
CALD	Culturally and Linguistically Diverse
CEMF	Construction Environmental Management Framework
CEMP	Construction Environmental Management Plan
CLM Act	<i>Contaminated Land Management Act 1997</i>
CMP	Construction Monitoring Programs
Competent Person	for the purpose of noise monitoring, must satisfy one or more of the following: <ul style="list-style-type: none"> (a) have qualifications and/or experience sufficient to fulfil the requirements of 'member' of the grade of the Australian Acoustical Society; (b) undertake duties of an acoustic consultant on behalf of a firm that is a member of the Association of Australasian Acoustical Consultants; (c) have a recognised tertiary qualification in a discipline pertinent to acoustics; (d) be able to demonstrate competence through professional experience and/or technical expertise to the satisfaction of the EPA

Term	Definition
Completion of construction	The date upon which Construction is completed and all requirements of the Planning Secretary (if any) have been met. If construction is staged, completion of Construction is the date upon which Construction is completed and all requirements of the Planning Secretary (if any) have been met, in respect of all stages of Construction
Construction	Includes Work required to construct the CSSI as defined in the Project Description described in the documents listed in Condition A1 including commissioning trials of equipment and temporary use of any part of the CSSI, but excluding Low Impact Work which is carried out or completed prior to approval of the CEMP and work approved under a Site Establishment Management Plan
Construction Boundary	The area physically affected by work as defined in the Project Description as described in the documents listed in Condition A1
Consultation	To provide information and actively engage with and obtain and consider feedback from stakeholders during development of post approval documents. How the feedback has been considered and whether any changes have been made in response to this feedback is then documented and communicated back to stakeholders. Consultation should not be limited to one-way notification about the project. This definition must inform the Community Communication Strategy required under Condition B1
CSSI	The Critical State Significant Infrastructure, as described in Schedule 1, the carrying out of which is approved under the terms of this approval
Department	NSW Department of Planning, Housing and Infrastructure
Disturbance of land	An activity that disturbs the ground surface to expose underlying soils or fill materials
DPI Fisheries	NSW Department of Primary Industries, Fisheries
DRP	Design Review Panel
EIS	The Environmental Impact Statement referred to in Condition A1 , submitted to the Planning Secretary seeking approval to carry out the development described in it, and including any additional information provided by the Proponent in support of the application for approval of the project
EMS	Environmental Management System
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EPA	NSW Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
EPL	Environment Protection Licence
ER	The Environmental Representative(s) for the CSSI approved by the Planning Secretary
Emergency Services	NSW Police, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Services and NSW State Emergency Service
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings

Term	Definition
Environmental Representative Protocol	<i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018)
Heavy Vehicle	Has the same meaning as in the <i>Heavy Vehicle National Law</i> (NSW).
Heritage Council	Heritage Council of NSW or its delegate
Heritage item	A place, building, work, relic, archaeological site, tree, movable object or precinct of heritage significance, that is listed under one or more of the following registers: the State Heritage Register under the <i>Heritage Act 1977</i> (NSW), a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> (NSW), a Local Environmental Plan under the EP&A Act, the World, National or Commonwealth Heritage lists under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), and an “Aboriginal object” or “Aboriginal place” as defined in section 5 of the <i>National Parks and Wildlife Act 1974</i> (NSW)
Heritage NSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
Highly noise affected	As defined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009)
Highly noise intensive work	Work which is particularly annoying, including but not limited to those activities listed under the <i>Interim Construction Noise Guideline</i> (DECC, 2009). Any other activity identified by the AA , following an assessment of the character of the noise emitted by the activity based on the Noise Policy for Industry, Fact Sheet C considerations (EPA 2017)
ICNG	<i>Interim Construction Noise Guideline</i> (DECC, 2009)
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance. Note: “material harm” is defined in this approval and does not include SafeWork related matters
Involvement / involve (in relation to community consultation)	As defined in the International Association for Public Participation (IAP2) Spectrum, involvement is working directly with stakeholders and the community throughout the engagement process to ensure that their concerns and aspirations are consistently understood and considered
LALC	Local Aboriginal Land Council(s)
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Landowner	Has the same meaning as “owner” in the <i>Local Government Act 1993</i> and in relation to a building means the owner of the building
Local road	Any road that is not defined as a classified road under the <i>Roads Act 1993</i>
LOTE	Language Other than English
Low Impact Work	Includes: (a) surveys; (b) investigations; (c) site establishment work approved under a Site Establishment Management Plan ;

Term	Definition
	<p>(d) minor clearing and relocation of native vegetation, as identified in the documents listed in Condition A1;</p> <p>(e) installation of mitigation measures;</p> <p>(f) property acquisition adjustments;</p> <p>(g) archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW (DECCW, 2010)</i> or archaeological monitoring undertaken in association with (a) – (f) above to ensure that there is no impact on heritage items;</p> <p>(h) Work or uses that the ER has determined will have minimal environmental or community impact; and</p> <p>(i) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI; and</p> <p>Notwithstanding the following works are not Low Impact Work:</p> <p>(j) where heritage items (excluding those impacted by activities (g), (h) and (i) above) threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016 or Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any low impact work, that work is Construction, unless otherwise determined by the Planning Secretary, following consultation by the Proponent with Heritage NSW, BCS or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation); and</p> <p>(k) any Work undertaken outside the hours specified in Condition E31 that exceeds noise management and vibration levels as identified in Condition E33(b).</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. <i>Early stages of Work are not necessarily low impact work</i> 2. <i>Low Impact Work is not Construction as defined by this approval</i> 3. <i>Impacts due to Low Impact Work on heritage items on the State Heritage Register must not be greater than "little to no impact" as defined in Heritage NSW Material Threshold Policy</i>
Marshalling	The arranging of heavy vehicles in order on public roads for the purpose of accessing or delivering to a construction site, including road space approved under an ROL and/or traffic control for use as part of a construction site e.g. HVs waiting for spoil loading or deliveries or concrete agitators for a concrete pour
Material harm	Harm that: <p>(a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</p> <p>(b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</p>
Minister	NSW Minister for Planning and Public Spaces
Minor Construction Ancillary Facility	Worker amenities and materials laydown and the like
NML	Noise Management Level as defined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009)

Term	Definition
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval.
NPWS	NSW National Parks and Wildlife Service, within the NSW Department of Climate Change, Energy, the Environment and Water
NSW DCCEEW – Water Group	Water Group, of the NSW Department of Climate Change, Energy, the Environment and Water
OEMP	Operational Environmental Management Plan
Operation	The carrying out of the CSSI (whether in full or in part) upon the completion of Construction, unless otherwise agreed by the Planning Secretary <i>Note: There may be overlap between the carrying out of Construction and operation if the phases of the development are staged. Commissioning trials of equipment and temporary use of any part of the CSSI are within the definition of Construction</i>
PDLP	Place, Design and Landscape Plan
POEO Act	<i>Protection of the Environment Operations Act 1997 (NSW)</i>
Places of cultural significance	Places and areas which protect and promote cultural heritage values. They may be an area of significance to Aboriginal culture and include areas associated with a person or event in history, or include areas containing a building, place, feature, or landscape of cultural significance
Planning Secretary	Planning Secretary of the Department (or nominee, whether nominated before or after the date on which this approval was granted)
Proponent	The person identified as such in Schedule 1 of this approval and any other person carrying out any part of the CSSI from time to time
Relic	Has the same meaning as the definition of the term in section 4 of the <i>Heritage Act 1977 (NSW)</i>
RAPs	Registered Aboriginal Parties
Relevant council(s)	City of Parramatta, City of Ryde
Relevant roads authority	The same meaning as the roads authority defined in the <i>Roads Act 1993 (NSW)</i>
Response to Submissions	The Proponent's response to issues raised in submissions received in relation to the application for approval for the CSSI under the EP&A Act
Sensitive land use(s)	Includes residences, educational institutions (including preschools, schools, universities, TAFE colleges), health care facilities (including nursing homes, hospitals), religious facilities (including churches), child care centres and passive recreation areas (including outdoor grounds used for teaching). Receivers that may be considered to be sensitive include commercial premises (including film and television studios, research facilities, entertainment spaces, temporary accommodation such as caravan parks and camping grounds, restaurants, office premises, and retail spaces) and industrial premises as identified by the Planning Secretary. <i>Note: For the purpose of determining appropriate mitigation, a multistorey residential flat building must not be counted as one sensitive receiver</i>
SES	NSW State Emergency Services

Term	Definition
Site Auditor	A contaminated land auditor, accredited by the NSW EPA under the CLM Act
SMART	Specific, Measurable, Achievable, Realistic, and Timely
SOPA	Sydney Olympic Park Authority
Suitably qualified and experienced contaminated land consultant(s)	A contaminated land consultant who meets the competencies outlined in the Guideline on the Competencies and Acceptance of Environmental Auditors and Related Professionals (Schedule B9) as provided in the ASC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013).
Tree	Long lived woody perennial plant greater than (or usually greater than) 3 metres in height with one or relatively few main stems or trunks (AS4373-2007 Pruning of amenity trees)
TfNSW	Transport for NSW
Unexpected heritage find	An object or place that is discovered during the carrying out of the CSSI and which may be a heritage item but was not identified in the documents listed in Condition A1 or suspected to be present. An unexpected heritage find does not include human remains
Vulnerable or marginalised groups	Vulnerable or marginalised groups include those people: on very low incomes, living with disabilities or poor health, from culturally and linguistically diverse (CALD) communities, experiencing homelessness or insecure housing, and those who for whatever reason are unable or unwilling to express or represent themselves and their needs
Work	Any physical activity for the purpose of the CSSI including Construction and Low Impact Work

SUMMARY OF REPORTING, NOTIFICATION AND APPROVAL REQUIREMENTS

Reports and notifications that must be provided to the Planning Secretary under the terms of this approval are listed in **Table 2**. Note that under **Condition A9** of this approval the Proponent may seek the Planning Secretary's agreement to a later timeframe for submission (other than in relation to the immediate written notification of an Incident required under **Condition A44 and A46**).

Where there is an inconsistency with the requirements of **Table 2** and any condition of approval, the condition of approval prevails.

Table 2: Reports and Notifications that must be submitted to the Planning Secretary

Condition	Report / Notification	Timing ¹	Purpose
Part A – Administrative			
A14	Staging Report	One month before commencement of Construction (or Operation if only staged Operation is proposed) or the first of the proposed stages	Information
A18	Revised Staging Report	No later than one month before the proposed change in the staging	Information
A21	Macquarie Street Turnback alternatives	Before the commencement of Construction in Parramatta CBD	Information / Approval
A22	Rydalmere precinct traction power substation options assessment	Before the commencement of Work within the Rydalmere precinct, and within one (1) month of the completion of the options assessment	Information
A27	Environmental Representative	One month before the commencement of Work	Approval
A30(k)	Environmental Representative Monthly reports	Within seven days following the end of each month for the duration of the ER's engagement, except in December which will be within 10 days following the end of the month	Information
A32	Acoustic Advisor	No later than one month before the commencement of Work	Approval
A35(h)(v)	Acoustic Advisor Monthly Report	Within seven days following the end of each month for the duration of the AA's engagement, except in December which will be within 10 days following the end of the month	Information
A36	Notification of commencement	One month before the commencement of Work, Construction and Operation	Notification
A37	Notification of commencement of each stage	At least one month before the commencement of each stage	Notification
A38	Approval of Independent Auditors	Before the commencement of an Independent Audit	Approval
A42	Independent Audit Reports	Within 2 months of undertaking the independent audit site inspection	Information
A44	Written notification of incident	Within 24 hours of the Proponent becoming aware of an Incident	Information

¹ Where a project is staged, all required approvals must be obtained before the commencement of the relevant stage.

Condition	Report / Notification	Timing ¹	Purpose
A46	Non-Compliance Notification	Within seven days after the Proponent becomes aware of any non-compliance	Information
Part B - Communication Information and Reporting			
B4	Community Communication Strategy	One month before the commencement of Work	Approval
B9	Complaints Register	Upon request	Information
B10	Community Complaints Mediator	One month before the commencement of Work	Approval
Part C - Construction Environmental Management			
C1	CEMF	No later than one month before the lodgement of any CEMP, CEMP sub plan or CMP	Approval
C3	Revised CEMF	No later than one month prior to the proposed change in the staging	Approval
C4	Ancillary Facility Site Establishment Management Plan	One month before the establishment of any ancillary facilities	Approval
C12	CEMP	One month before the commencement of Construction or where Construction is staged, no later than one month before the commencement of each stage	Approval
C16	CEMP Sub-plans	One month before the commencement of Construction or where Construction is staged, no later than one month before the commencement of each stage	Approval
0	Construction Monitoring Programs	One month before the commencement of Construction or where Construction is staged, no later than one month before the commencement of each stage	Approval
C28	Construction Monitoring Report	As specified in Construction Monitoring Programs	Information
Part D - Operation Environmental Management			
D7	OEMP or EMS	One month before the commencement of Operation	Information
Part E – Key Issues			
Biodiversity			
E5	Evidence of the retirement of credits	Prior to commencement of Work impacting biodiversity values	Information
E6	Evidence of payment to Conservation Fund	Within one month of payment into the DPI Fish Conservation Fund	Information
E8	Unexpected finds protocol	One month before commencement of Work	Approval
Heritage			
E15	Unexpected Heritage Finds and Humans Remains Procedure	Upon request	Information

Condition	Report / Notification	Timing ¹	Purpose
E19	Annotated Index and References	Upon request	Information
E20	Revised Archaeological Research Design and Excavation Methodology	Prior to the commencement of Construction that has the potential to impact upon new areas of archaeological significance	Information
E21	Excavation Director	Prior to undertaking Work that has the potential to impact historical archaeology	Approval
E29	Aboriginal Cultural Heritage Excavation Report(s)	Within 24 months of completion of the Aboriginal archaeological excavations (both test and salvage)	Information
Noise and Vibration			
E33(a)	Safety and Emergencies	On becoming aware of the need for emergency work	Information
E34	Out-of-Hours Work Protocol	Before the commencement of out-of-hours work	Approval
E40	Construction Noise and Vibration Impact Statements	Upon request	Information
E48	Operational Noise and Vibration Review	Prior to the construction of light rail trackform	Approval
E49	Operational Noise Mitigation Measures Report	Within 12 months of submitting the ONVR	Information
E53	Operational Noise and Vibration Compliance Report	Upon request	Information
Place, Design and Visual Amenity			
E65	Terms of Reference	Upon request	Information
E71(c)	Place, Design and Landscape Plan	Prior to the Proponent's finalisation of the Preliminary Design Review plans and before proceeding to commencement of Detailed Design Review drawings	Information
E76	Tree Register	Upon request	Information
E81	Ongoing maintenance requirements	The date of transfer of the asset(s) to the relevant authority	Information
Soils/Contamination			
E100(f)	Detailed Site Investigation Report	Upon request	Information
E101(d)	Remediation Action Plan	Upon request	Information
Sustainability			
E108	Sustainability Strategy	Before commencement of construction	Approval

Condition	Report / Notification	Timing ¹	Purpose
E108	Design rating	Within 12 months of commencing Construction of permanent above ground infrastructure	Information
E108	As built rating	Within 12 months of commencing of Operation	Information
Traffic and Transport			
E111	Use of local roads by heavy vehicles	Before the use of the local roads	Approval
E113	Heavy vehicle monitoring	Upon request	Information
E117	Construction Parking Strategy	One month before the commencement of Construction that reduces the availability of existing parking by more than one month	Approval
E122	Pedestrian and Cycling Infrastructure Strategy	Before construction of pedestrian/cyclist permanent work	Approval
E125	Road Network Performance Plan	Prior to the finalisation of the Preliminary Design Review plans and before proceeding to commencement of Detailed Design Review drawings	Approval
Utilities Management			
E130	Utilities Management Strategy	One month before the commencement of utility Work	Approval
Hazards			
E137	Final Hazard Analysis	One month prior to commencement of Construction in the vicinity of any hazardous works such as dangerous goods and gas pipelines where the Planning Secretary has issued written direction	Approval

Note: *Table 2 is not a condition of this approval. If there is an inconsistency between a requirement in Table 2 and a requirement in a condition, the requirement of the condition prevails.*

SCHEDULE 2

PART A

ADMINISTRATIVE CONDITIONS

GENERAL

A1 The Proponent must carry out the CSSI in accordance with the terms of this approval and generally in accordance with the:

- (a) Parramatta Light Rail Stage 2 Environmental Impact Statement, dated November 2022
- (b) Parramatta Light Rail Stage 2 Response to Submission – Main Report, dated October 2023;
- (c) Parramatta Light Rail Stage 2 Amendment Report – Main Report, dated October 2023.

Note: Framework documents included in the documents listed above must, where required, be updated to reflect requirements of this approval and resubmitted in compliance with a condition of this approval. Inclusion of these documents in the documents listed above does not limit the Planning Secretary's ability to request changes or further information to satisfy the requirements of any condition.

A2 The CSSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria / outcomes and mitigation measures set out in the documents listed in **Condition A1** unless otherwise specified in, or required under, this approval.

A3 In the event of an inconsistency between:

- (a) the terms of this approval and any document listed in **Condition A1** inclusive, the terms of this approval will prevail to the extent of the inconsistency; and
- (b) any document listed in **Condition A1** inclusive, the most recent document will prevail to the extent of the inconsistency.

Note: For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.

A4 In the event that there are differing interpretations of the conditions of this approval, including in relation to a condition of this approval, the Planning Secretary's interpretation is final.

A5 The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:

- (a) the environmental performance of the CSSI;
- (b) any document or correspondence in relation to the CSSI;
- (c) any notification given to the Planning Secretary under the terms of this approval;
- (d) any audit of the Construction or Operation of the CSSI;
- (e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);
- (f) the carrying out of any additional monitoring or mitigation measures; and
- (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.

A6 This approval lapses five (5) years after the date on which it is granted, unless Work has physically commenced on or before that date.

A7 References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards or policies in the form they are in as at the date of this approval, unless otherwise approved or required by the Planning Secretary.

FLEXIBILITY PROVISIONS

A8 The Proponent may undertake the flexibility provisions outlined in **Appendix D**. Flexibility provisions in Table E.1 of the Submissions Report do not apply.

TIMING AND APPROVALS

A9 Any action required to be undertaken within a timeframe specified in or under the terms of this approval may be undertaken within a different timeframe agreed in writing with the Planning Secretary. This condition does not apply to the written notification required in respect of an Incident or a non-compliance.

A10 Any document required by this approval which requires the Planning Secretary's approval, must be approved by the Planning Secretary before the commencement of Work associated with that document.

A11 Any document required to be prepared by this approval, must be implemented unless otherwise agreed by the Planning Secretary.

EVIDENCE OF CONSULTATION

A12 Where the terms of this approval require a document or monitoring program to be prepared, or a review to be undertaken in consultation with relevant parties, evidence of the consultation undertaken must be submitted to the Planning Secretary and **ER** (as relevant) with the corresponding documentation. The evidence must include:

- (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;
- (b) a log of the dates of engagement or attempted engagement with the identified party
- (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations;
- (d) outline of the issues raised by the identified party and how they have been addressed; and
- (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.

ARCHAEOLOGICAL REMEDIATION

A13 Remediation required to be undertaken on land subject to archaeological testing and excavation is not subject to Part C or Part D of this approval, but is subject to:

- (a) the contamination requirements outlined in **Conditions E95 to E107**; and
- (b) The presence of a suitably qualified and experienced person to monitor for archaeological impacts throughout remediation.

STAGING

Staging the delivery of the CSSI

A14 The CSSI may be constructed and operated in stages (including but not limited to temporal, location or activity-based staging). Where staged Construction and/or Operation is proposed, a **Staging Report** (for either or both Construction and Operation as the case may be) must be prepared. The **Staging Report** must be endorsed by the **ER** and then submitted to the Planning Secretary for information no later than one (1) month before the commencement of Construction of the first of the proposed stages of Construction (or if only staged Operation is proposed, one (1) month before the commencement of Operation of the first of the proposed stages of Operation), or as required by **Condition A19**.

Note: Unless otherwise specified in this approval, early works are a stage of construction unless considered to be Low Impact Work.

A15 The **Staging Report** must:

- (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 activities to be carried out in each stage and the general timing of when Construction of each stage will commence and finish;
- (b) if staged Operation is proposed, set out how the Operation of the whole of the CSSI will be staged, including details of Work or 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);
- (c) specify how compliance with conditions will be achieved across and between each of the stages of the CSSI; and
- (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.

Note: A Staging Report may reflect the staged Construction and Operation of the project through geographical activities, temporal activities or activity-based contracting and staging.

A16 Where staging is proposed, the CSSI must be staged in accordance with the **Staging Report**.

A17 Where staging is proposed, the terms of this approval that apply or are relevant to the Work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.

Note: Where an inconsistency arises between the staging report and the terms of this approval, the terms of this approval prevail.

A18 Where changes are proposed to the staging of Construction or Operation, a revised **Staging Report** must be prepared, endorsed by the **ER** and submitted to the Planning Secretary no later than one (1) month before the proposed change in the staging.

Staging, Combining and Updating Strategies, Plans or Programs

A19 Strategies, plans or programs required by this approval can be submitted on a progressive basis, with the agreement of the Planning Secretary.

With the agreement of the Planning Secretary, the Proponent may prepare the updated strategy, plan or program without undertaking all the consultation required under the applicable condition in this approval.

Notes:

1. While a strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the activities on site are covered by suitable strategies, plans or programs at all times; and
2. If a strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the specific stage / activities to which strategy, plan or program applies, the relationship of this stage / activity to future stages / activities, and the trigger for updating the strategy, plan or program.

A20 If a **Construction Environmental Management Framework (CEMF)** is submitted for approval under **Condition C1**, the Staging Report must be submitted before or with the **CEMF**, i.e. no later than one (1) month before the lodgement of any **CEMP**, **CEMP sub plan** or **CMP** to the Planning Secretary for approval.

OPTIONS ANALYSIS

Macquarie Street Turnback

A21 Prior to commencement of Construction, further detailed analysis must be undertaken of alternative locations for a turnback facility in the Parramatta CBD, in consultation with City of Parramatta Council and relevant landowners and provided to the Planning Secretary for information. The analysis must:

- (a) include an options assessment which considers traffic impacts, trip generators, existing and planned future property access and/or acquisition, operational efficiency and comparative impacts between the sites assessed;
- (b) include evidence of consultation; and
- (c) compare the alternatives to the Macquarie Street turnback identified in the EIS.

If an alternative to the Macquarie Street turnback (identified in the EIS) is identified as part of the analysis, the Proponent must submit the recommendation to the Planning Secretary for approval before commencement of Construction in the Parramatta CBD.

Note: Identified alternate locations, if recommended, may need to be further assessed under the Environmental Planning and Assessment Act, 1979.

Rydalmere Substations

A22 Prior to the commencement of Work within the Rydalmere precinct (Noise Catchment Area E within Appendix C), an options assessment must be undertaken of alternative locations for the Rydalmere precinct traction power substation which includes consideration of the operational noise and the proximity of the substation to residential receivers. Within one (1) month of the completion of the options assessment, the Proponent must submit the options assessment to the Planning Secretary with details of how the preferred substation location has improved environmental outcomes compared to the location identified in the documents listed in **Condition A1(c)**. The final location of the substation must be made publicly available in accordance with **Condition B15**.

Note: Identified alternate locations may need to be further assessed under the Environmental Planning and Assessment Act, 1979.

INDEPENDENT APPOINTMENTS

A23 All **Independent Appointments** required by the terms of this approval must have regard to *Seeking approval from the Department for the appointment of independent experts* (DPIE, 2020). All **Independent Appointments** must hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.

A24 The Planning Secretary may at any time commission an audit of how an **Independent Appointment** has exercised their functions. The Proponent must:

- (a) facilitate and assist the Planning Secretary in any such audit; and
- (b) make it a term of their engagement of an **Independent Appointment** that the **Independent Appointment** facilitate and assist the Planning Secretary in any such audit.

A25 The Planning Secretary may withdraw its approval of an **Independent Appointment** should they consider the Independent Appointment has not exercised their functions in accordance with this approval.

Note: Conditions A24 and A25 apply to all Independent Appointments including the ER, AA, and Community Complaints Mediator

A26 More than one (1) **Independent Appointment(s)** may be engaged for the CSSI, in which case the functions to be exercised by the **Independent Appointments** under the terms of this approval may be carried out by any **Independent Appointments** that are approved by the Planning Secretary for the purposes of the CSSI.

Note: The intent is to allow for multiple ER or AA appointments to undertake the functions of the role as required by the terms of the approval.

ENVIRONMENTAL REPRESENTATIVE

- A27 Work must not commence until an **Environmental Representative (ER)** has been nominated by the Proponent and approved by the Planning Secretary.
- A28 The Planning Secretary's approval of an **ER** must be sought no later than one (1) month before the commencement of Work.
- A29 The proposed **ER** must meet the requirements of the *Environmental Representative Protocol* (Department of Planning and Environment, October 2018) and must be a suitably qualified and experienced person(s) who was not involved in the preparation of the documents listed in **Condition A1**, and is independent from the design and construction personnel for the CSSI and those involved in the delivery of it.
- A30 For the duration of the Work until the commencement of Operation / 6 months after the completion of Construction, or as agreed with the Planning Secretary, the approved **ER** must:
- (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI;
 - (b) consider and inform the Planning Secretary on matters specified in the terms of this approval;
 - (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;
 - (d) review documents identified in **Conditions A14, C1, C4, C9, C14** and **C20** and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
 - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department);
 - (e) regularly monitor the implementation of the documents listed in **Conditions A14, C1, C4, C9, C14** and **C20** to ensure implementation is being carried out in accordance with the document and the terms of this approval;
 - (f) as may be requested by the Planning Secretary, help plan or attend audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under **Condition A39** of this approval;
 - (g) as may be requested by the Planning Secretary, assist in the resolution of community complaints;
 - (h) review and determine the appropriateness of any activities reliant on the definition of Low Impact Work;
 - (i) consider or assess the impacts of minor construction ancillary facilities as required by **Condition C7** of this approval;
 - (j) consider any minor amendments to be made to the **Ancillary Facility Site Establishment Management Plan, CEMP, CEMP Sub-plans** and **Construction monitoring programs** without increasing impacts to nearby sensitive land uses or that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the **Ancillary Facility Site Establishment Management Plan, CEMP, CEMP Sub-plans** and **Construction monitoring programs** approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval; and
 - (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies (where requested by those 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 (7) days following the end of each month for the duration of the ER's engagement for the CSSI, (except in December

which will be within 10 days following the end of the month), or as otherwise agreed by the Planning Secretary;

Note: *The written statement / submission by point (d) must be made via the Major Projects Portal to the Planning Secretary advising the documents have been endorsed.*

A31 The Proponent must provide the **ER** with documentation requested in order for the **ER** to perform their functions specified in **Condition A30** (including preparation of the **ER** monthly report), as well as:

- (a) the complaints register (to be provided on a weekly basis where complaints have been received or as requested); and
- (b) a copy of any assessment carried out by the Proponent of whether proposed Work is consistent with the approval (which must be provided to the **ER** before the commencement of the subject Work).

Note: *Personal details of the complainant are not to be provided to the **ER** unless otherwise agreed to or requested by the complainant.*

ACOUSTICS ADVISOR

A32 A suitably qualified and experienced **Acoustics Advisor(s) (AA)** in noise and vibration management, who is independent of the design and construction personnel, must be nominated by the Proponent and engaged for the duration of Work and for no less than six (6) months following completion of Construction of the CSSI, or unless otherwise agreed with the Planning Secretary.

A33 Work must not commence until an **AA** has been approved by the Planning Secretary no later than one (1) month before commencement of Work.

A34 The Proponent must cooperate with the **AA** by:

- (a) providing access to noise and vibration monitoring activities as they take place;
- (b) providing for review of noise and vibration plans, assessments, monitoring reports, data and analyses undertaken (including but not limited to **CEMPs**, **CNVIS** and **Out-of-hours-Works**);
- (c) providing the complaints register (to be provided on a weekly basis where complaints have been received or as requested); and
- (d) considering any recommendations to improve practices and demonstrating, to the satisfaction of the **AA**, why any recommendation is not adopted.

Note: *Personal details of the complainant are not to be provided to the **AA** unless otherwise agreed to or requested by the complainant.*

A35 The approved **AA** must:

- (a) receive and respond to communication from the Planning Secretary in relation to the performance of the CSSI in relation to noise and vibration;
- (b) consider and inform the Planning Secretary on matters specified in the terms of this approval relating to noise and vibration;
- (c) consider and recommend to the Proponent, improvements that may be made to avoid or minimise adverse noise and vibration impacts;
- (d) review proposed night-time works to determine if sleep disturbance would occur and recommend measures to avoid sleep disturbance or appropriate additional alternative mitigation measures;
- (e) review noise and vibration documents required to be prepared under the terms of this approval (including but not limited to **CEMPs**, **CNVIS** and **Out-of-hours-Works**), and should they be consistent with the terms of this approval, endorse them before submission to the

- Planning Secretary (if required to be submitted to the Planning Secretary) or before implementation (if not required to be submitted to the Planning Secretary);
- (f) regularly monitor the implementation of all noise and vibration documents required to be prepared under the terms of this approval to ensure implementation is in accordance with what is stated in the document(s) and the terms of this approval;
 - (g) notify the Planning Secretary of noise and vibration incidents and non-compliances in accordance with **Conditions A44** and **A46** of this approval;
 - (h) in conjunction with the **ER**, the **AA** must:
 - (i) as may be requested by the Planning Secretary or **Community Complaints Mediator** (required by **Condition B11**), help plan, attend or undertake audits of noise and vibration management of the CSSI including briefings, and site visits,
 - (ii) in the event that conflict arises between the Proponent and the community in relation to the noise and vibration performance of the CSSI, follow the procedure in the **Community Communication Strategy** approved under **Condition B4** to attempt to resolve the conflict, and if it cannot be resolved, notify the Planning Secretary,
 - (iii) consider relevant minor amendments made to the **Ancillary Site Establishment Management Plan, CEMP**, relevant sub-plans and noise and vibration monitoring programs that require updating or are of an administrative nature, and are consistent with the terms of this approval and the management plans and monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, endorse the amendment, (this does not include any modifications to the terms of this approval),
 - (iv) review the noise impacts of minor ancillary facilities as defined in **Condition C7**, and
 - (v) prepare and submit to the Planning Secretary and other relevant regulatory agencies (where requested by those agencies), for information, a **Monthly Noise and Vibration Report** detailing the **AA's** actions and decisions on matters for which the **AA** was responsible in the preceding month. The **Monthly Noise and Vibration Report** must be submitted within seven (7) days following the end of each month for the duration of the **AA's** engagement for the CSSI, (except in December which will be within 10 days following the end of the month), or as otherwise agreed by the Planning Secretary.

NOTIFICATION OF COMMENCEMENT

- A36 The Planning Secretary must be notified in writing of the dates of commencement of Work, Construction and Operation at least one (1) month before those dates.
- A37 If the Construction or Operation of the CSSI is to be staged, the Planning Secretary must be notified in writing at least one (1) month before the commencement of each stage, of the date of the commencement of the relevant Work, Construction and Operation at least one (1) month before those dates.

AUDITING

- A38 Proposed independent auditors must be approved by the Planning Secretary before the commencement of an **Independent Audit**. This condition does not apply to the engagement of auditors required under **Condition E124**.
- A39 **Independent Audits** of the CSSI must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020).
- A40 The Planning Secretary may require the initial and subsequent **Independent Audits** to be undertaken at different times to those specified in *Independent Audit Post Approval Requirements* (DPIE, 2020), upon giving at least four (4) weeks' notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the audit must be commenced.

- A41 In accordance with the specific requirements in the *Independent Audit Post Approval Requirements (DPIE, 2020)*, the Proponent must:
- (a) review and respond to each **Independent Audit Report** prepared under **Condition A39** or **Condition A40**;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each **Independent Audit Report** and response to it publicly available two months after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary.
- A42 **Independent Audit Reports** and the Proponent's response to audit findings must be submitted to the Planning Secretary within two (2) months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approval Requirements (DPIE, 2020)*.
- A43 Notwithstanding the requirements of the *Independent Audit Post Approval Requirements (DPIE, 2020)*, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

INCIDENT AND NON-COMPLIANCE NOTIFICATION AND REPORTING

Incident Notification, Reporting and Response

- A44 The Planning Secretary must be notified via the Major Projects Website within 24 hours after the Proponent becomes aware of an Incident. The notification must identify the CSSI (including the application number and the name of the CSSI if it has one) and set out the location and nature of the incident.
- A45 Subsequent written notification must be given and reports submitted in accordance with the requirements set out in **Appendix A** of this approval.

Non-Compliance Notification

- A46 The Planning Secretary must be notified via the Major Projects Website within seven (7) days after the Proponent becomes aware of any non-compliance. The notification must identify the CSSI (including the application number and the name of the CSSI if it has one), identify the condition/s against which the CSSI is non-compliant, the nature of the non-compliance; the reason for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- A47 A non-compliance which has been notified as an Incident under **Condition A44** does not need to be notified as a non-compliance.

IDENTIFICATION OF WORK

- A48 The CSSI name; application number; telephone number, postal address and email address required under **Condition B6** of this approval must be made available on boundary fencing / hoarding at each ancillary facility before the commencement of Construction. This information must also be provided on the website required under **Condition B15** of this approval.

PART B

COMMUNITY INFORMATION AND REPORTING

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Community Communication Strategy

B1 A **Community Communication Strategy** must be prepared to provide mechanisms to facilitate communication about Construction and Operation of the CSSI with:

- (a) the community (including adjoining affected landowners and businesses, and others directly impacted by the CSSI);
- (b) Aboriginal people, Registered Aboriginal Parties (RAPs) and LALCs; and
- (c) the relevant councils.

B2 The **Community Communication Strategy** must:

- (a) identify people, organisations, councils to be consulted during the design and work phases of the CSSI;
- (b) identify details of the community and its demographics;
- (c) identify timing of consultation;
- (d) set out procedures and mechanisms for the regular distribution of accessible information including to LOTE and CALD and vulnerable communities about or relevant to the CSSI;
- (e) identify opportunities for education within the community about construction sites;
- (f) detail the measures for advising the community in advance of upcoming Work, upcoming out-of-hours work as required by **Condition E33** including:
 - (i) justification and description of the potential work, location and duration of the out-of-hours work;
 - (ii) the noise characteristics and likely noise levels of the work; and
 - (iii) likely mitigation and management measures which aim to achieve the relevant noise management levels and vibration criteria under **Condition E35** (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers).
- (g) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the CSSI;
- (h) set out procedures and mechanisms:
 - (i) through which the community can discuss or provide feedback to the Proponent;
 - (ii) through which the Proponent will respond to enquiries or feedback from the community;
 - (iii) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the CSSI, including disputes regarding rectification or compensation; and
- (i) address who will engage with the community, relevant council(s) and agencies.

B3 Work for the purposes of the CSSI must not commence until the **Community Communication Strategy** has been approved by the Planning Secretary.

B4 The **Community Communication Strategy** must be submitted for the Planning Secretary's approval no later than one (1) month before commencement of Work and the approved strategy implemented for the duration of Work and for 12 months following the completion of Construction.

COMPLAINTS MANAGEMENT SYSTEM

B5 A **Complaints Management System** must be prepared and implemented before the commencement of any Work and maintained for the duration of Work and for a minimum for 12 months following completion of Construction of the CSSI.

Note: *In the situation where there are different entities constructing and operating the CSSI, continuity of access to the Complaints Management System must be maintained.*

- B6 The following information must be available to facilitate community enquiries and manage complaints one (1) month before the commencement of Work and for 12 months following the completion of construction:
- (a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI;
 - (b) a postal address to which written complaints and enquires may be sent;
 - (c) an email address to which electronic complaints and enquiries may be transmitted; and
 - (d) a mediation system for complaints unable to be resolved.

This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.

Note: *This information may be located on site hoardings and on the CSSI's website page.*

- B7 A **Complaints Register** must be maintained recording information on all complaints received about the CSSI during the carrying out of any Work and for a minimum of 12 months following the completion of Construction. The **Complaints Register** must record the:
- (a) number of complaints received;
 - (b) the date and time of the complaint;
 - (c) the method by which the complaint was made;
 - (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (e) nature of the complaint;
 - (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and
 - (g) if no action was taken, the reason(s) why no action was taken.

Note: *Personal details of the complainant are not to be provided to the ER, AA unless otherwise agreed to or requested by the complainant.*

- B8 Complainants must be advised of the following information before, or as soon as practicable after, providing personal information:
- (a) the Complaints Register may be forwarded to government agencies, including the Planning Secretary and its representatives (including independent appointments such as the ER, or AA), to allow them to undertake their regulatory duties;
 - (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies;
 - (c) the supply of personal information by the complainant is voluntary; and
 - (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement).

The **Collection Statement** must be included on the Proponent's or CSSI's website to make prospective complainants aware of their rights under the *Privacy and Personal Information Protection Act 1998* (NSW). For any complaints made in person, the complainant must be made aware of the **Collection Statement**.

Notes:

1. *For any complaints made in person, the complainant must be made aware of the **Collection Statement**.*
2. *Should a complainant disagree with the collection statement, a note to that effect must be recorded in the Complaints Register.*

- B9 The **Complaints Register** must be provided to the Planning Secretary upon request, within the timeframe stated in the request.

Community Complaints Mediator

B10 A **Community Complaints Mediator** that is:

- (a) independent of the design and construction personnel; and
- (b) accredited under the National Mediator Accreditation System, administered by the Mediator Standards Board, unless otherwise agreed by the Planning Secretary,

must be nominated by the Proponent and approved by the Planning Secretary one (1) month before the commencement of Work. Once approved the Proponent must engage the **Community Complaints Mediator** for the duration of Work and for a period of 12 months after Operation.

B11 The role of the **Community Complaints Mediator** is to address any complaint where a member of the public has lodged a complaint and is not satisfied by the Proponent's response following completion of the process outlined within the Community Communication Strategy listed within **Condition B1**. Any member of the public that has lodged a complaint which is registered in the **Complaints Management System** identified in **Condition B5**, and that complaint is unresolved may ask the **Community Complaints Mediator** to review the Proponent's response. The application must be submitted in writing and the **Community Complaints Mediator** must respond within 28 days of the request being made or other specified timeframe agreed between the **Community Complaints Mediator** and the member of the public.

B12 The **Community Complaints Mediator** will:

- (a) review unresolved disputes if the procedures and mechanisms under **Condition B2(h) (iii)** do not satisfactorily address complaints;
- (b) make recommendations to the Proponent to satisfactorily address complaints, resolve disputes or mitigate against the occurrence of future complaints or disputes; and
- (c) provide a copy of the recommendations, and the Proponent's response to the recommendations, to the Planning Secretary within one (1) month of the recommendations being made.

B13 The Proponent must implement the recommendations made by the **Community Complaints Mediator** in accordance with **Condition B12** within a timeframe agreed with the **Community Complaints Mediator**, unless otherwise agreed with the Planning Secretary.

B14 The **Community Complaints Mediator** will not act before the Complaints Management System required by **Condition B5** has been executed for a complaint and will not consider issues such as property acquisition, where other dispute processes are provided for in this approval or clear government policy and resolution processes are available, or matters which are not within the scope of this CSSI.

PROVISION OF ELECTRONIC INFORMATION

B15 A website or webpage providing information in relation to the CSSI must be established before commencement of Work and be maintained for the duration of Construction, and for a minimum of 24 months following the completion of Construction or unless an alternative timeframe is agreed by the Planning Secretary. The following up-to-date information (excluding confidential, personal, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant Work commences and maintained on the website or dedicated pages including:

- (a) information on the current implementation status of the CSSI;
- (b) a copy of the documents listed in **Condition A1**, and any documentation relating to any modifications made to the CSSI or the terms of this approval;
- (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;

- (d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI;
- (e) a copy of the current version of each document required under the terms of this approval; and
- (f) a copy of the audit reports required under this approval.

Where the information / document relates to a particular Work or is required to be implemented, it must be published before the commencement of the relevant Work to which it relates or before its implementation.

All information required in this condition must be provided on the Proponent's website, ordered in a logical sequence, easy to navigate, searchable and documents titles clearly presented.

Notes:

1. *The intention of this condition is to increase transparency and for information/documents required as part of the approval to be provided proactively and publicly in an easily accessible manner. Where information is excepted by this condition, it is intended that these documents are provided in their redacted form.*
2. *The Planning Secretary may instruct the Proponent to finalise and upload any report or documents to the Project's website in accordance with **Condition A5**.*
3. *The publishing of documents must occur before the relevant Work / activity is going to commence, unless otherwise agreed with the Secretary.*
4. *In determining what information should be published under this condition, the proponent should have regard to the principles in Division 2 of Part 2 of the Government Information (Public Access) Act, 2009.*
5. *Documents should be named to be consistent with the conditions of approval where possible. The name should also give an overall impression of what the document is about. The names should be simple and concise (no more than 50 characters) without any unnecessary punctuation or under scoring in the title.*

B16 Where the agreement of the Planning Secretary is sought to cease providing information via a website or webpage in accordance with **Condition B15**, the Proponent must demonstrate:

- (a) operational compliance through independent audits completed in accordance with **Condition 0**; and
- (b) how the public can request access to information that will no longer be available through a website or webpage.

PART C

CONSTRUCTION ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Framework

- C1 A **Construction Environmental Management Framework (CEMF)** may be prepared to facilitate the preparation and approval of construction environmental management and monitoring plans required under **Part C** of this approval. The **CEMF** must:
- (a) identify the **Construction Environmental Management Plans (CEMPs), CEMP Sub-plans and Construction Monitoring Programs (CMP)** required for each stage of Construction consistent with the **Staging Report** prepared under **Condition A14**;
 - (b) document the proposed structure of the **CEMPs, CEMP Sub-plans and CMPs** for the relevant stage of Construction;
 - (c) provide, by way of a Risk Matrix, an assessment of the predicted level of environmental and social risk, including the potential level of community concerns posed by each Construction stage. This must use a process consistent with *AS/NZS ISO 31000: 2018; Risk Management – Guidelines*; and
 - (d) nominate the consultation and endorsement level for the **CEMPs, CEMP Sub-plans and CMPs** required for each Construction stage. The endorsement level being one of the following:
 - (i) Low Risk Stage – to be self endorsed and consultation with stakeholders is not mandatory,
 - (ii) Medium Risk Stage – to be endorsed by the **ER** and consultation with stakeholders required, and
 - (iii) High Risk Stage– to be approved by the Planning Secretary and consultation with stakeholders required.

For a Low Risk Stage(s) the requirements of **Conditions C4to C28** of this approval do not apply. In these circumstances, a **CEMP, CEMP sub-plan and CMP**, may be substituted with an alternate process such as a Construction Method Statement or the like.

The **CEMF** must be prepared in consultation with the **ER** and then submitted no later than one (1) month before the lodgement of any **CEMP, CEMP sub plan or CMP** to the Planning Secretary for approval.

Notes:

1. *The Planning Secretary may vary the **CEMF** in relation to the endorsement authority for the **CEMPs, CEMP Sub-plans and CMPs**.*
2. *The intent is for staging and not activities within a stage.*

- C2 The approved **CEMF** must be implemented for the duration of Construction.
- C3 Where changes are proposed to the staging of Construction, a revised **CEMF** must be prepared, endorsed by the **ER** and submitted to the Planning Secretary for approval no later than one (1) month prior to the proposed change in the staging.

SITE ESTABLISHMENT WORK

Ancillary Facility Site Establishment Management Plan

- C4 Before the establishment of ancillary facilities that are required before the approval of a **CEMP** (excluding minor ancillary facilities determined by the **ER** to have minimal environmental impact and those established under **Condition C7**), the Proponent must prepare an **Ancillary Facility Site Establishment Management Plan** which outlines the environmental management practices and procedures to be implemented for the establishment of the ancillary facility(ies). The **Ancillary Facility Site Establishment Management Plan** must be prepared in consultation with the relevant council and government agencies. The Plan must be endorsed by the **ER** and then submitted to the Planning Secretary for approval one (1) month before the establishment of any

ancillary facility(ies). The **Ancillary Facility Site Establishment Management Plan** must detail the management of the ancillary facility(ies) and include:

- (a) a description of activities to be undertaken during establishment of the ancillary facility (including scheduling and duration of Work to be undertaken at the site);
- (b) figures illustrating the proposed operational site layout and the location of the closest sensitive land use(s);
- (c) an analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment;
- (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:
 - (i) meet the performance outcomes stated in the documents listed in **Condition A1**, and
 - (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and
- (e) a program for monitoring the performance outcomes, including a program for noise monitoring during site establishment works.

Nothing in this condition prevents the Proponent from preparing individual **Ancillary Facility Site Establishment Management Plans** for each ancillary facility.

Note: *This condition allows for the establishment of ancillary facility(ies) prior to the approval of a CEMP. Once a CEMP is approved, an Ancillary Facility Site Establishment Management Plan(s) is not required. The use of the ancillary facility must be addressed in the CEMP.*

Use of and Decommissioning of an Ancillary Facility

- C5 A ancillary facility established under **Condition C4** must not be used for Construction until the **CEMP** required by **Condition C9**, relevant **CEMP Sub-plans** required by **Condition C14** and relevant **Construction Monitoring Programs** required by **Condition C20** have been approved by the Planning Secretary.
- C6 Once an ancillary facility is no longer required for the CSSI, the land must be returned to its pre-existing or better condition within six (6) months of the site being decommissioned or within two (2) years of Operation (whichever is the earliest).

Minor Ancillary Facilities

- C7 Minor Ancillary Facilities can be established and used where they have been assessed in the documents listed in **Condition A1** or satisfy the following criteria:
 - (a) are located within or immediately adjacent to the construction boundary; and
 - (b) have been assessed by the **ER** to have:
 - (i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the *Interim Construction Noise Guideline* (DECC, 2009) (ICNG), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; and
 - (ii) minimal environmental impact with respect to waste management and flooding, and
 - (iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.

Boundary screening

- C8 Boundary screening must be erected between ancillary facilities (excluding minor ancillary facilities) and adjacent to sensitive land use(s) for the duration of the time that the ancillary facility is in use, unless otherwise agreed with the owner and occupier of the adjacent sensitive land use(s).

Boundary screening should aim to minimise visual impacts on adjacent sensitive land use(s).

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Construction Environmental Management Plan

C9 Except as provided by **Condition C1**, a **Construction Environmental Management Plan (CEMP)** must be prepared having regard to the *Environmental Management Plan Guideline for Infrastructure Projects* (Department of Planning, Industry and Environment, 2020).

C10 The **CEMP** must provide:

- (a) a description of activities to be undertaken during Construction (including the scheduling of Construction);
- (b) details of environmental and social policies, guidelines and principles to be followed in the Construction of the CSSI;
- (c) a program for ongoing analysis of the key environmental and social impact risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of Construction of the CSSI. The initial risk assessment may be undertaken as part of the **CEMF** pursuant to **Condition C1**;
- (d) details of how the activities described in subsection (a) of this condition will be carried out to:
 - (i) meet the performance outcomes stated in the documents listed in **Condition A1** and as required by this approval; and
 - (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;
- (e) an inspection program detailing the activities to be inspected and frequency of inspections;
- (f) a protocol for managing and reporting any:
 - (i) incidents; and
 - (ii) non-compliances with this approval or statutory requirements;
- (g) procedures for rectifying any non-compliance with this approval identified during compliance auditing, incident management or at any time during Construction;
- (h) a list of all the **CEMP Sub-plans** required in respect of construction, as set out in **Condition C14**. Where staged Construction of the CSSI is proposed, the **CEMP** must also identify which **CEMP Sub-plan** applies to each of the proposed stages of Construction;
- (i) an organisational chart including description of the roles and environmental responsibilities for relevant employees and any independent appointments;
- (j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental, social and compliance obligations under the terms of this approval; and
- (k) for periodic review and update of the **CEMP** and all associated plans and programs.

Note: **CEMP(s)** may reflect the Construction of the CSSI through geographical activities, temporal activities or activity based contracting and staging.

C11 **CEMP(s)** (and relevant **CEMP sub-plans**) must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a **CEMF** approved by the Planning Secretary under **Condition C1**.

C12 Where a **CEMP** (and relevant **CEMP sub-plans**) requires Planning Secretary's approval, the **CEMP** (and relevant **CEMP sub-plans**) must be endorsed by the **ER** and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of Construction, or where Construction is staged, no later than one (1) month before the commencement of each stage.

C13 **CEMP(s)** (and relevant **CEMP sub-plans**) not requiring the Planning Secretary's approval, but requiring **ER** endorsement, must be submitted to the **ER** no later than one (1) month before the commencement of Construction or where Construction is staged no later than one (1) month before the commencement of that stage. The **CEMPs** (and relevant **CEMP sub-plans**) must be endorsed by the **ER** as being consistent with the conditions of this approval and all undertakings made in the documents listed in **Condition A1**.

C14 Except as provided by **Condition C1**, the following **CEMP Sub-plans** must be prepared in consultation with the relevant government agencies and council(s) identified for each **CEMP Sub-plan**. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant **CEMP Sub-plan**, including copies of all correspondence from those agencies as required by **Condition A12**.

	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan
(a)	Traffic, Transport and Access	Relevant council(s), relevant road authority, relevant Emergency Services, SOPA
(b)	Maritime works and Navigation	Relevant council(s), Ferry operator, Transport for NSW (maritime operations), SOPA
(c)	Noise and Vibration	Relevant council(s), SOPA
(d)	Heritage (including Aboriginal and non-Aboriginal heritage)	Relevant council(s), SOPA, LALCs, Heritage NSW, and RAPs
(e)	Flora and Fauna	Relevant council(s), AG DCCEEW, DPI Fisheries, NPWS, NSW DCCEEW – Water Group, BCS and SOPA
(f)	Soil and water	Relevant council(s), NSW DCCEEW – Water Group, DPI Fisheries, SOPA and Heritage NSW

Notes:

1. **CEMP Sub-plan(s)** may reflect the Construction of the project through geographical activities, temporal activities or activity based contracting and staging.
2. Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.
3. Where reviewed by an EPA accredited Site Auditor, the Planning Secretary will consider Interim Audit Advice or a Section B Site Audit Statement provided with CEMP sub-plans for approval.
4. Consultation with SOPA is only relevant where there is SOPA affected lands being impacted.
5. The **Flora and Fauna CEMP Sub-Plan** must be consistent with goals and objectives, mitigation measures and monitoring requirements of the Commonwealth approved conservation advice and any Recovery Plans for all Matters of National Environmental Significance.

C15 The **CEMP Sub-plans** must state how:

- (a) the environmental performance outcomes identified in the documents listed in **Condition A1** will be achieved;
- (b) the mitigation measures identified in the documents listed in **Condition A1** will be implemented;
- (c) the relevant terms of this approval will be complied with; and
- (d) issues requiring management during Construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles.

C16 Construction must not commence until the relevant **CEMP(s)** and **CEMP Sub-plans** have been approved by the Planning Secretary or endorsed by the **ER**, (as applicable and as identified in the **CEMF** approved under **Condition C1**).

C17 The **CEMP(s)** and **CEMP Sub-plans** as approved or endorsed (as relevant), including any minor amendments approved by the **ER**, must be implemented for the duration of Construction.

C18 The **Noise and Vibration CEMP Sub-plan** must include but not be limited to:

- (a) details of all sensitive land use(s) (including noise and or vibration sensitive working areas such as operating theatres and precision laboratories) that are potentially exposed to Construction noise and vibration;
- (b) Construction and vibration performance for the CSSI;
- (c) details of mitigation and management measures and procedures that will be implemented, including measures for managing Construction traffic noise on local roads (particularly where exceedances of the *Road Noise Policy* (DECCW, 2011) are expected);
- (d) construction timetabling, in particular Construction activities outside of standard hours; and

- (e) measures to minimise cumulative Construction impacts and the likelihood for construction fatigue from both concurrent activities and other projects in the area.

Note: *This Condition would only apply for the local roads surrounding the CSSI and would not apply after the nearest connecting State Road, e.g., does not apply to materials or equipment transported from suppliers.*

C19 The **Flora and Fauna CEMP Sub-plan** must include but not be limited to:

- (a) details of the measures to avoid and minimise disturbance to native vegetation and other habitat of threatened flora and fauna species; and consistency with the goals and objectives, mitigation measures and monitoring requirements of the Commonwealth approved conservation advices and any Recovery Plans and Threat Abatement Plans for Matters of National Environmental Significance, where relevant to the CSSI;
- (b) procedures for pre-clearing surveys for threatened species to be undertaken by a suitably qualified and experienced ecologist, including survey and relocation methodologies and management/offset measures;
- (c) measures to restore and revegetate habitat (not covered by biodiversity offsets); and
- (d) measures to manage weeds, pests and pathogens, including measures to minimise spread of pathogens cinnamon fungus, myrtle rust, *Gambusia holbrooki* and chytrid fungus consistent with the *Biosecurity Act 2015*.

CONSTRUCTION MONITORING PROGRAMS

C20 The following **Construction Monitoring Program** must be prepared in consultation with the relevant government agencies and council(s) identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in **Condition A1** or in the **CEMP**:

	Required Construction Monitoring Programs	Relevant government agencies to be consulted for each Construction Monitoring Program
(a)	Noise and Vibration	EPA, SOPA and relevant council(s)

Note: *Consultation with SOPA is only relevant where SOPA lands are affected.*

C21 Each **Construction Monitoring Program (CMP)** must be consistent with SMART principles and provide:

- (a) details of baseline data available;
- (b) details of baseline data to be obtained and when;
- (c) details of all monitoring of the CSSI to be undertaken;
- (d) the parameters of the CSSI to be monitored;
- (e) the frequency of monitoring to be undertaken;
- (f) the location of monitoring;
- (g) the reporting of monitoring results and analysis of results against relevant criteria will be undertaken (including trends in the data, including maximum, minimum and average data results for all monitored parameters);
- (h) details of the methods that will be used to analyse the monitoring data;
- (i) procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable impacts;
- (j) consideration of SMART principles; and
- (k) any consultation to be undertaken in relation to the monitoring programs.

C22 **CMPs** must be submitted to the Planning Secretary for approval except those permitted to be endorsed by others pursuant to a **CEMF** approved by the Planning Secretary under **Condition C1**.

- C23 Where a **CMP** requires Planning Secretary's approval, the **CMP** must be endorsed by the **ER** and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of construction, or where Construction is staged, no later than one (1) month before the commencement of each stage.
- C24 **CMP(s)** not requiring the Planning Secretary's approval, but requiring **ER** endorsement, must be submitted to the **ER** no later than one (1) month before the commencement of Construction or where Construction is staged no later than one (1) month before the commencement of that stage. The **CMP(s)** must be endorsed by the **ER** as being consistent with the conditions of this approval and all undertakings made in the documents listed in **Condition A1**.
- C25 Construction must not commence until the relevant **CMP(s)** have been approved by the Planning Secretary or endorsed by the **ER**, (as applicable and as identified in the **CEMF** approved under **Condition C1**), and all relevant baseline data for the specific construction activity has been collected.
- C26 The **CMP(s)**, as approved or endorsed (as relevant), including any minor amendments approved by the **ER**, must be implemented for the duration of Construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater.
- C27 The results of the construction monitoring must be uploaded to the project website (required by **Condition B15**) in the form of a **Construction Monitoring Report** at the frequency identified in the relevant **CMP** and submitted to the Planning Secretary and relevant regulatory agencies upon request.
- C28 The Construction Monitoring Report must provide an analysis of the monitoring data and detail any proposed and implemented management measures in accordance with the procedures identified in the relevant **CMP**.

Note: Where a relevant **CEMP Sub-plan** exists, the relevant **Construction Monitoring Program** may be incorporated into that **CEMP Sub-plan**.

PART D

OPERATIONAL ENVIRONMENTAL MANAGEMENT

OPERATIONAL ENVIRONMENTAL MANAGEMENT

- D1 An **Operational Environmental Management Plan (OEMP)** must be prepared having regard to the *Environmental Management Plan Guideline for Infrastructure Projects* (Department of Planning, Industry and Environment, 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in **Condition A1** will be implemented and achieved during operation. **Condition D1** does not apply if **Condition D2** of this approval applies.
- D2 An **OEMP** is not required for the CSSI if the Proponent has a certified IS14000 **Environmental Management System (EMS)** or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the certified **EMS** or equivalent:
- (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in **Condition A1**, and specified relevant terms of this approval can be achieved;
 - (b) issues identified through ongoing risk analysis can be managed; and
 - (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.
- D3 Where an **OEMP** is required, the Proponent must include the following **OEMP Sub-plan** in the **OEMP**:

	Required OEMP Sub-plan	Relevant government agencies to be consulted for each OEMP Sub-plan
(a)	Light rail Operations during Special Events (including access)	Relevant council(s), TfNSW, Emergency Services, NSW Police, Rosehill Gardens Racecourse (ATC) and SOPA

Notes:

1. **OEMP Sub-plan(s)** may reflect the staged Construction of the project through geographical activities, temporal activities or activity based contracting and staging.
 2. Nothing in this condition prevents the Proponent from combining any of the above OEMP Sub-plans.
 3. Consultation with SOPA is only relevant where there is SOPA affected lands being impacted.
- D4 Each of the **OEMP Sub-plans** must include the information set out in **Condition D2** of this approval.
- D5 The **OEMP Sub-plans** must be developed in consultation with relevant government agencies as identified in **Condition D3** and must include information requested by an agency to be included in an **OEMP Sub-plan** during such consultation. Details of all information requested by an agency to be included in an **OEMP Sub-plan** as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant **OEMP Sub-Plan**.
- D6 The **OEMP Sub-plans** must be submitted to the Planning Secretary as part of the **OEMP**.
- D7 The **OEMP** or **EMS** or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.
- D8 The **OEMP** or **EMS** or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of Operation and must be made publicly available before the commencement of operation.

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PART E
KEY ISSUE CONDITIONS

AIR QUALITY AND ODOUR

- E1 Measures must be implemented to minimise and manage the emission of dust, odour and other air pollutants as a result of the CSSI during Work and Operation.

BIODIVERSITY

Biodiversity Credits

- E2 The clearing of native vegetation must be minimised to the greatest extent practicable with the objective of reducing impacts to threatened ecological communities and threatened species habitat.
- E3 Impacts to plant community types must not exceed those identified in the documents listed in **Condition A1**.
- E4 Prior to impacts on the biodiversity values set out in set out in **Table 3** and **Table 4** the number and classes of ecosystem credits and species credits (like-for-like) must be achieved by:
- (a) retirement of credits in accordance with the *Biodiversity Conservation Act 2016*; and/or
 - (b) where evidence of compliance with the *Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules* has been provided to the Planning Secretary, variation rules may be applied to retire the relevant ecosystem credits and species credits as set out in the BAM Biodiversity Credit Report (Variation); and/or
 - (c) making a payment into the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem and species credits.

Note: *The variation rule does not apply to biodiversity credits for threatened species or threatened ecological communities that are listed as critically endangered under the Biodiversity Conservation Act 2016 or listed in any capacity under the Environment Protection and Biodiversity Conservation Act 1999.*

Table 3: Direct and Indirect Ecosystem credits to be Retired.

Credit class	Number of Credits	IBRA sub-region	Like-for-like PCTs	Hollow Bearing trees
Ecosystem credits				
Mangrove Forests (PCT920)	26	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion within 100 kilometres of the outer edge of the impacted site	Mangrove Swamps - ≥ 70% - <90% cleared group (including Tier 2 or higher threat status). This includes PCTs: 915, 916, 917, 918, 919, 920	Credit is not required to represent hollow bearing trees and/or artificial hollows
Estuarine Saltmarsh (PCT1126)	2	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion within 100 kilometres of the outer edge of the impacted site	Saltmarshes - ≥ 50% - < 70% cleared group (including Tier 3 or higher threat status). This includes PCTs: 1125, 1126	Credit is not required to represent hollow bearing trees and/or artificial hollows

Credit class	Number of Credits	IBRA sub-region	Like-for-like PCTs	Hollow Bearing trees
Estuarine swamp oak forest (PCT1234)	12	Cumberland, Burratorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site	Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. This includes PCTs: 915, 916, 917, 918, 919, 1125, 1230, 1232, 1234, 1235, 1236, 1726, 1727, 1728, 1729, 1731, 1800, 1808	Credit is not required to represent hollow bearing trees and/or artificial hollows
Sydney Turpentine-Ironbark Forest (PCT1281)	11	Cumberland, Burratorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site	Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. This includes PCTs: 780, 781, 782, 828, 1071, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1911	Credit is not required to represent hollow bearing trees and/or artificial hollows
<i>Phragmites australis</i> and <i>Typha orientalis</i> coastal freshwater wetland (PCT1071)	1	Cumberland, Burratorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site	Sydney Turpentine-Ironbark Forest in the Sydney Basin Bioregion. This includes PCTs: 1183, 1281, 1284	Credit is not required to represent hollow bearing trees and/or artificial hollows

Table 4: Direct and Indirect Species credits to be Retired.

Species	Indirect impacts (ha)	Direct Impacts (ha)	Number of credits
Species Credits			
<i>Wilsonia backhousei</i>	0.03	0.01	2
Green and Golden Bell Frog	0.14	1.52	24
Southern Myotis	0.91	2.19	44
Bar-tailed Godwit	0.56	0.36	16
Curlew Sandpiper	0.56	0.36	24

Notes:

1. Credits have been calculated using the Biodiversity Assessment Method
2. Includes credits required under the Environment Protection and Biodiversity Conservation Act 1999.

E5 Evidence of the retirement of credits in satisfaction of **Condition E4(a), E4(b)** or payment to the Biodiversity Conservation Fund in satisfaction of **Condition E4(c)** must be provided to the Planning Secretary prior to commencement of Work impacting biodiversity values.

Key Fish Habitat

E6 Impacts to Key Fish Habitat (KFH) as defined in the *Policy and Guidelines for Fish Habitat Conservation and Management Update 2013* (DPI, 2013) must be avoided where possible. KFH (mangroves and saltmarsh) must be offset at a ratio of 2:1 in accordance with the documents listed in **Condition A1**.

On-ground offsetting within Parramatta River estuary (i.e. Newington Nature Reserve and Badu Mangroves in Bicentennial Park) must be prioritised. Where there are not sufficient on-ground offset opportunities within the Parramatta River estuary, a compensatory payment for the residual offset, at the rate outlined in the documents listed in **Condition A1** of this schedule, must be made to the DPI Fish Conservation Trust Fund before the commencement of Work impacting Key Fish Habitat. A receipt confirming payment to the DPI Fish Conservation Trust Fund must be submitted to the Planning Secretary within one (1) month of making the payment.

E7 **A Key Fish Habitat Offset Strategy** must be prepared in consultation with DPI Fisheries, SOPA and NPWS and published in accordance with **Condition B15** before the commencement of Work impacting Key Fish Habitat. The Strategy must:

- (a) consider relevant policies and guidelines, including but not limited to, the *NSW Biodiversity Offsets Policy for Major Projects* and *Policy and guidelines for Fish Habitat Conservation and Management Update 2013* (DPI, 2013);
- (b) preference on-ground offsetting within Parramatta River estuaries where practicable (i.e. Newington Nature Reserve and Badu Mangroves in Bicentennial Park). Where sufficient offsets cannot be provided in those locations, alternative locations within Parramatta River estuaries may be considered;
- (c) consider, in order of priority:
 - (i) rehabilitate degraded mangrove and saltmarsh communities by improving hydrological functioning;
 - (ii) expanding existing mangrove or saltmarsh patches; and
 - (iii) improving condition of existing mangrove or saltmarsh patches by removing exotic or non-endemic species to allow for natural regeneration of mangrove and saltmarsh species and / or replacing these with mangrove or saltmarsh species;
- (d) identify outcomes to be achieved, including the form and timing for them to be achieved and the likely split between on-ground and other offsets;
- (e) include a program for completion of rehabilitation work identified; and
- (f) include a maintenance and monitoring program which establishes clear actions, timing, success targets, and actions to be undertaken when success is not achieved.

Unexpected Finds Protocol

E8 An **Unexpected Threatened Species and Ecological Communities Finds Protocol** must be prepared in consultation with BCS to manage unexpected finds of threatened species and threatened ecological communities not listed in **Condition E4** and submitted to the Planning Secretary for approval at least one (1) month before the commencement of Work. Work must not commence until the unexpected finds protocol is approved by the Planning Secretary. The **Unexpected Finds Protocol** must be implemented throughout the duration of Work.

Re-use of Timber

E9 The CSSI must maximise the reuse of native vegetation and other habitat features that have been approved for removal. Where reuse by the CSSI is not possible, relevant council(s), EHG, NPWS, Local Land Services, local Landcare groups and any additional relevant government agencies must be consulted prior to the removal of vegetation and other habitat to determine if:

- (a) hollows, tree trunks (greater than 25-30 centimetres in diameter and 2-3 metres in length), mulch, bush rock and root balls salvaged from native vegetation impacted by the CSSI; and
- (b) collected plant material, seeds and/or propagated plants from native vegetation impacted by the CSSI,

could be used by others in the local area in habitat enhancement and rehabilitation work which is currently underway or planned within six (6) months of removal / collection, before pursuing other disposal options. If the timber can be re-used by others, the Proponent must advise them and facilitate access for salvage.

Note: *Before reusing rootballs and other vegetative material by the CSSI or offered to others, it must be checked by a suitably qualified arborist/ecologist pathologist to determine that Phytophthora cinnamomic and myrtle rust is absent from the construction footprint and the material is not showing signs of infection or pests.*

FLOODING

E10 Measures identified in the documents listed in **Condition A1** to not worsen flood characteristics or other measures that achieve the same outcomes, must be incorporated into the detailed design of the CSSI. The appropriateness of the measures must be reviewed by a suitably qualified flood consultant, who is independent of the project's design and construction, in consultation with directly affected landowners, BCS, NSW State Emergency Service (SES), NSW Police, NSW Ambulance, Fire and Rescue NSW, Sydney Olympic Park Authority (SOPA), and relevant Council(s).

Note: Flood behaviour impacts must be in accordance with the relevant Flood Risk Management Manual (DPE 2023) and related documents.

Flood Management Objectives

E11 Except as permitted by **Condition E12**, the CSSI must be designed, constructed and operated to limit impacts on flooding characteristics in areas outside the project boundary during flood events up to and including the 1% AEP flood event, to the following:

- (a) a maximum increase in inundation time of one (1) hour;
- (b) a maximum increase of 10 mm in above-floor inundation to habitable rooms where floor levels are currently exceeded;
- (c) no above-floor inundation of habitable rooms which are currently not inundated;
- (d) a maximum increase of 10 mm in inundation of land zoned as residential;
- (e) a maximum increase of 20 mm in inundation of land zoned as industrial or commercial;
- (f) a maximum increase of 20mm in inundation of land zoned as environment zone;
- (g) a maximum increase of 50 mm in inundation of land zoned as public recreation;
- (h) no increase in flood hazard rating category or risk to life for a given flood event;
- (i) maximum relative increase in velocity of 10%, where the resulting velocity is greater than 1.0 m/s, unless adequate scour protection measures are implemented and/or the velocity increases do not exacerbate erosion as demonstrated through site-specific risk of scour or geomorphological assessments; and
- (j) no degradation to hydrological functions to meet ecological obligations of the Narawang wetlands.

E12 If it is not practical to modify the design of the CSSI to meet the requirements of **Condition E11**, the Proponent must, in instances of non-compliance with **Condition E11**:

- (a) document the extent of the non-compliance and the impact to affected landowners (public and private) and environment including biodiversity and soil stability;
- (b) justify why it is not practical to achieve compliance through CSSI design changes including provision of details of design options investigated to achieve compliance;
- (c) consult with and obtain the written agreement of the relevant council and roads authority (if separate);
- (d) consult with and provide full disclosure of likely impacts resulting from non-compliance with the flood management objectives and take all reasonable steps to obtain the written agreement of the affected landowner to the noncompliance. Such an agreement may involve works, measures, maintenance activities, acquisitions, or other commitments by the Proponent to the landowner;
- (e) engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures; and
- (f) all written agreements must be legally binding and meet any requirements of relevant legislation.

*Note: Nothing in this condition prevents the use of mediation in accordance with the Community Communication Strategy required by **Condition B1** or the use of the Community Complaints Mediator required by **Condition B11**.*

- E13 Flood information including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant council, BCS, SOPA and the SES in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The relevant council, BCS, SOPA and the SES must be notified in writing that the information is available no later than one (1) month following the completion of Construction. Information requested by the relevant council, BCS or the SES must be provided no later than six (6) months following the completion of Construction or within another timeframe agreed with the relevant council, BCS and the SES.

HERITAGE

- E14 All reasonable steps must be taken so as not to destroy, modify or otherwise affect any Heritage item not identified in documents referred to in **Condition A1**. Unexpected heritage finds identified by the CSSI must be managed in accordance with the **Unexpected Heritage Finds Procedure and Human Remains Procedure** outlined in the documents list under **Condition E15**. Consideration of avoidance and redesign to protect state significant unexpected finds must be addressed where this condition applies.
- E15 An **Unexpected Heritage Finds and Human Remains Procedure** must be prepared:
- by a suitably qualified and experienced heritage specialist in consultation with Heritage NSW and the Heritage Council of NSW;
 - in accordance with any guidelines and standards prepared by the Heritage Council of NSW or Heritage NSW in relation to Environmental, Aboriginal cultural heritage and human remains;
 - to include provisions for hold points or stop work in the event of an unexpected heritage or human remains find to consult with RAPs, an independent expert for advice relevant to the type of unexpected find or, in the case of human remains other relevant stakeholders;
 - to include provision to recommence Work following permission from Heritage NSW;
 - the procedure must be included within the **Heritage CEMP Sub-Plan** required by **Condition C14**; and
 - no later than one (1) month before the commencement of Work and submitted to the Planning Secretary and Heritage NSW upon request.

The **Unexpected Heritage Finds and Human Remains Procedure** must be implemented for the duration of Work.

Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. All work must cease immediately, and Heritage NSW be informed.

- E16 The Proponent must prepare a **Heritage Interpretation Strategy**, which identifies and interprets the key Aboriginal and Non-Aboriginal heritage values and stories of Heritage items, items of heritage significance, and heritage conservation areas impacted by the CSSI. The **Heritage Interpretation Strategy** must be prepared in accordance with the documents listed in **Condition A1**, the *NSW Heritage Manual*, the NSW Heritage Office's *Interpreting Heritage Places and Items: Guidelines* (August 2005), and the NSW Heritage Council's *Heritage Interpretation Policy*/ and include, but not be limited to:
- a discussion of key interpretive themes, stories and messages proposed to interpret the Aboriginal and other cultural values, history and significance of the affected Heritage items, items of heritage significance and sections of heritage conservation areas;
 - Aboriginal cultural and heritage values of the project area including the results of any archaeological investigations undertaken; and
 - interpretation of the results of Environmental archaeological excavations.

The **Heritage Interpretation Strategy** must inform the **Place, Design and Landscape Plan(s) (PDLP)**.

- E17 The Proponent must identify initiatives to be implemented during Construction to share information with the community on archaeological investigations, archaeological relics, heritage items, items of heritage significance and heritage conservation areas affected by the CSSI including, but not limited to:
- (a) use of interpretative hoardings during Construction;
 - (b) community open days;
 - (c) community updates; and
 - (d) permanent public interpretative displays, utilising salvaged archaeological materials where appropriate.

Interpretive initiatives to be implemented during Construction must be identified in the **Community Communication Strategy** required by **Condition B2** and implemented as soon as practicable.

- E18 Following completion of all Work described in the documents listed in **Condition A1** in relation to heritage, an **Annotated Index and Reference** of all archival recording, historical research, archaeological excavations (with artefact analysis and identification of a final repository for finds), and other heritage documents of the CSSI must be prepared.
- E19 The **Annotated Index and References** must be completed no later than 12 months after the completion of the Work referred to in **Condition E14** and submitted to the Planning Secretary, the Heritage Council of NSW, Heritage NSW, LALCs, RAPs and the relevant Council(s) on request.

*Note: The intent of an **Annotated Index and Reference** is to collate all heritage related assessments, investigations, recordings, research and excavation reports, and all other heritage related documents prepared for part of this project in a single location.*

Environmental Heritage

- E20 Prior to undertaking Work that has the potential to impact upon areas of archaeological significance as defined in the documents listed in **Condition A1**, a revised **Archaeological Research Design and Excavation Methodology** must be prepared, if new areas of archaeological significance are impacted, in accordance with the Heritage Council of NSW guidelines and submitted to the Planning Secretary.
- E21 Prior to undertaking Work that could impact historical archaeology (i.e. non-Aboriginal), a suitably qualified and experienced **Excavation Director** must be nominated, who complies with Heritage Council of NSW's *Criteria for Assessment of Excavation Director* (September 2019) to oversee and advise on matters associated with historical archaeology, for the approval of the Planning Secretary in consultation with Heritage NSW. The **Excavation Director** must be present to oversee excavation, advise on archaeological issues, and advise on the duration and extent of oversight required during archaeological excavations consistent with the **Archaeological Research Design and Excavation Methodology**.
- E22 If known or potential State significant archaeological deposits or relics are discovered during Work, then Work must cease in the affected area and the Heritage Council of NSW must be notified as soon as practicable. If determined to be of heritage significance by the **Excavation Director**, an archaeological assessment and management strategy may be required (if requested by the **Excavation Director**) before further Work can continue in that area. Work must only recommence if agreed to by the **Excavation Director** following consultation with Heritage NSW (under delegation from the Heritage Council of NSW).
- E23 Following the completion of the archaeological excavation program, a **Final Excavation Report** must be prepared and be submitted to the Heritage Council of NSW and the relevant council's local studies unit for information and be made publicly available no later than 12 months after the completion of archaeological excavation. The **Final Excavation Report** must include:

- (a) details of all archaeological findings; and
 - (b) details of any significant artefacts recovered, where they are located and details of their ongoing conservation and protection.
- E24 An **Archival Recording Report** must be undertaken of all heritage-listed items and sites assessed to have heritage significance outlined in the documents listed under **Condition A1** that will be affected by Work. The archival recording must be prepared in accordance with *How to Prepare Archival Recordings of Heritage Items* (NSW Heritage, 1998) and *Photographic Recording of Heritage items Using Film or Digital Capture* (NSW Heritage, 2006). The recordings must capture the potentially affected heritage listed items impacted by Work, and the immediate surrounds, before, during and after the works.
- E25 The **Archival Recording Report** must be prepared no later than 12 months after the completion of Construction and a copy must be provided to Heritage NSW and the relevant council and must be submitted as part of the annotated index required by **Condition E14**.
- E26 A **Removal and Storage Methodology** must be prepared to identify the procedure for the recording, tagging, removal and storage of any significant heritage fabric to be removed, modified and/or reused. Significant heritage fabric that is to be removed or modified must be recorded and tagged on site and stored securely in accordance with the **Removal and Storage Methodology** for future use. The Methodology must be included in the **Heritage CEMP Sub-Plan** required by **Condition C14**.

Aboriginal Cultural Heritage

- E27 Registered Aboriginal Parties (RAPs) must be kept regularly informed about the CSSI. The RAPs must continue to be consulted about the Aboriginal cultural heritage management requirements of the CSSI.
- E28 Aboriginal archaeological testing and excavations must be conducted by a suitably qualified and experienced person in accordance with the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010). More than one (1) **Excavation Director** may be engaged for the CSSI to exercise the functions required under the conditions of this approval.
- E29 At the completion of Aboriginal cultural heritage test and salvage excavations, an **Aboriginal Cultural Heritage Excavation Report(s)** must be prepared by a suitably qualified person. The **Aboriginal Cultural Heritage Excavation Report(s)**, must:
- (a) be prepared in accordance with the *Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW*, OEH 2011 and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, DECCW 2010; and
 - (b) document the results of the archaeological test excavations and any subsequent salvage excavations (with artefact analysis and identification of a final repository for finds) and inform detailed design to avoid/minimise impacts to historical archaeology and areas of archaeological significance.

The RAPs must be given a minimum of 60 days to consider the report and provide comments before the report is finalised. The final report must be provided to the Planning Secretary, Heritage NSW, the relevant Councils, LALC, the interested RAPs and local libraries within 24 months of the completion of the Aboriginal archaeological excavations (both test and salvage).

Notes:

1. To ensure cultural knowledge is protected a redacted Aboriginal Cultural Heritage Excavation Report(s) may be provided subject to the agreement of RAPs to publicly share cultural knowledge.
2. Nothing in these conditions prevents the Proponent from preparing combined Final Excavation and Aboriginal Cultural Heritage Excavation report(s) to satisfy **Conditions E23 and E29**.

NOISE AND VIBRATION

Land Use Survey

E30 A detailed land use survey must be undertaken to confirm sensitive land use(s) (including critical working areas such as operating theatres and precision laboratories) that will be potentially exposed to noise and vibration, including:

- (a) Construction noise and vibration;
- (b) Construction ground-borne noise; and
- (c) operational noise.

The survey may be undertaken on a progressive basis but must be undertaken in any one area before the commencement of Work which generates noise and vibration in that area. The results of the survey must be included in the **Noise and Vibration CEMP Sub-plan** required by **Condition C14** and **Construction Noise and Vibration Impact Statements required by Condition E40**.

Work Hours

E31 Work must be undertaken during the following hours:

- (a) 7:00am to 6:00pm Mondays to Fridays, inclusive;
- (b) 8:00am to 6:00pm Saturdays; and
- (c) at no time on Sundays or public holidays.

Highly Noise Intensive Work

E32 Highly noise intensive work must only be undertaken:

- (a) between the hours of 8:00 am to 6:00 pm Monday to Friday;
- (b) between the hours of 8:00 am to 1:00 pm Saturday; and
- (c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour.

For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.

Variation to Work Hours

E33 Notwithstanding **Conditions E31** and **E32**, work may be undertaken outside the hours specified in the following circumstances (a, b, c or d):

- (a) **Safety and Emergencies**, including:
 - (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or
 - (ii) 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.

On becoming aware of the need for emergency work in accordance with **Condition E33 (a)**, the **AA**, the **ER**, the Planning Secretary and the EPA must be notified of the reasons for such work. Best endeavors must be used to notify all noise and/or vibration affected residents and owners/occupiers of properties identified sensitive land use(s) of the likely impact and duration of those work.

- (b) **Work that meets all of the following criteria:**
 - (i) Work that causes $L_{Aeq(15\text{ minute})}$ noise levels:
 - no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and
 - no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land use(s); or
 - (ii) Work that causes L_{Amax} noise levels during the night time period of no more than 15 dB(A) above the RBL at any residence; or

- (iii) Work that causes:
 - continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of *Assessing Vibration: a technical guideline* (DEC, 2006), or
 - intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of *Assessing Vibration: a technical guideline* (DEC, 2006).

- (c) **By Approval**, including:
 - (i) where different work hours, including highly intensive work are permitted or required under an EPL in force in respect of the CSSI; or
 - (ii) Work which are not subject to an EPL that are approved under an **Out-of-Hours Work Protocol** as required by **Condition E34**; or
 - (iii) negotiated agreements with the substantial majority affected residents and sensitive land use(s) for work which are not subject to an EPL. A copy of the documented outcomes of the community consultation must be provided to the **ER, AA**, EPA and Planning Secretary upon request.

Note: Please refer to **Appendix B** for more guidance regarding negotiated agreements.

- (d) **By Specified Activity**, including:
 - (i) Work at the stabling and maintenance facility at Camellia;
 - (ii) recycling of spoil and ballast at the Grand Avenue construction compound, Camellia;
 - (iii) Work in the road reserve of Silverwater Road and the use of cranes adjacent to Silverwater Road for the construction of the bridge over Silverwater Road; and
 - (iv) testing and commissioning of Light Rail Vehicles/infrastructure, driver training and trial running of Light Rail Vehicles.

Note: Although the activities identified in **Condition E33(d)** permit works to occur outside the Work hours identified in **Condition E31**, these activities still need to be managed within the **CEMP** and **CNVIS** frameworks and any other relevant conditions.

Out-Of-Hours Work Protocol – Works Not Subject to an EPL

E34 An **Out-of-Hours Work Protocol** must be prepared to identify a process for the consideration, management and approval of work which is outside the hours defined in **Conditions E31** and **E32**, and that are not subject to an EPL. The Protocol must be prepared in consultation with the **ER** and the **AA**. The Protocol must include:

- (a) justification for why these Works need to be undertaken out-of-hours;
- (b) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:
 - (i) the **ER** and **AA** review all proposed out-of-hours activities and confirm their risk levels,
 - (ii) low risk activities can be approved by the **ER** in consultation with the **AA**, and
 - (iii) all other activities are approved by the Planning Secretary;
- (c) identification of the respite periods that would be applied;
- (d) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;
- (e) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the periods identified in (c) above. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land use(s) would be exposed to, including the number of noise awakening events;
- (f) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and
- (g) notification arrangements for affected receivers consistent with the **Community Communication Strategy** for approved out-of-hours work and notification to the Planning Secretary of approved low risk out-of-hours works.

The Protocol must be submitted to and approved by the Planning Secretary before commencement of the out-of-hours work and implemented during Work. The Planning Secretary may revoke its Out-of-Hours Work approval subject to ongoing community complaints.

This condition does not apply if the requirements of **Condition E33 (a), or (b), or (d)** are met, or if the Work is subject to an EPL or if a negotiated agreement is made with the impacted residents and sensitive land use(s).

Notes:

1. *If a certain activity or Work is regulated by the EPA via an EPL, the management of the activity or Work should not be co-regulated under the Protocol. The Protocol process should only be used if a certain activity or Work is not covered by an EPL or negotiated agreement.*
2. *The risk assessment(s) must be based on a risk assessment carried out in accordance with AS/NZS ISO 31000:2018 "Risk Management".*
3. **Condition E47** provides additional parameters to be considered.
4. *If the Work is subject to an EPL extended hours cannot be considered under this Protocol.*
5. *The intent of part (c) of this condition is to provide minimum respite periods for out of hours works to occur under a **OOHW Protocol**. These respite periods can be amended through community agreements or via an EPL.*
6. Refer to **Appendix B** for community consultation guidance.

Construction Noise Management Levels and Vibration Criteria

E35 Mitigation measures must be implemented with aim of achieving the following noise management levels and vibration objectives:

- (a) Construction 'Noise affected' NMLs established using the *Interim Construction Noise Guideline* (DECC, 2009);
- (b) vibration criteria established using the *Assessing vibration: a technical guideline* (DEC, 2006) (for human exposure);
- (c) Australian Standard AS 2187.2 - 2006 "*Explosives - Storage and Use - Use of Explosives*";
- (d) BS 7385 Part 2-1993 "*Evaluation and measurement for vibration in buildings Part 2*" as they are "applicable to Australian conditions"; and
- (e) the vibration limits set out in the *German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures* (for structural damage).

Work that exceeds the noise management levels and/or vibration criteria must be managed in accordance with the **Noise and Vibration CEMP Sub-plan**.

Note: *The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.*

E36 Mitigation measures must be applied when the following residential ground-borne noise levels are exceeded:

- (a) evening (6:00 pm to 10:00 pm) — internal $L_{Aeq(15\text{ minute})}$: 40 dB(A); and
- (b) night (10:00 pm to 7:00 am) — internal $L_{Aeq(15\text{ minute})}$: 35 dB(A).

The mitigation measures must be outlined in the **Noise and Vibration CEMP Sub-plan**, including in any **Out-of-Hours Work Protocol**, required by **Condition E34**.

E37 Piling activities that affect sensitive receivers must be undertaken using quieter alternative methods than impact or percussion piling, such as bored piles or vibrated piles, where practicable.

E38 Noise generating work in the vicinity of community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the NMLs must not be timetabled during sensitive periods, within the Work Hours of **Condition E32**, unless other reasonable arrangements with the affected institutions are made at no cost to the affected institution.

- E39 At no time can noise generated by construction exceed the National Standard for exposure to noise in the occupational environment of an eight-hour (8hr) equivalent continuous A-weighted sound pressure level of $L_{Aeq,8h}$ of 85 dB(A) for any employee working at a location near the CSSI.
- E40 **Construction Noise and Vibration Impact Statements (CNVIS)** must be prepared for work that may exceed the noise management levels, vibration criteria and/or ground-borne noise levels specified in **Condition E35** and **Condition E36** at any residence outside construction hours identified in **Condition E31**, or where receivers will be highly noise affected. The **CNVIS** must include specific mitigation measures identified through consultation with affected sensitive land use(s) and the mitigation measures must be implemented for the duration of the works. A copy of the **CNVIS** must be provided to the **AA** and **ER** prior to the commencement of the associated works. The Planning Secretary may request a copy/ies of **CNVIS**.
- E41 Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before work that generates vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, owners and occupiers are to be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the **Noise and Vibration CEMP Sub-plan** required by **Condition C18** and the **Community Communication Strategy** required by **Condition B1**.

Construction Noise and Vibration Mitigation and Management

- E42 Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise levels are minimised. Practices must include, but are not limited to:
- (a) use of regularly serviced low sound power equipment;
 - (b) early occupation and release of road carriageways and construction sites;
 - (c) scheduling of noisiest works before 11.00 pm Sunday to Thursday and before 12 midnight Friday and Saturday;
 - (d) temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rock hammering and concrete cutting and paver cutting; and
 - (e) use of alternative construction and demolition techniques.

Construction Vibration Mitigation - Heritage

- E43 Vibration testing and monitoring must be undertaken before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and attended monitoring shows that the preferred values for vibration are likely to be exceeded, the construction methodology must be reviewed and, if necessary, additional mitigation measures implemented.
- E44 Advice from a heritage specialist must be sought on methods and locations for installing equipment used for vibration, movement and noise monitoring at heritage-listed structures before they are installed.
- E45 Before conducting at-property treatment at any heritage item identified in the documents listed in **Condition A1**, the advice of a suitably qualified and experienced built heritage expert must be obtained and implemented to ensure any such work does not have an adverse impact on the heritage significance of the item.

Utility Coordination and Respite

- E46 All work undertaken for the delivery of the CSSI, including those undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. This must include:
- (a) rescheduling work to provide respite to impacted noise sensitive land use(s) so that the respite is achieved in accordance with the respite periods identified in **Condition E34(c)**; or

- (b) the provision of alternative respite or mitigation to impacted noise sensitive land use(s); and
- (c) the provision of documentary evidence to the **AA** in support of any decision made in relation to respite or mitigation.

The consideration of respite must also include all other CSSI, State Significant Infrastructure and State Significant Development projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of the CSSI.

Out-of-Hours Works Periods and Mitigation

E47 Mitigation measures such as temporary alternative accommodation or other agreed mitigation measures, must be offered / made available to residents affected by out-of-hours work (including where utility works are being undertaken for the CSSI or under a road occupancy licence) where the construction noise levels at the property boundary are between:

- (a) 10:00pm – 7:00am, Monday to Friday
- (b) 10:00pm Saturday – 8:00am Sunday
- (c) 6:00pm Sunday and public holidays – 7:00am the following day unless the following day is a Saturday, then to 8:00am;

are predicted to exceed the NML by 25 dB(A) or are greater than 75 dB(A) ($L_{aeq(15min)}$), whichever is the lesser; and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.

The NML must be reduced by 5 dB(A) where the noise contains particularly annoying characteristics and may be increased by 10 dB(A) if the property has received at-property acoustic treatment.

Operational Noise and Vibration Mitigation Measures

E48 An **Operational Noise and Vibration Review (ONVR)** must be prepared to confirm noise and vibration control measures that would be implemented for the Operation of the CSSI, including the noise impacts from the final CSSI alignment. The **ONVR** must be prepared in consultation with relevant council(s), SOPA and the EPA and must:

- (a) include a carefully designed operational noise monitoring program to cover the existing and future operational noise emission and sound propagation conditions to verify the calculation of operational noise impacts encountered in the area of interest;
- (b) confirm the appropriate operational noise and vibration objectives and levels for surrounding development, including existing sensitive land use(s);
- (c) confirm the operational noise and vibration predictions based on the final design. Confirmation must be based on appropriately validated and calibrated models. The assessment must specifically include verification of noise levels at all fixed facilities, based on noise monitoring undertaken at appropriately identified noise catchment areas surrounding the facilities;
- (d) confirm the operational noise and vibration impacts at adjoining receivers based on the final design of the CSSI. Confirmation must be based on an appropriately validated and calibrated noise models and include noise contour map(s) and tables of results;
- (e) the detailed design must address the following but not limited to;
 - (i) impacts arising from specific light rail design features, such as, but not limited to, corners, acceleration entering and leaving stops, bridges and traction substations;
 - (ii) ground-borne noise impacts arising from specific track form and measures to reduce ground-borne noise;
 - (iii) impacts arising from specific road design features such as but not limited to locations where vehicles cross light rail tracks between and including Rydalmere and Sydney Olympic Park; and
 - (iv) the ranking of maximum noise level impacts on sensitive land use(s) affected by (i), (ii) and (iii) above for the prioritisation of noise mitigation measures;
- (f) identify sensitive land use(s) that are predicted to exceed the requirements as relevant of:
 - (i) *NSW Road Noise Policy* (DECCW, 2011);
 - (ii) *NSW Noise Policy for Industry* (EPA, 2017);

- (iii) *Rail Infrastructure Noise Guideline (EPA, 2013)*;
- (iv) *Assessing vibration: a technical guideline (DEC 2006)*;
- (g) identify all noise and vibration mitigation measures including location, type to address noise (both airborne and ground-borne) and vibration exceedances and identified in part (f) above, with a focus on:
 - (i) light rail trackform and vehicle maintenance;
 - (ii) road design and traffic management;
 - (iii) source control and design;
 - (iv) path control (barriers / noise walls);
 - (v) at-property treatments (if relevant);
 - (vi) 'best practice' achievable noise and vibration outcome for each activity; and
 - (vii) ongoing maintenance;
- (h) outcomes of consultation including feedback from directly affected landowners on the noise and vibration mitigation measures identified in part (g) above;
- (i) Identify and justify the final suite of operation mitigation measures to be implemented following consultation with the directly affected landowners; and
- (j) procedures for the management of operational noise and vibration complaints, including investigation and monitoring (subject to complainant agreement).

The **ONVR** must be verified by the **AA** or a competent person and then submitted to the Planning Secretary for approval prior to the construction of light rail trackform, unless otherwise agreed by the Planning Secretary.

The identified noise and vibration control measures must be implemented and the **ONVR** must be made publicly available.

Notes:

1. *The design of noise barriers and the like must be undertaken in consultation with the community as part of the **Place Design and Landscape Plan** required under **Condition E71, E72 and E73**.*
2. *Consultation with SOPA is only relevant where there is SOPA affected lands being impacted.*
3. *The NSW Road Noise Policy (DECCW, 2011) only applies to new infrastructure constructed as part of CSSI-10035.*

E49 Operational noise mitigation measures identified in **Condition E48** that will not be physically affected by work, must be implemented within 12 months of the Planning Secretary's approval of the **ONVR**, subject to landowner agreement. Where implementation of operational noise mitigation measures are not proposed to be implemented in accordance with this requirement, a report must be submitted to the Planning Secretary providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented. The report must be endorsed by the **AA** and submitted to the Planning Secretary within 12 months of submitting the **ONVR**.

Note: *Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.*

E50 Where at-source mitigation to reduce curving noise (including wheel squeal and flanging) is used, it must be maintained to ensure that they continue to contribute to the compliance of mitigated noise levels identified in the **ONVR (Condition E48)** throughout the life of the project.

E51 All operational noise mitigation measures identified in the **ONVR** must be implemented prior to Operation of the CSSI, unless otherwise agreed with the Planning Secretary.

Operational Noise and Vibration Validation

E52 Within 12 months of the commencement of Operation of the CSSI, monitoring of operational noise and vibration must be undertaken to compare actual noise performance of the CSSI against the noise and vibration performance predicted in the review of noise and vibration mitigation measures required by **Condition E48**.

Operational Noise and Vibration Compliance Report

E53 An **Operational Noise and Vibration Compliance Report (ONCVR)** must be prepared to document the findings of the operational noise and vibration monitoring carried out under **Condition E52**. The **ONCVR** must address the following:

- (a) noise and vibration monitoring to assess compliance with the operational noise and vibration levels predicted in the review of operational noise and vibration mitigation measures required under **Condition E48**;
- (b) compliance with the operational noise levels where relevant in terms of criteria, noise goals and trigger levels established in the:
 - (i) *NSW Road Noise Policy (DECCW, 2011)*,
 - (ii) *NSW Noise Policy for Industry (EPA, 2017)*,
 - (iii) *Rail Infrastructure Noise Guideline (EPA, 2013)*,
 - (iv) *Assessing vibration: a technical guideline (DEC 2006)*;
- (c) methodology, location (and justification for each location) and frequency of noise and vibration monitoring undertaken, including monitoring sites at which CSSI noise and vibration levels are ascertained, with specific reference to locations indicative of impacts on receivers;
- (d) corrections for track features including bridges, curves, trackform, level crossings, turnouts, culverts, joints, crossing loops, and train operating characteristics including gradients, changes of speed, notch settings and dynamic braking;
- (e) details of any complaints (and the resolution of these complaints) and enquiries received in relation to operational noise and vibration generated by the CSSI between the date of commencement of operation and the date the report was prepared;
- (f) any required recalibrations of the noise and vibration model taking into consideration factors such as noise and vibration monitoring and actual traffic numbers and proportions;
- (g) an assessment of the performance and effectiveness of applied noise and vibration mitigation measures together with a review and if necessary, reassessment of mitigation measures;
- (h) identification and justification of additional measures to those identified in the review of noise and vibration mitigation measures required by **Condition E48**, that are to be implemented with the objective of meeting the operational noise and vibration levels in terms of criteria, noise goals and trigger levels established in the:
 - (i) *NSW Road Noise Policy (DECCW, 2011)*,
 - (ii) *NSW Noise Policy for Industry (EPA, 2017)*,
 - (iii) *Rail Infrastructure Noise Guideline (EPA, 2013)*,
 - (iv) *Assessing vibration: a technical guideline (DEC 2006)*; and
- (i) identification of when these additional measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary and the EPA.

The **Operational Noise and Vibration Compliance Report** must be verified by a competent person and made publicly available within 90 days of completing the operational noise and vibration monitoring and provided to the Planning Secretary and EPA upon request.

Note: *The NSW Road Noise Policy (DECCW, 2011) only applies to new infrastructure constructed as part of CSSI-10035.*

PLACE, DESIGN AND VISUAL AMENITY

Construction Sites

E54 The CSSI must be constructed in a manner that minimises visual impacts of construction sites, including providing temporary decorative hoarding, landscaping and vegetative screening, minimising light spill, or incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located, including recognition of Country.

Driver Facilities

E55 Driver facilities must not be located in the public domain in Parramatta CBD or Sydney Olympic Park, where alternative opportunities are available and suitable. Consideration must be given to co-location with substations and other public transport infrastructure. The need to locate driver facilities in either of these locations must only occur after consultation with the relevant Council and SOPA and demonstration to, and agreement, of the Planning Secretary that no alternative opportunities exist.

Design Outcomes

E56 The place making, design and landscape outcomes of the CSSI must be:

- (a) informed by and be consistent with Technical Paper 1 – Design Place and Movement of the EIS and Design, Place and Movement Supplementary Report, including but not limited to the objectives and design principles, requirements, and opportunities for green track, permeable surfaces and wire-free locations adjacent to green space, environmentally sensitive land and residential;
- (b) prepared in consultation with the community (including the affected landowners and businesses or a representative of the businesses), LALCs, RAPs, SOPA and relevant council(s); and
- (c) designed with consideration of relevant land use changes, masterplans, initiatives, and existing and proposed future local context and character determined at the time of approval of this instrument.

E57 The CSSI must be designed to:

- (a) minimise visual and amenity impacts and change to existing landforms;
- (b) minimise overshadowing;
- (c) explore opportunities to provide unobstructed access for pedestrians, incorporate ecological sensitive design, aesthetics, wayfinding and public art into the detailed design; and
- (d) prioritise co-location with existing infrastructure.

Lighting and Security

E58 The CSSI must be constructed and operated to minimise light spill to surrounding property and ecologically sensitive areas. Lighting associated with the construction and operation of the CSSI must be consistent with the requirements of *AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting*, relevant Australian Standards in the series *AS/NZ 1158 – Lighting for Roads and Public Spaces* and the *National Light Pollution Guidelines for Wildlife* (Dept Climate Change, Energy, the Environment and Water, 2023). Mitigation measures must be provided to manage residual impacts of lighting to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.

E59 The placement, obstruction (in relation to existing) and removal of CCTV cameras must be undertaken in consultation with the CCTV asset owner, adjoining or adjacent property owners and the relevant public authority and relevant Council(s).

Active Transport Facilities

E60 Temporary and permanent active transport facilities must be designed, constructed and/or rectified in accordance with:

- (a) the process set out in the Movement and Place Framework (NSW Government) including:
 - (i) the *Walking Space Guide: Toward Pedestrian Comfort and Safety* (TfNSW, 2020); and
 - (ii) the *Cycleway Design Toolbox: Designing for Cycling and Micromobility* (TfNSW, 2020).
- (b) the *Guide to Road Design Part 6A: Paths for Walking and Cycling* (Austroads 2017) where not otherwise covered by (a) above;
- (c) relevant Australian Standards (AS) such as *AS 1428.1-2009 Design for access and mobility*; and
- (d) relevant Crime Prevention Through Environmental Design (CPTED) principles.

Note: In the event of an inconsistency, the latest guidance document prevails to the extent of the inconsistency.

Design Review Panel and Design Review

E61 An independent **Design Review Panel (DRP)** must be established, to provide advice and recommendations to the Proponent during the CSSI's design development and construction to facilitate quality design and place outcomes. The **DRP** must be formed and hold its first meeting within six (6) months of the date of this approval, unless otherwise agreed by the Planning Secretary.

*Note: Nothing in this approval prevents the use of an existing design review panel as the **DRP** convened for this CSSI where the function and composition of that panel complies with the terms of this approval.*

E62 The responsibilities of the **DRP** include:

- (a) providing advice on the application of the objectives to key design elements in relation to urban and landscape design (including public art), open space, heritage, accessibility; place making, architecture, and aesthetic aspects of the CSSI.
- (b) providing advice and recommendations to the Proponent for consideration in the design development of the CSSI, including in relation to:
 - (i) *Connecting with Country Framework* (DPE, 2023)
 - (ii) the **Heritage Interpretation Strategy** including integration of cultural heritage required by **Condition E16**,
 - (iii) bridge design;
 - (iv) green-track locations;
 - (v) wire-free locations;
 - (vi) permeable surfaces;
 - (vii) the tree replacement requirements of **Conditions E77 and E78**; and
 - (viii) lessons learnt from Critical State Significant Infrastructure 8285 (Stage 1).

Advice from the **DRP** that is incorporated into the project design must be generally consistent with the CSSI as approved.

E63 The **DRP** must be chaired by the NSW Government Architect (or their nominee), and must be comprised of, where relevant, suitably qualified, experienced and independent professional(s) in each of the fields of:

- (a) urban design and place making (including active transport);
- (b) landscape architecture; and
- (c) architecture.

The **DRP** may seek advice from suitably qualified, experienced independent professionals in other fields as required. The **DRP** must also seek appropriate expertise to ensure Aboriginal cultural heritage and cultural values inform its advice.

E64 **DRP** members must be sourced from the NSW State Design Review Panel Pool or otherwise be approved by the NSW Government Architect.

Operation of the Design Review Process

E65 Prior to forming the **DRP**, a **Design Review Panel Terms of Reference** is to be developed in consultation with the NSW Government Architect. The **Terms of Reference** must:

- (a) be generally consistent with the published version of NSW State Design Review Panel Terms of Reference (version 6);
- (b) outline the frequency of **DRP** meetings, coordinated with the Proponent's program requirements, as outlined in **Condition E70**, to ensure timely advice and design adjustment;
- (c) outline the role and responsibilities of the Proponent's technical advisor; and
- (d) identify cessation arrangements.

The **Terms of Reference** must be endorsed by the NSW Government Architect and submitted to the Planning Secretary upon request.

Note: The Terms of Reference for the existing DRP can be updated to satisfy the requirements of his condition.

E66 The **DRP** must be operated and managed in accordance with the **Design Review Panel Terms of Reference**.

E67 The Proponent must consult with the NSW Government Architect and appoint an appropriately qualified and experienced technical advisor to the **DRP** and may also appoint an alternate technical advisor. The advisor must attend meetings of the **DRP**. The advisor may also be invited by the **DRP** to assist with decisions regarding the **DRP's** recommendations and record the **DRP's** advice and recommendations.

Note: The technical advisor is a representative of the Proponent that can explain design decisions to the DRP based on constructability and operability of design elements.

E68 The relevant Council and SOPA may be invited to the meetings of the **DRP** as observers or to provide feedback on key design elements of the CSSI.

Note: This process is to be resolved through the terms of reference.

E69 **DRP** advice and recommendations, and the Proponent's response to each recommendation must be included when submitting the final **PDLP** as outlined in **Condition E71**.

E70 A design development schedule must be provided to the **DRP** before its first meeting following approval of CSSI, including details of when relevant elements of the detailed design will be available for review by the **DRP**. The schedule must be updated every three (3) months until the detailed design process is complete.

Place, Design and Landscape Plan

E71 A **Place, Design and Landscape Plan (PDLP)** must be prepared consider place making, design and landscape outcomes from **Condition E56** to document and illustrate the permanent built works and landscape design of the CSSI and how these works will be implemented during Construction and maintained during Operation of the CSSI until transferred in accordance with **Condition E81**. The **PDLP** must be:

- (a) prepared by a suitably qualified and experienced person(s) in place, urban and landscape design and bush regeneration, as relevant;
- (b) reviewed by an independent suitably qualified and experienced person in consultation with the **DRP**, including any relevant detailed plans and schedules;
- (c) submitted to the Planning Secretary for approval prior to the Proponent's finalisation of the Preliminary Design Review plans and before proceeding to commencement of Detailed Design Review drawings; and
- (d) supported by a Design Review Report that outlines how **DRP** advice has been addressed, including an advice action log to track and close-out **DRP** advice as it is addressed.

Note: The PDLP may be developed and considered in stages to facilitate design progression and Construction. Any such staging and associated approval would need to facilitate a cohesive final design and not limit final design outcomes.

E72 The **PDLP** must document how the following matters have been considered in the design and landscaping of the project:

- (a) the **Heritage Interpretation Strategy** required by **Condition E16**;
- (b) the requirements of **Conditions E56 to E57**;
- (c) the requirements of **Conditions E77 to E80**;
- (d) the **Pedestrian and Cycling Infrastructure Strategy** required by **Condition E122**;
- (e) the outcomes of **Condition E91**;

- (f) how CPTED principles have changed or been implemented throughout the design process;
- (g) adverse impacts to privacy, safety and maintenance through cut and fill placement in consultation with relevant council(s);
- (h) the Rosehill-Camellia Place Strategy and the Sydney Olympic Park Master Plan published at the time of approval of this instrument; and
- (i) advice and recommendations from the **DRP**. In relation to any matter that is not consistent with the **DRP's** advice, advice on how the design provides an equivalent or superior quality place, design or landscaping outcome.

Note: *Condition E72(g) seeks to ensure that changes in existing landforms are minimised avoiding steep embankments and/or high retaining walls which dominate the public domain and are difficult to maintain by the end landowner.*

E73 The **PDLP** must include descriptions and visualisations, provide updates since reference design and identify the degree of change (as appropriate) of:

- (a) the design of the permanent built elements of the CSSI including their form, materials and detail;
- (b) the design of the project landform and landscaping elements;
- (c) the type and design of public and open space;
- (d) active transport connections;
- (e) ecological sensitive design, aesthetics, wayfinding and driver facilities;
- (f) provision for public art and heritage interpretation installations (including Connecting with Country interpretation and art);
- (g) details of strategies to rehabilitate, regenerate or revegetate disturbed areas of native vegetation with local native provenance species unless species are part of heritage or riparian landscapes;
- (h) water sensitive urban design initiatives; and
- (i) management and routine maintenance standards and regimes for design elements and landscaping work (including adequate watering of plants following planting depending on forecast weather conditions and weed management) to ensure the success of the design and landscape outcomes in consultation with the relevant Council(s).

Unless otherwise agreed with the Planning Secretary, construction of permanent built work or landscaping, excluding underground utilities work and make good activities, that are the subject of the **PDLP** must not be commenced (in the area to which the **PDLP** applies) until the **PDLP** has been received by the Planning Secretary.

Tree Management

E74 A **Tree Register** of all trees (not including those trees that must be offset under **Condition E4**) within the CSSI footprint (either for the entire CSSI or separate areas where tree removal and/or pruning is proposed) must be prepared before the removal or damage (as defined by the Independent Arborist).

Note: *For the purposes of this condition, damage must be defined by the arborist required in **Condition E75**.*

E75 An arborist, independent of design and construction personnel, with a minimum Australian Qualifications Framework (AQF) Level 5 qualification in Arboriculture must be appointed for the duration of Work, as the principle point of contact relating to impacts on trees.

E76 The **Tree Register** must:

- (a) identify trees (georeferenced location of each tree, size and type) within the footprint that must be removed for construction to proceed or for CSSI operations;
- (b) identify those trees where their fate is uncertain and may be retained, removed or pruned (either for construction or for ongoing maintenance during operation);
- (c) those attributes as defined in AS 4970-2009 Protection of trees on development sites;
- (d) the tree retention value;

- (e) the outcomes of a visual assessment of the condition of the tree;
- (f) where a tree requires removal, reasons why it can't be retained and, in the opinion of the arborist, whether there are alternatives to removal and/or whether, it can be successfully transplanted; and
- (g) the extent of the proposed impact (complete removal or extent of pruning).

The **Tree Register** must be submitted to the Planning Secretary upon request and made available in accordance with **Condition B15**. Recommendations or opinions of the Independent Arborist must be outlined in the **Tree Register** and implemented by the Proponent, unless otherwise agreed by the Planning Secretary.

Tree Replacement

E77 The CSSI must be designed to retain as many existing trees as possible. Where trees are removed, replacement trees must, unless otherwise agreed by the Planning Secretary:

- (a) be provided in accordance with the *Tree and Hollow replacement guidelines* (Transport for NSW, 2022b) tree replacement ratios;
- (b) to mitigate impacts on local biodiversity, urban tree canopy and heat island effect, as relevant to the planting location;
- (c) aim to use a diversity of native species of local provenance and enhance fauna habitat and the relevant council's position in respect of the Sydney Green Grid where planting locations occur within or adjacent to patches of native vegetation; and
- (d) consider the objectives and opportunities identified in *Sydney Green Grid West Central District* (Department of Planning and Environment, 2017), *Greener Places Design Guide* (NSW Government Architect, 2020), *Central City District Plan* (Greater Sydney Commission, 2018) and *Parramatta Ways Walking Strategy* (Implementing Sydney's Green Grid) (City of Parramatta, 2017).

Note: Replacement trees referred to in **Conditions E77, E78 and E79** exclude trees that are offset under **Condition E4**.

E78 Replacement trees must:

- (a) be located on public land (unless otherwise agreed with the Planning Secretary) and prioritised within 500 metres of the CSSI; and
- (b) deliver increased shading to footpaths, pedestrian and cycle paths, particularly in road corridors predicted to experience reduced traffic as a result of the Operation of the CSSI; and
- (c) where tree planting locations occur within or adjacent to patches of native vegetation or riparian areas, be native species of local provenance from the relevant native vegetation community that once occurred in the locality suitable to the location, having regard for local ecology, unless otherwise part of a heritage landscape; and
- (d) meet the requirements for quality tree stock specified in the *AS2303:2018: Tree Stock for Landscape Use*; and
- (e) have a minimum pot size consistent with the relevant council's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant council(s) and SOPA; and
- (f) be provided no later than six (6) months following the commencement of Operation.

E79 Replacement and enhancement of vegetative screening along the CSSI corridor that will not be physically affected by Work must be undertaken in a progressive manner during Construction to allow for the early establishment of vegetative screening.

E80 A **Tree Replacement Report** must be prepared to demonstrate how replacement plantings are consistent with the requirements of **Conditions E77 and E78**. The **Tree Replacement Report** must provide details of the type, size, number and location of replacement trees, including timing, measures and responsibilities for the implementation, management, protection and monitoring of replacement trees for a minimum of two (2) years from being planted. The **Tree Replacement Report** must be prepared in consultation with the relevant council(s) or SOPA (in Sydney Olympic

Park) and made publicly available no later than twelve months following the commencement of operation, unless otherwise agreed with the Planning Secretary.

Operational Maintenance

E81 The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the **PDLP**, required by **Condition E73**.

The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.

E82 Plants must be maintained (watering and weeding) regularly in accordance with the procedures outlined in the **PDLP**. Should any plant loss occur during the maintenance period, the plants must be replaced by the same plant species and growth form (*i.e.* a tree with a tree) unless it is determined by a suitably qualified person that a different species is more suitable for that location.

*Note: Plant maintenance must continue by the Proponent or relevant authority until the asset is transferred in accordance with **Condition E81**.*

LAND USE AND PROPERTY

E83 The Proponent must identify the utilities and services (hereafter "services") potentially affected by construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the CSSI is avoided where practical and advised to customers.

E84 Access to all utilities, open space and properties must be maintained during Construction, where practicable, unless otherwise agreed with the relevant utility owner, landowner or occupier.

E85 Property access physically affected by the CSSI must be reinstated to at least an equivalent pre-impact standard at no cost to the property owner or occupier, unless otherwise agreed by the property owner or occupier.

E86 During Work, all reasonably practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions must be avoided, and where avoidance is not possible, minimised. Where disruption cannot be minimised, alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses and affected properties and implemented before the disruption. Adequate signage and directions to businesses must be provided before, and for the duration of, any disruption.

Condition Survey

E87 The Proponent must offer pre-condition surveys, to the owners of surface and sub-surface structures, and other relevant assets identified at risk from vibration, including all listed heritage items and buildings/structures of heritage significance as identified in the documents listed in **Condition A1**. Where the offer is accepted, the survey must be undertaken by a suitably qualified and experienced engineer and/or building surveyor prior to the commencement of vibration generating works that could impact on the structure/asset. The results of each survey must be documented in a **Pre-construction Condition Survey Report** and copies of the report must be provided to the owner of the item(s) surveyed no later than one (1) month before the commencement the impacting work / activity.

- E88 Where Pre-condition surveys have been undertaken in accordance with **Condition E87**, subsequent post-construction surveys of the structure / asset must be undertaken by a suitably qualified and experienced engineer and/or building surveyor to assess damage that may have resulted from the vibration-generating works. The results of the post-construction surveys must be documented in a **Post-construction Condition Survey Report** for each item surveyed. Copies of **Post-construction Condition Survey Reports** must be provided to the owner of the structure / asset surveyed no later than four (4) months following the Completion of Construction activities that have the potential to impact on the structure / asset.
- E89 Where damage has been determined to occur as a result of the CSSI, the Proponent must carry out rectification at its expense and to the reasonable requirements of the owner of the structure/asset within 12 months of the completion of Construction activities that have the potential to create damage unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner.

SOCIAL

Boat Trailer Parking

- E90 During Construction of the CSSI, reasonably practicable measures must be implemented to minimise boat trailer parking removed due to Construction in consultation with relevant council(s) and affected landowners. This can include the provision of temporary trailer parking or other measures to improve capacity at other boat ramps and must consider the cumulative impact / loss of trailer parking of the closure of the Ermington boat ramp and the closure of the navigation channel between the Silverwater boat ramp and the Ermington boat ramp. Where possible, trailer parking mitigation should avoid impacts to the public amenity and user experience of open space.
- E91 The Proponent must aim to minimise the loss of boat trailer parking during Operation of the CSSI, with the objective of mitigating lost boat trailer parking capacity (where practicable) during operation, by:
- (a) providing a minimum of 42 boat trailer parking spaces at the Ermington Boat ramp;
 - (b) confirming existing capacity and the trailer parking requirements of the Ermington boat ramp;
 - (c) reviewing options to minimise the number of boat trailer parking spaces lost during operation;
 - (d) investigating options to mitigate the loss of boat trailer parking that meet the parking needs of users accessing the Parramatta River (where safe and practicable to do so);
 - (e) investigating alternative options to increase the boat-launch capacity of the Ermington boat ramp and other boat-launching facilities on the Parramatta River (where practicable and safe to do so);
 - (f) consulting with relevant council(s), SOPA (in Sydney Olympic Park), emergency services, community groups, and affected users at locations where boat parking would be lost to confirm the preferred parking options; and
 - (g) identifying the trailer parking measures and alternative options to be implemented addressing **(a)-(f)** above, including implementation timing.

A report on the outcomes of this condition must be documented and published on the website as required by **Condition B15** at least one (1) month before the construction of permanent built surface work and/or landscaping in the vicinity of the Ermington boat ramp.

- E92 The parking measures identified by **Condition E91** must be incorporated into the **PDLP** required by **Condition E71** and delivered prior to impact, unless otherwise agreed by the Planning Secretary.

Note: Identified mitigation measures may need to be further assessed under the Environmental Planning and Assessment Act, 1979.

Event Management

- E93 An **Event Management Strategy** must be prepared to provide mechanisms to guide event operation (including bump in and bump out) during Construction. The event management

strategy must be prepared in consultation with SOPA, relevant council(s), emergency services and the Royal Agricultural Society and include but not be limited to:

- (a) identifying road access requirements, alternate routes or vehicular access changes where required;
- (b) measures for signposting around the CSSI;
- (c) measures to maintain emergency and incident response access at all times;
- (d) provision for pedestrian and cyclist access; and
- (e) strategies to ensure public safety.

CONTAMINATION AND SOILS

E94 Erosion and sediment controls must be installed and maintained in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.

Role of Site Auditor

E95 A NSW EPA accredited **Site Auditor(s)** must be engaged before the commencement of contamination investigations and for the duration of work to oversee matters relating to contamination and remediation for the areas identified as high and medium risk in *Parramatta Light Rail Stage 2 – Interpretive Contamination Report* (Nations Partners, October 2023). The **Site Auditor** is to review documentation relevant to contamination, including previous site audits, and provide a written opinion on the contamination risk and the appropriateness of the reports and proposed management measures of the site, including (but not limited to):

- (a) the management plans in **Conditions C14** including any updates or amendments to those plans;
- (b) **Sampling and Analysis Quality Plan** in **Condition E98**;
- (c) **Detailed Site Investigation Report(s)** in **Condition E100**;
- (d) **Remedial Action Plans** in **Condition E101**;
- (e) **Unexpected Finds Procedure for Contamination** in **Condition E107**; and
- (f) **Post-remediation validation reports**.

E96 Recommendations made by the **Site Auditor** must be implemented before commencing work (other than intrusive works conducted as part of detailed site investigations) that could result in disturbance of any land identified as an area of potential contamination.

E97 Evidence that a **Site Auditor** has reviewed each of the required plans and reports listed in **Condition E95**, and has issued an **interim audit advice** or a relevant **Site Audit Statement** regarding the appropriateness of those plans or reports must be appended to those plans and reports.

Note: Any associated Site Auditor report, or **interim audit advice** or a relevant **Site Audit Statement** must be made publicly available in accordance with **Condition B15**.

Contamination Investigations

E98 A **Sampling and Analysis Quality Plan (SAQP)** must be completed prior to **Detailed Site Investigations** are undertaken in locations identified in documents listed in **Condition A1** as having potential contamination risk. The **SAQP** must:

- (a) be prepared by a suitably qualified and experienced contaminated land consultant; and
- (b) be prepared in accordance with the relevant guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997* (CLM Act).

Notes:

1. *Field investigations and analyses must be undertaken in a way that enables the collection and reporting of reliable data to meet project objectives, including (where applicable) the relevant site characterisation requirements of the detailed site investigations.*

2. *Site investigations undertaken and considered in the documents listed under Condition A1 would not trigger this condition.*

E99 Detailed Site Investigations (DSI) must:

- (a) be undertaken by suitably qualified and experienced contaminated land consultant(s);
- (b) be undertaken before the commencement of work that would result in disturbance to land identified as being potentially contaminated in the relevant documents in **Condition A1** or as updated by **Condition E95**;
- (c) determine the nature and extent of contamination and assessment of whether contamination has the potential to pose an unacceptable risk to human health or the environment on or off-site.

Notes:

1. *This condition does not prevent disturbance to land that is required to complete the Detailed Site Investigations.*
2. *Site investigations undertaken and considered in the documents listed under Condition A1 can inform this condition.*

E100 A DSI Report(s) must:

- (a) be prepared by a suitably qualified and experienced contaminated land consultant(s);
- (b) be prepared in accordance with the land use criteria applicable to the final land use at the opening of the CSSI. Where the final land use is unknown the most stringent criteria for the land use assumed in the documents listed in **Condition A1** is to be applied; and
- (c) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the CLM Act;
- (d) include assessment on whether contamination has the potential to pose an unacceptable risk to human health or the environment on or off-site;
- (e) include recommendations for further investigations, remediation and/or management of contamination including any contaminated water; and
- (f) be provided to the EPA, SOPA and Planning Secretary upon request, along with any Site Auditors advice.

Notes:

1. *Nothing in this condition prevents the Proponent from preparing individual **Detailed Site Investigation Reports** for separate contaminated sites.*
2. *The intention of this condition is to require Detailed Site Investigations of locations identified as an area of potential contamination to be completed before any form of excavation, including the use of hand tools, exposes soil. This will minimise risks to human health and/or the environment.*
3. *Any recommendations made in the **Detailed Site Investigation Report** for changes to management measures in the **CEMP sub-plan(s)** must be incorporated into the relevant subplan required by **Condition C14**, unless otherwise approved by the Planning Secretary.*

E101 Where remediation is required to make land suitable for the final intended land use, a Remedial Action Plan must:

- (a) be prepared by suitably qualified and experienced contaminated land consultant(s);
- (b) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the CLM Act;
- (c) include measures to remediate the contamination at the site to ensure the site will be made suitable for the final intended land use or made compliant with an existing voluntary management proposal or management order under the CLM Act; and
- (d) be provided to the EPA and the Planning Secretary upon request, along with any Site Auditors advice.

Note: *Nothing in this condition prevents the preparation of individual **Remediation Action Plans** for separate contaminated sites.*

Site Audit Statements

E102 Before commencing remediation, an **interim audit advice** must be prepared by a **Site Auditor** that certifies that the **Remedial Action Plan** is appropriate and that the site can be made suitable for the proposed use or made compliant with an existing voluntary management proposal or management order under the CLM Act. The **Remedial Action Plan** must be implemented and any changes to the **Remedial Action Plan** must be approved in writing by the **Site Auditor**.

Note: *Nothing in this condition prevents the Proponent from engaging with the Site Auditor to prepare **Site Audit Statements** for separate contaminated sites within the construction boundary.*

E103 Where investigations or remediation are necessary for land regulated by the NSW EPA under the CLM Act or managed by the SOPA, the Proponent must consult with each authority as part of the investigations or development of a **RAP** for the land.

E104 For any land identified as an area of medium or high potential contamination risk that is not subject to an existing voluntary management proposal or management order under the CLM Act, a **Section A1 Site Audit Statement** or **A2 Site Audit Statement** (accompanied by an Environmental Management Plan) and a **Site Audit Report** must be prepared which states that the contaminated land disturbed by the work has been made suitable for the intended land use.

The **Site Audit Statement and Site Audit Report** must be provided to the relevant council and/or SOPA after remediation and no later than before the commencement of operation of the CSSI.

Notes:

1. *Nothing in this condition prevents the Proponent from obtaining **Section A Site Audit Statements** for individual parcels of remediated land.*
2. *As required by **Condition E97**, **interim audit advice** may be provided prior to a final **Site Audit Statement and Site Audit Report**.*
3. *Any associated **Site Auditor Report**, or **interim audit advice** or a relevant **Site Audit Statement** must be made publicly available in accordance with **Condition B15**.*

E105 Contaminated land that is not subject to an existing voluntary management proposal or management order under the CLM Act, must not be used for the purpose approved under the terms of this approval until a **Section A1** or **A2 Site Audit Statement** is obtained which states that the land is suitable for that purpose and any conditions on the **Section A Site Audit Statement** have been complied with.

E106 Where required, any recommendations to minimise risk to human health or the environment or for the management of contamination arising, the Site Auditor's review, advice or audits must be incorporated into the relevant **CEMP subplan** and implemented.

Unexpected Finds

E107 An **Unexpected Finds Procedure for Contamination** must:

- (a) be prepared prior to the commencement of Work and must be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered;
- (b) be consistent with any relevant regulatory requirements including any CLM Act Notice issued for the applicable land;
- (c) include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved; and
- (d) be implemented throughout Work.

SUSTAINABILITY

E108 A **Sustainability Strategy** must be prepared in accordance with the 'Design and As-built' rating under the Infrastructure Sustainability Council (ISC) Infrastructure Sustainability (IS) rating tool

2.1. The Sustainability Strategy must nominate, and provide justification for, minimum IS performance levels for the Planning Secretary's approval, before commencement of construction.

Where target ratings deviate from those proposed in the Sustainability Strategy, revised targets must be nominated with suitable justification for the Planning Secretary's approval at the 20 per cent design stage in a revision to the Sustainability Strategy.

Evidence that the agreed rating has been achieved must be provided to the Planning Secretary for information:

- (a) within 12 months of commencing Construction of permanent above ground infrastructure for the 'Design' rating; and
- (b) within 12 months of commencing of Operation for the 'As built' rating.

Notes:

- 1. *The rating can be achieved across the whole of the project or individual packages and must be identified in the staging report.*
- 2. *The nominated minimum target rating must be equivalent to an 'excellent' rating under the ISC V1.2 rating tool.*

E109 The **Sustainability Strategy** must be implemented throughout Construction and Operation.

E110 A **Water Reuse Strategy** must be prepared, which sets out options for the reuse of collected stormwater and groundwater during Construction and Operation. The **Water Reuse Strategy** must include, but not be limited to:

- (a) evaluation of reuse options;
- (b) details of the preferred reuse option(s), including volumes of water to be reused, proposed reuse locations and/or activities, proposed treatment (if required), and any additional licences or approvals that may be required;
- (c) measures to avoid misuse of recycled water as potable water;
- (d) consideration of the public health risks and potential environmental harm from water recycling; and
- (e) a time frame for the implementation of the preferred reuse option(s).

The **Water Reuse Strategy** must be prepared based on best practice and advice sought from relevant agencies, as required. The Strategy must be applied during Construction and Operation.

Justification must be provided to the Planning Secretary if it is concluded that no reuse options prevail.

A copy of the **Water Reuse Strategy** must be made publicly available.

Note: *Nothing in this condition prevents the Proponent from preparing separate **Water Reuse Strategies** for the Construction and operational phases of the CSSI.*

TRAFFIC AND TRANSPORT

Construction traffic management

E111 Local roads proposed to be used by heavy vehicles to directly access the construction boundary and ancillary facilities that are not shown in the documents listed in **Condition A1** of the EIS must be approved by the Planning Secretary before the use of the local roads, and included in the **Traffic, Transport and Access Management CEMP Sub-plan**.

E112 All requests to the Planning Secretary under **Condition E111** must include the following:

- (a) a swept path analysis;

- (b) demonstration that the use of local roads by heavy vehicles for the CSSI will not compromise the safety of pedestrians and cyclists or the safety of two-way traffic flow on two-way roadways;
- (c) evidence of consultation with, (where relevant), SOPA (within Sydney Olympic Park) and relevant council(s);
- (d) provide details as to the date of completion of the road dilapidation surveys for the subject local roads;
- (e) measures that will be implemented to avoid where practicable the use of roads past schools, aged care facilities and child care facilities during their peak operation times; and
- (f) written advice from an appropriately qualified professional on the suitability of the proposed heavy vehicle route which takes into consideration items **(a), (b), (c), (d), and (e)** of this condition.

E113 During Construction, the locations of all heavy vehicles must be monitored in real time and the records of monitoring be made available electronically to the Planning Secretary and the EPA upon request for a period of no less than one (1) year following the Completion of Construction.

Road Dilapidation

E114 Before any local road is used by a heavy vehicle for the purposes of the CSSI, a **Road Dilapidation Report** must be prepared for the road. A copy of the **Road Dilapidation Report** must be provided to the relevant council(s) within three (3) weeks of completion of the survey and no later than one (1) month prior to the road being used by heavy vehicles associated with the CSSI.

Note: This Condition would only apply for the local roads surrounding the CSSI and would not apply after the nearest connecting State Road, e.g., does not apply to materials or equipment transported from suppliers.

E115 If damage to roads occurs as a result of the CSSI, the Proponent must either (at the relevant road authority's discretion):

- (a) compensate the relevant road authority for the damage so caused; or
- (b) rectify the damage to restore the road to at least the condition it was in pre-works as identified in the **Road Dilapidation Report(s)**.

Construction Parking Management

E116 Vehicles (including light and heavy vehicles) associated with the CSSI must be managed to:

- (a) minimise parking on public roads;
- (b) minimise idling and queueing on state and regional roads;
- (c) not carry out marshalling of construction vehicles near sensitive land user(s);
- (d) not block or disrupt access across pedestrian or shared user paths at any time; and
- (e) ensure spoil haulage vehicles adhere to the nominated haulage routes identified in the **Traffic, Transport and Access Management CEMP Sub-plan**.

E117 A **Construction Parking Strategy** must be prepared to identify and mitigate impacts extending greater than one (1) month resulting from on- and off-street parking changes during Construction of the CSSI. The Strategy must include, but not necessarily be limited to:

- (a) achieving the requirements of **Condition E116**;
- (b) assessment of the impacts to on- and off-street parking taking into consideration, occupation by the CSSI workforce, outcomes of consultation with affected stakeholders and considering the impacts of special events;
- (c) identification of additional locations for worker parking to maximise the use of off-street parking for the CSSI workforce;
- (d) where residential parking schemes already exist, off-street parking facilities must be provided for the CSSI workforce;
- (e) mechanisms for monitoring, over appropriate intervals, to determine the effectiveness of implemented mitigation measures;

- (f) where a shuttle service is a viable option, details of shuttle bus service(s) to transport the CSSI workforce to construction sites from public transport hubs and off-site car parking facilities (where these are provided) and between construction sites;
- (g) identification of on-street parking spaces that are to be permanently removed by the CSSI (i.e. not reinstated at the completion of Construction);
- (h) provision of contingency measures should the results of mitigation or monitoring indicate implemented measures are ineffective; and
- (i) provision of reporting of monitoring results to the Planning Secretary and relevant council(s) at three (3) monthly intervals.

The **Construction Parking Strategy** must be submitted to the Planning Secretary for approval at least one (1) month before the commencement of Construction that reduces the long-term availability of existing parking by more than one month. The approved Strategy must be implemented before long-term impacts on on-street parking and incorporated into the **Traffic, Transport and Access Management CEMP Sub-plan**. The submission of the **Construction Parking Strategy** to the Planning Secretary must include details of consultation undertaken with SOPA and all relevant council(s), including a log detailing how matters raised by council(s) have been considered and addressed, or justification as to why they have not been addressed.

E118 Where the **Construction Parking Strategy** identifies specialised on-street parking spaces (e.g. accessible parking and taxi ranks) that are to be permanently removed as a result of the CSSI, the Proponent must identify opportunities to mitigate the loss of specialised on-street parking (in particular at Wentworth Point, Sydney Olympic Park, and Lidcombe). Opportunities to mitigate the loss of specialised on-street parking must be implemented where practicable in consultation with the relevant road authority/(ies), relevant council(s) and SOPA before the commencement of full operation.

Access to Property and Businesses

E119 Access plans must be prepared for individual properties and accesses, prior to impacts on these individual accesses and implemented prior to Operation for individual properties and accesses that will be impacted by the CSSI. The access plans must be developed in consultation with affected parties (property owner and/or occupier, council(s), SOPA as relevant) and the Proponent must make reasonable endeavours to obtain agreement from the relevant affected parties, and evidence of consultation demonstrating this must be provided to the Secretary on request. The access plans must be made publicly available and must establish:

- (a) road and access closures and provision of alternative routes;
- (b) provision for pedestrian and cyclist access;
- (c) special event access strategies (including the Royal Easter Show);
- (d) provision of servicing and delivery requirements for loading zones and waste disposal;
- (e) access periods or alternative access arrangements for businesses, landowners or tenants affected by the CSSI;
- (f) strategies to maintain emergency and incident response access at all times;
- (g) potential future access strategies for URBNSURF and Sydney Olympic Park Metro Station; and
- (h) access to taxi ranks and coach/bus bays.

If access is not deemed to be adequate by the property owner and/or occupier and a dispute ensues, procedures and mechanisms must be followed in accordance with **Condition B2**.

Pedestrian and Cyclist Access

E120 Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, a proximate alternative route which complies with relevant standards (unless otherwise endorsed by an independent, appropriately qualified and experienced person), must be provided (including signposting) prior to the restriction or removal of the impacted access.

E121 The CSSI must be designed to include safe and accessible pedestrian and cycle paths, as identified in the documents listed in **Condition A1**, including the provision of future pedestrian

and cycle paths and dedicated cycleways identified in state and local government strategies within the permanent CSSI land requirements.

Pedestrian and Cycling Infrastructure Strategy

E122 A **Pedestrian and Cyclist Infrastructure Strategy** must be prepared in consultation with relevant council(s), TfNSW, SOPA (within Sydney Olympic Park), relevant pedestrian groups and relevant bicycle user groups. The **Pedestrian and Cycling Infrastructure Strategy** must identify and review active transport infrastructure along and adjacent to the CSSI corridor and must include (but not be limited to):

- (a) details of active transport infrastructure to be delivered as part of the CSSI;
- (b) consideration of State and Council cycling strategies and maps (including draft strategies) integrating with active transport links as part of the CSSI ensuring that the CSSI does not preclude existing, under construction, and planned cycling/shared infrastructure;
- (c) consideration of consultation and advice provided by relevant Council(s), TfNSW, SOPA, relevant pedestrian groups and relevant bicycle user groups;
- (d) infrastructure details, including lighting, safety, security and standards compliance;
- (e) signage and wayfinding;
- (f) details of associated landscaping works; and
- (g) timing and staging of all pedestrian and cycling infrastructure works.

The **Pedestrian and Cyclist Infrastructure Strategy** must be prepared by a suitably qualified and experienced expert in active transport planning endorsed by the **DRP** and be consistent with the documents listed in **Condition A1**. The **Pedestrian and Cyclist Infrastructure Strategy** must be included as a component of the **PDLP** required by **Condition E71** and be submitted to the Planning Secretary for approval, including details of consultation undertaken with all relevant stakeholders and a log detailing how matters raised by stakeholders have been considered and addressed, before construction of pedestrian/cyclist permanent built works (including the Active Transport Link) commences. The Strategy must be implemented no later than the commencement of CSSI operations.

Road Safety

E123 The CSSI must be designed to meet relevant design, engineering and safety guidelines, including the *Austroads Guide to Traffic Management* for new or modified local roads, parking, pedestrian and cycle infrastructure.

E124 Independent **Road Safety Audits** must be undertaken to assess the safety performance of new or modified local road, parking, pedestrian and cycle infrastructure provided as part of the CSSI (including ancillary facilities) to ensure that the infrastructure meets the requirements of relevant design, engineering and safety guidelines, including *Austroads Guide to Traffic Management*.

The audit(s) must be undertaken by an appropriately qualified and experienced person during detailed design development (audit of plans) and prior to opening (pre-opening audit).

The audit findings and recommendations of the detailed design plans (audit of the plans) must be actioned prior to construction of the relevant infrastructure. The pre-opening audit findings and recommendations must be actioned prior to the relevant infrastructure being made available for use. The findings and recommendations of the audit(s) must be made available to the Planning Secretary on request.

Road Network Performance

E125 A **Road Network Performance Plan** must be prepared in consultation with TfNSW, SOPA (within Sydney Olympic Park) and the relevant council(s). The Plan must include:

- (a) consideration of traffic movement and local initiatives, such as local area improvement strategies, potential land use changes and consistency with relevant masterplans;
- (b) an updated analysis, including modelling of traffic impacts to the adjoining road network (including impacts on local roads from rat-running) and proposed future roads and intersections identified in local and state government strategies, because of the CSSI; and
- (c) mitigation measures to manage predicted traffic performance impacts including local area traffic management and bus priority measures as relevant.

The **Road Network Performance Plan** must be submitted to the Planning Secretary for approval prior to the finalisation of the Preliminary Design Review plans and before proceeding to commencement of Detailed Design Review drawings. The mitigation measures in the Plan must be implemented by the Proponent before the operation of the CSSI. The Proponent is responsible for the implementation of identified measures under (c) above. The Proponent must also provide a copy to SOPA and relevant council(s) once approved.

Note: Identified mitigation measures may need to be further assessed under the Environmental Planning and Assessment Act, 1979. Work will need to meet relevant design standards and be subject to independent road safety audits.

E126 If staged Operation is proposed a **Road Network Performance Plan** must be submitted to the Planning Secretary for approval six (6) months prior to Operation of each stage. Any plan prepared under this condition must be prepared in accordance with **Condition E125** and must consider the cumulative impact of Construction and Operation.

E127 The project must be designed and built to not preclude a potential, separate future road bridge between Camellia and Rydalmere, and the future signalisation of intersections along the project alignment, where signalisation has been identified in a finalised local or state masterplan, or strategic planning document, determined or published at the time of approval of this instrument.

*Note: The CSSI will continue to be developed as outlined in **Condition A1** including, operational parameters.*

Public Transport – Construction

E128 Closure and relocation of bus stops must occur in consultation with relevant council(s) and bus service providers. Bus stops must not be closed or relocated (either temporarily or permanently) until replacement bus stops that comply with relevant standards (including accessibility and safety standards) are located within a 400 metre walking distance of the existing bus stop and are functioning with similar capacity and amenity to those which have been replaced, unless otherwise agreed with the Planning Secretary. Wayfinding signage must be provided to direct commuters to adjacent or relocated bus stops.

E129 Prior to the commencement of operation, all bus stops temporarily closed or relocated must be reinstated in a manner that complies with relevant standards, provides equal or improved capacity, amenity and accessibility (including footpaths and road crossings) in consultation with relevant council(s), unless otherwise agreed by the Planning Secretary.

UTILITIES MANAGEMENT

Utilities Management Strategy

E130 A **Utilities Management Strategy** must be prepared in consultation with relevant Council(s), SOPA (in Sydney Olympic Park) and relevant utility providers and implemented for all utility work undertaken as a result of the CSSI. The Strategy must identify how utility Work will be defined and managed. The **Utilities Management Strategy** must include:

- (a) a description of all utility Work to be undertaken; and
- (b) management measures to be implemented to manage dust, noise, traffic, access, lighting and other relevant impacts associated with utility Work.

The **Utilities Management Strategy** must be submitted to the Planning Secretary for approval at least one (1) month before the commencement of utility Work.

E131 Nothing in this approval permits the carrying out of any utility work not required for the purpose of the CSSI.

WASTE

- E132 Waste generated during Construction and Operation must be dealt with in accordance with the following priorities:
- (a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;
 - (b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and
 - (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.
- E133 The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of an EPL for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, as the case may be.
- E134 Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.
- E135 All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.

HAZARDS

- E136 In the event that the alignment moves closer to private properties in the vicinity of hazardous infrastructure it must demonstrate through a technical note/letter that the outcomes in regards to the final design of the CSSI, including but not limited to the positioning of its final route and stops does not change the risk identified in documents listed in **Condition A1** must be submitted to the Planning Secretary for approval.
- E137 If the Planning Secretary issues a written direction that a **Final Hazard Analysis (FHA)** is required (following consultation with the Planning Secretary in **Condition E136**), it must be prepared and submitted for the approval of the Planning Secretary at least one (1) month prior to commencement of Construction in the vicinity of hazardous infrastructure (gas pipelines), or other timeframe as agreed with the Planning Secretary. Construction in the vicinity of hazardous infrastructure must not recommence until approval of the **FHA** has been given by the Planning Secretary. The **FHA** must:
- (a) report on the outcomes of consultations undertaken with relevant pipeline operators, including provision of a copy of the Safety Management Studies required under *Australian Standard 2885 Pipelines – Gas and liquid petroleum*; and
 - (b) provide an implementation plan for all recommendations and actions arising from the consultations in (a) above.

WATER

- E138 The CSSI must be designed, constructed and operated so as to maintain the *NSW Water Quality Objectives* where they are being achieved as at the date of this approval, and contribute towards achievement of the *NSW Water Quality Objectives* over time where they are not being achieved as at the date of this approval.

Note: *If construction stormwater will be discharged to waterways, a Water Pollution Impact Assessment will be required to inform licensing, consistent with section 45 of the POEO Act. Any such assessment must be prepared in consultation with the EPA and be consistent with the National Water Quality Guidelines, with a level of detail commensurate with the potential water pollution risk.*

Construction Requirements

E139 Work on waterfront land, including outlets and watercourse crossings, must have regard to *Guidelines for controlled activities on waterfront land (NRAR, 2018)*. This includes outlets and watercourse crossings.

E140 Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.

Groundwater

E141 Make good provisions for groundwater users must be provided within one (1) month of the event of a material decline in water supply levels, quality or quantity from registered existing bores associated with groundwater changes from either construction and/or ongoing operational dewatering caused by the CSSI, or as otherwise agreed with the groundwater user.

Stormwater Drainage

E142 The Proponent must undertake further hydrological and hydraulic modelling based on the detailed design of the CSSI to determine the ability of the receiving drainage systems to effectively convey pavement drainage from the CSSI. The modelling must be undertaken in consultation with the relevant asset owners and the outcomes documented in the **Stormwater Drainage Report** required under **Condition E143**.

E143 The **Stormwater Drainage Report** must be prepared at least one (1) month before the commencement of any new permanent drainage works, modifications or connections to existing drainage works, construction of hard surfaces that are associated with the Operation of the project and would result in runoff to existing stormwater drainage systems. The **Stormwater Drainage Report** must be prepared in consultation with the relevant asset owners and must:

- (a) assess the potential impacts of pavement drainage discharges from the CSSI drainage systems on the receiving environment and capacity of the asset owner's drainage infrastructure and receiving environment;
- (b) identify mitigation measures to be implemented where pavement drainage from the CSSI drainage systems are predicted to adversely impact on the receiving environment or capacity of the asset owners drainage infrastructure; and
- (c) set out a clear time frame for the implementation of mitigation measures.

Nothing in this condition prevents the Proponent from preparing separate **Stormwater Drainage Reports** for pavement discharges to the drainage system provided that each report is prepared at least one (1) month before the subject works/discharges commencing.

A copy of the **Stormwater Drainage Report** must be provided to the asset owner at least one (1) month prior to the subject works/discharges commencing.

E144 All new or modified drainage systems associated with the CSSI must be designed to:

- (a) meet the capacity constraints of any council's or Sydney Water's drainage system to receive and convey the proposed flows from the CSSI, or otherwise upgrade relevant authorities drainage system at the Proponent's expense, in consultation with the relevant council(s), SOPA or Sydney Water;
- (b) minimise impacts on the receiving environment resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property);
- (c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment; and
- (d) ensure ease of maintenance and accessibility.

Appendix A

WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven (7) days after the Proponent becomes aware of an Incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under **Condition A45** or, having given such notification, subsequently forms the view that an Incident has not occurred.
2. Written notification of an Incident must:
 - (a) identify the CSSI and application number;
 - (b) provide details of the Incident (date, time, location, a brief description of what occurred and why it is classified as an Incident);
 - (c) identify how the Incident was detected;
 - (d) identify when the Proponent became aware of the Incident;
 - (e) identify any actual or potential non-compliance with terms of the approval;
 - (f) describe what immediate steps were taken in relation to the Incident;
 - (g) identify further action that will be taken in relation to the Incident; and
 - (h) identify a project contact for further communication regarding the Incident.
3. If requested by the Planning Secretary, within 30 days of the date on which the Incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the Incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the Incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the Incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the Incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the Incident.

Appendix B

Community consultation and agreement

The below is guidance material on how to engage and record community agreements and is based off EPA model licence conditions (E1.2 and E1.3) and [EPA guidance material for EPL applications](#). The intent is to provide guidance on how the Proponent can engage and obtain community agreements to undertake out-of-hours-works. This guidance should be read in conjunction with **Condition E33(c)(iii) (Variation to Work Hours)** and **Condition E34(c) (Out-of-Hours Work periods and Respite)**.

Requirements for community consultation and agreement

1. Any negotiated agreements with affected residents and sensitive land use(s) for out-of-hours-work must:
 - (a) include consultation of impacted residents and sensitive land use(s). This includes sensitive land use(s) that have declined to participate in previous agreements unless a community member has explicitly requested not to be involved in any future consultation about future out-of-hours-work;
 - (b) include the following information:
 - (i) description and justification the Work(s) proposed;
 - (ii) any expected impacts in clear, plain English based on noise modelling;
 - (iii) the expected duration of the Work(s);
 - (iv) any expected benefits for receivers;
 - (v) any other known concurrent OOHW that will be occurring; and
 - (vi) any other OOHW that will be occurring on the nights preceding and following the proposed works or, if the proposed Work precedes or follows a weekend period, any other OOHW that will be occurring on the weekend;
 - (c) request consent from the residents and sensitive land use(s) for their responses to be provided to the Planning Secretary, ER, AA and EPA;
 - (d) ensure that a record is kept when contact cannot be made with residents and sensitive land use(s) after three (3) attempts, including leaving "sorry I missed you" cards explaining the reason for the visit and requesting a return phone call; and
 - (e) for longer term community agreements (those predicted to go on longer than 28 calendar days), re-engage the impacted community to ensure consent is maintained and continuing.

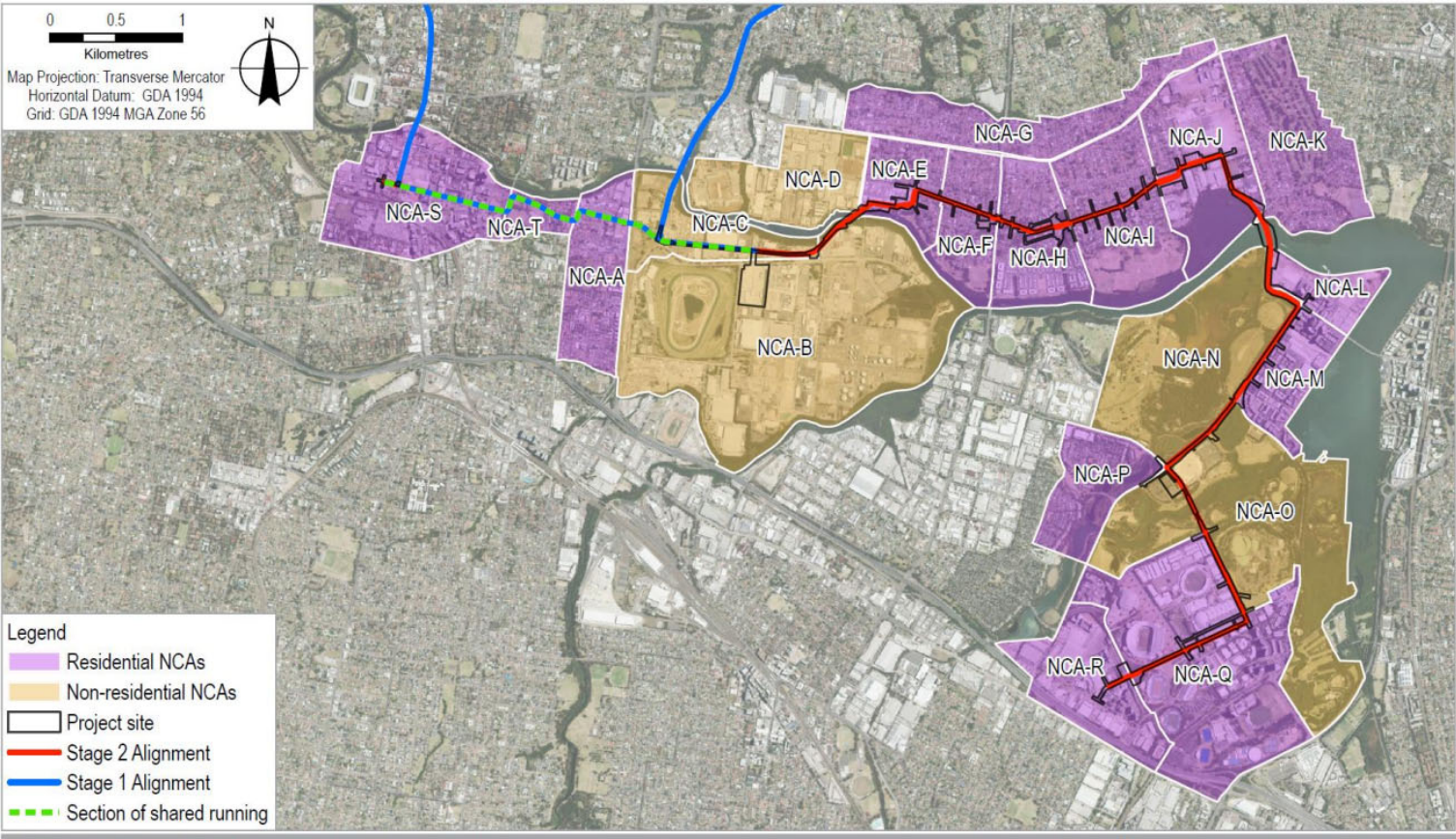
Detailed records of all community consultations, including attempts to contact impacted residents and sensitive land use(s), must be maintained for the duration of the Work by the Proponent.

Any residents and sensitive land use(s) who requests a copy of the record of conversations must be supplied with one.

2. The outcomes of the community consultation and agreement process must be documented and include:
 - (a) communications collateral used during the community consultation;
 - (b) a community response and consent rates (including where no contact could be made) based on:
 - (i) impacted sensitive land use(s);
 - (ii) location of the proposed Work to the sensitive land use(s);
 - (iii) duration and potential impacts to be experienced; and
 - (iv) proposed mitigation and management measures to be implemented.

Appendix C

Noise Catchment Areas



Appendix D

Flexibility Provisions

Project Element	Flexibility Provision
Stop Length	Minor changes (+/- 10 metres) to a stop length permitted where determined by the ER to have no more than a minor impact
Stop arrangement (side or island platform)	Changes to a stop arrangement (side or island platform) permitted where determined by the ER to have no more than a minor impact
Stop location	Minor relocation (+/-20 metres) to stop location permitted where determined by the ER to have no more than a minor impact and the new location does not have a material impact on new receivers compared with the impact(s) assessed in the documents listed in Condition A1 .
Utility and lighting works	These works are permitted within 1 km of the Project Site where determined by the ER to have no more than a minor impact
Stormwater and flood management works including water sensitive urban design	These works are permitted within 1 km of the Project Site where determined by the ER to have no more than a minor impact and has been agreed with the relevant local authority.
Property acquisition adjustment works, including changes to fencing, retaining walls, driveways, footpaths, trees and other landscaping, bin storage, water meters and letter boxes	These works are permitted within properties where land has been acquired adjacent to the project site boundary following consultation with the landowner
Minor road network changes including off-corridor works and public transport network changes, such as line marking, car parking adjustments, signal changes, adjustments to footpaths and active transport links, kerb adjustments and bus stops	<p>Minor Road network changes in the vicinity of the project site boundary are permitted to address potential traffic impacts associated with light rail.</p> <p>In order to be considered minor, these changes must meet the following parameters where relevant:</p> <ul style="list-style-type: none"> • Environmental impacts are manageable through the implementation of environmental measures as detailed in the CEMP and/or the OEMP as relevant. • No acquisition (temporary or permanent) of property where a negotiated purchase from the property owner is not possible • Does not involve the removal of a tree or other vegetation which is listed as a threatened species or ecological

community in the *Biodiversity Conservation Act 2016* and/or *Environment Protection and Biodiversity Conservation Act 1999* or other tree not identified on the tree register required by **Condition E74**

- No direct impact and no more than a minor indirect impact on a listed heritage item.
- Access arrangements are provided for any impacted road intersection and, where relevant, for property access in consultation with the affected party(ies)
- Does not result in operational impacts that would have more than a minor adverse traffic impact (including on intersection performance, road way capacity, bus operations and active transport network) as assessed in the documents listed in **Condition A1**.

Tree planting as part of the project
Tree Offset Strategy

These works are permitted within the City of Parramatta Local Government Area, including Sydney Olympic Park, where they are identified in the Tree Offset Strategy, have no more than a minor impact, and are accepted by the relevant asset owner/local government authority.

New open space at Atkins Road stop
and open space improvements at
Eric Primrose Reserve and Ken
Newman Park

Minor changes to the configuration of the open space design are permitted within the project site boundary where determined to have no greater impact than that assessed in the documents listed in **Condition A1**. Open space improvements are permitted within 200 metres of the project site boundary where agreed with the asset owner and determined by the ER to have no more than a minor impact.
