NSW GOVERNMENT

Parramatta Light Rail

State Significant Infrastructure Modification Assessment

(SSI 8285 MOD 1)

December 2018

Cover photo

A visual simulation of the Parramatta Light Rail (Stage 1) project on Lennox Bridge (Source: EIS, 2017)

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Glossary

Provide a clear and succinct list of the terms not commonly used in everyday language (below is a guide only and needs to be customised for the report).

Abbreviation	Definition
Approval	Infrastructure Approval
Council	City of Parramatta Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPL	Environment Protection Licence
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
Secretary	Secretary of the Department of Planning and Environment
SPIR	Submissions and Preferred Infrastructure Report
SSI	State Significant Infrastructure
TfNSW	Transport for NSW (the Proponent)

Executive Summary

Transport for NSW (TfNSW, the Proponent) proposes to construct and operate the Parramatta Light Rail from Westmead to Carlingford via Parramatta CBD and Camellia.

The Proponent seeks approval of administrative modifications to provide clarity to some conditions of approval. The modification request seeks to provide greater clarity around condition requirements during early investigations and site establishment; and the terms 'work' and 'construction' throughout the instrument of approval. There are also a number of minor editorial changes to various conditions.

The approval of this administrative modification can be made under the Minister's Delegations to the Director, Transport Assessments.

The Department has reviewed the requested amendments and accepts that the proposed amendments clarify and do not materially change the intended objectives of those conditions and will not materially affect the assessed impacts of construction and operation of the project.

Overall, the Department supports changes to the conditions which provide clarity to the Proponent in implementing the obligations which the approval imposes on the Proponent and what the community can expect. For these reasons, the Department considers the modifications to be in the public interest and recommends they be approved.

Contents

1. Introduction

This report is the Department of Planning's (the Department's) assessment of a request to modify the State significant infrastructure (SSI) approval for Parramatta Light Rail (Stage 1) - Westmead and Carlingford via Parramatta CBD and Camellia (SSI 8285).

The request seeks approval of administrative modifications to provide greater clarity around condition requirements during early investigations and site establishment; and the terms 'work' and 'construction' throughout the instrument of approval.

The request was lodged on 2 November 2018 by Transport for NSW (TfNSW, the Proponent) pursuant to section 5.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

On the 3 December TfNSW, wrote to the Department requesting to include an addition condition to the Modification application. The condition E128 relates to storage and handling of waste material. TfNSW wishes to import virgin excavated natural material (VENM), as fill for the Camellia stabling facility.

1.1 Background

Parramatta Light Rail (Stage 1) from Westmead to Carlingford via Parramatta CBD and Camellia is a key commitment of the NSW Government's future transport network as outlined in Future Transport 2056. The Proponent proposes to construct and operate the project between Westmead and Carlingford (around 12 kilometres long). Sixteen stops are proposed on platforms approximately 45 metres long, as well as pedestrian zones and a stabling and maintenance facility at Camellia.

The approved project includes conversion of the existing heavy rail corridor between Carlingford and Camellia and a section of the Sandown freight line for use as dedicated light rail corridors. The remaining corridor between Westmead and Camellia would generally be located along existing streets. The project will provide a high-frequency, turn-up-and-go light rail service that will result in travel time savings and reliability improvements to existing public transport customers.

The approved alignment, stops, and key features of the project are shown in **Figure 1.**

1.2 Justification

The Proponent is seeking the modification to clarify:

- noise conditions – out-of-hours work (E28; E38 & E39) and highly noise intensive works (E27);
- heritage conditions –heritage interpretation (E64); archival recording and salvage (E70 & E71), historical archaeology (E72) and archaeological excavation (E75 & E78);
- tree conditions – tree register (E103 & E106);
- traffic conditions –traffic network management (E10) and parking management strategy (E11); and
- minor editorial changes to various conditions.

The modifications largely relate to the application of definitions of work and construction to conditions. In the case of E128 (waste storage and handling), VEMN is classified as a waste under the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*. Condition E128 does not currently allow the importation of VENM.

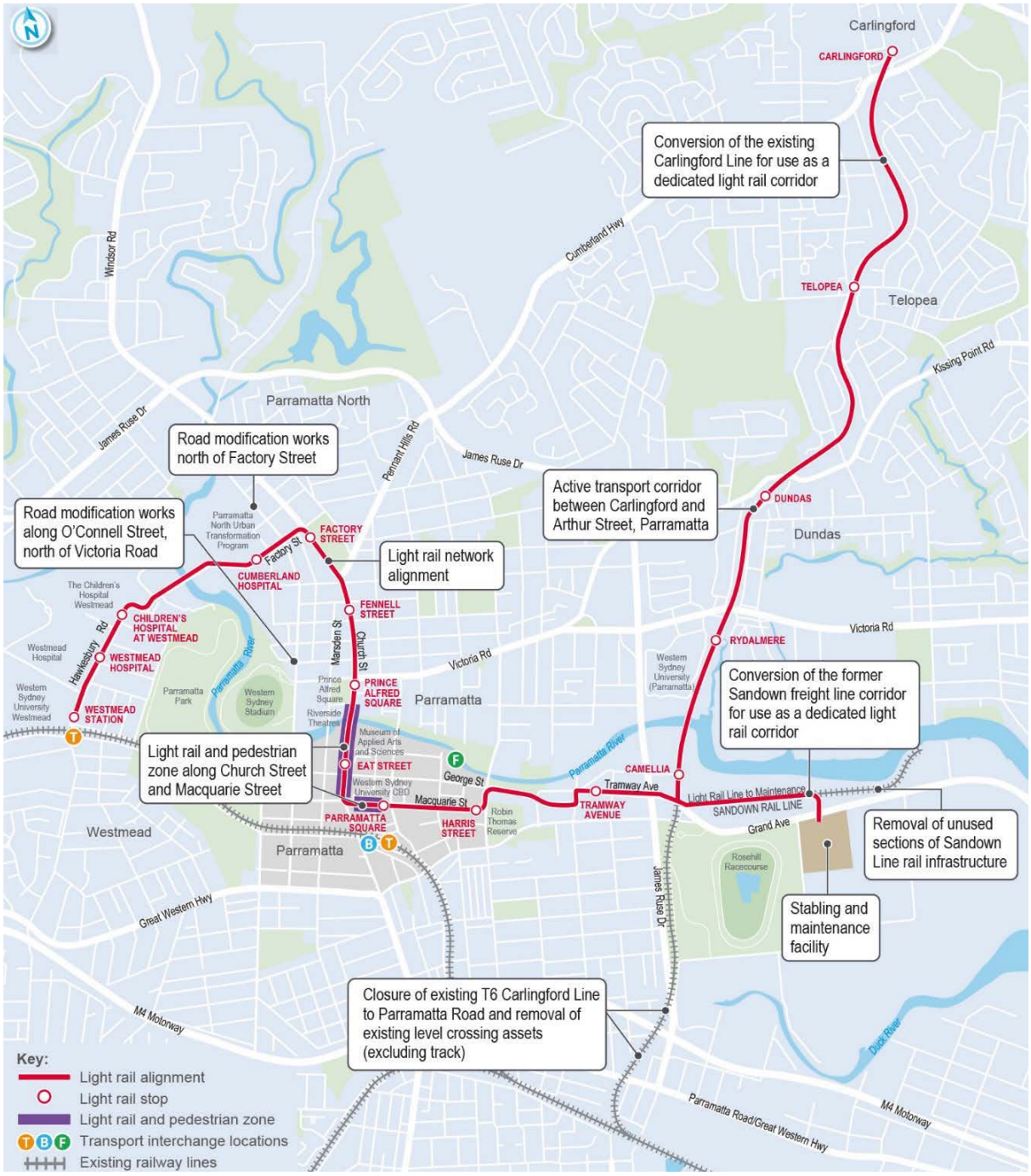

Figure 1 | The Project alignment (Source: EIS, 2017)

1.3 Approval History

The Minister for Planning approved the Parramatta Light Rail (Stage 1) SSI 8285 with conditions on 29 May 2018 under Section 5.19 of the *Environmental Planning and Assessment Act 1979*. The project includes:

- construction of 12 kilometres of new light rail (including five kilometres of the existing T6 Carlingford heavy rail line and former Sandown freight line and seven kilometres on road, separated from general traffic);
- 16 stops (side and island platforms);
- interchanges with existing train, bus and/or ferry services at Westmead, Parramatta CBD and Carlingford;

- two light rail and pedestrian zones in the Parramatta CBD on Church Street (between Market and Macquarie Streets) and Macquarie Street (generally between Horwood Place and Smith Street);
- active transport infrastructure (cycling and walkways) between Carlingford and Rydalmere;
- a stabling and maintenance facility at Camellia; and
- consequential road network to facilitate construction and operation of the project.

2. Statutory Context

2.1 Scope of Modifications

In accordance with Section 5.25 of the EP&A Act, a proponent may request the Minister to modify the approval for State significant infrastructure. The Minister's approval for a modification is not required if the infrastructure as modified will be consistent with the existing approval. The administrative changes requested by the Proponent are not consistent with the existing approval. Consequently, modification of the Minister's approval under Section 5.25 of the EP&A Act is required.

2.2 Delegated Authority

The Minister for Planning is the approval authority under Section 5.25 of the Act unless the Minister has delegated his determination functions to the Department.

Minister's delegate as determining authority

Under the Instrument of Delegation dated 11 October 2017, the functions and powers of the Minister for Planning under Section 5.25 of the Act to determine a modification of the Minister's approval may be delegated to the Director, Transport Assessments, whereby:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

The proposed modification meets the terms of this delegation.

3. Engagement

3.1 Department's Engagement

Under Section 5.28(1)(g) of the EP&A Act, the Planning Secretary is required to make requests for modification of approvals determined by the Minister publicly available. Accordingly, the Department made the modification request publicly available on its website, from 2 November 2018.

The modification request was also referred to the following government agencies and Council for comment:

- Environment Protection Authority;
- Heritage Council of NSW;
- Office of the Environment and Heritage; and
- City of Parramatta Council.

Environment Protection Authority

The **Environment Protection Authority** questioned whether the mitigation measures to be detailed in the Out-of-Hours Work (OOHW) protocol would address the likely impacts. The **EPA** also expressed concern that reducing the timeframe for notifying residents of up-coming OOHW would affect the community's ability to be able to make informed lifestyle choices during upcoming work.

Heritage Council of NSW

Heritage Council of NSW did not support the proposed modifications to conditions E6, E47, E64, E72, E75 and E78. The concerns relate to when work that could affect heritage items would occur and the appropriate time in the project schedule that relevant management frameworks would need to be in place.

Office of Environment and Heritage

The **Office of Environment and Heritage** raised no objections to the proposed modification. **OEH** noted that if the proposed amendment to Condition E113 was accepted, and that Condition E114 would also need amending.

City of Parramatta Council

The **City of Parramatta Council** (Council) commented on several conditions including relating to the role of the Environmental Representative (ER), condition reports, parking management strategy and OOHW. Council is concerned about the impacts that the amendments may have. Council is generally satisfied with proposed amendments to the heritage conditions, provided that the **OEH** is satisfied.

4. Assessment

4.1 Department's Approach to Assessment

The proponent provided suggested changes to conditions in its modification application (Appendix A). The Department has considered the changes proposed in the following sections. The conditions as shown in Tables 1 to 4 reflect the Department's recommended changes when taking into account the comments raised in agency and council responses.

4.2 Heritage Conditions

Both Aboriginal and non-Aboriginal heritage items were identified in the EIS and SPIR as likely to be affected by the construction and/or operation of the project. The Minister's approval includes a suite of conditions to establish a framework for managing known items and identifying, managing and interpreting unexpected heritage and archaeological resource with an **Unexpected Heritage Finds Procedure**, **Heritage Interpretation Strategy**, **Historical Archaeological Research Design and Excavation Methodology**, **Archaeological Excavation Report** and **Heritage Management Sub-Plan**.

However, the timing triggers for condition requirements do not match likely work/construction sequencing. The Proponent has requested clarification of the intent of those conditions where timing inconsistencies were identified.

The Heritage Council raised concerns regarding the potential for impacts to heritage items during low impact work before the relevant requirements to identify, manage and protect heritage items are established. The Department met with the Proponent and Heritage Division (as delegate of the Heritage Council) to identify agreed outcomes for non-Aboriginal heritage management; and amendments to the conditions to achieve the agreed outcomes where possible.

The Department understands the Heritage Council concerns and notes that the approval deems any low impact activities that affect heritage items to be "construction" at which time a Heritage Management Sub-plan and other construction related documentation required by the conditions must be in place for those activities to continue. **Table 1** below outlines the Department's consideration of the request from TfNSW and the proposed amendments to conditions resulting from it.

Table 1 | Amendments to heritage conditions

Condition	Modified Condition	Consideration
E62 Unexpected Heritage Finds Procedure	An **Unexpected Heritage Finds Procedure** must be ~~prepared~~: a) prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH; and b) certified by a suitably qualified and experienced archaeologist or heritage specialist. The Procedure must be included in the **Heritage Management Sub-plan** required by **Condition C3**.	The Department considers that the proposed modification is editorial and clarifies the guidance and role requirements for developing the procedure.

Condition	Modified Condition	Consideration
	Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.	
E64 Heritage Interpretation Strategy	The Proponent must prepare a **Heritage Interpretation Strategy** before work (excluding archaeological excavation required under Condition E70 and E71) which impacts on the items identified below commence which identified and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI. The Heritage Interpretation Strategy must be prepared and implemented consultation with OEH and the Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be submitted to the Secretary for information and include, but not be limited to: a) a discussion of the key interpretive themes, stories, archaeological results, and messages proposed to interpret the history and significance of affected heritage items and heritage conservation areas including: i. Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group, ii. Lennox Bridge, iii. St Patrick's Roman Catholic Cemetery, iv. The Convict Lumberyard (Arthur Phillip High School site), v. Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve), vi. Queen's Wharf Reserve and stone wall and potential archaeological site, vii. Dundas Railway Station Group, viii. Prince Alfred Square (and potential archeological site), ix. Royal Oak Hotel and stables (and potential archaeological site), x. Clyde Carlingford Rail Bridge abutments (Northern), xi. Clyde Carlingford Rail Bridge abutments (Southern); b) ~~Consider the information complied in development of the **Heritage Archival Recording and Salvage Report** required in **Condition E70**.~~	The Department acknowledges that further archaeological material may be uncovered during the course of construction which cannot be included in an interpretation strategy required before construction commences. To allow for this, the Department recommends decoupling the requirement to include information compiled in developing the Heritage Archival Recording and Salvage Report from this condition (see below). Any items that are identified during archaeological excavation will be managed through the requirements listed in Conditions E70 and E71. Further, to ensure that a comprehensive interpretation strategy considers all items salvaged during construction, the Department recommends including a new Condition E64A, which requires the Proponent to update the Heritage Interpretation Strategy within six (6) months of completing any archaeological excavation.
new condition E64A	Within six (6) months of the completion of any archaeological excavation and archival recording, the Heritage Interpretation Strategy in **Condition E64** must be updated to include any additional heritage items identified and their interpretation. *Note: Archaeological excavation and archival recording includes but is not limited to that required by **Conditions E70 to E79** inclusive.*	
E70 Heritage Archival	The Proponent must prepare a **Heritage Archival Recording and Salvage Report**, including photographic recording of heritage	A minor amendment proposed to ensure that where a heritage item may be modified but not demolished, it is required to be included in the

Condition	Modified Condition	Consideration
Recording and Salvage	items which have been identified for demolition or modification in the documents referred to in **Condition A1** and outline the salvage to be undertaken from these items. Archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's *How to Prepare Archival Records of Heritage Items* (1998) and *Photographic Recording of Heritage Items Using Film or Digital Capture* (2006). Within 12 months of completing the archival recording, or as otherwise agreed with the Secretary, the Proponent must submit the **Heritage Recording and Salvage Report** to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.	Heritage Archival Recording and Salvage Report. The Department supports this amendment.
E71 Heritage Archival Recording and Salvage	~~Following archival recording as required by **Condition E70**, and before demolition,~~ The Proponent must salvage material from heritage items identified in **Condition E70**. Following archival recording, the Proponent must ~~to be demolished,~~ identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on the project or for other options for repository, reuse and display. Suitable repository location (s) must be established in consultation with Relevant Council(s) (or Registered Aboriginal Parties, where relevant). For any State Heritage-listed items or elements suitable for salvage, suitable repository location(s) must be determined in consultation with the Heritage Division of the OEH. Any residual items and materials are (where appropriate) to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners with the locality from where the material originated.	The proposed amendment clarifies that material from items identified in the report prepared for Condition E70. The Department acknowledges that the amendment provides a sequential process which allows for excavation to recover sub-surface artefacts after demolition. Additional consultation is proposed with Registered Aboriginal Parties where relevant to ensure that all salvage items that can be stored and/or repurposed appropriately. The Department supports this amendment.
E72 Historical Archaeology	Before works within ~~a~~ zones 1 and 2 Historical Archaeological Management Units (HAMU), the Proponent must engage a suitably qualified archaeologist whose experience complies with the NSW Heritage Council's *Criteria for Assessment Directors* (July 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with the historical archaeology (i.e. non-Aboriginal) and to prepare a **Historical Archaeological Research Design and Excavation Methodology**. Where the Unexpected Heritage Finds Procedure required by **Condition E62** is triggered in a zone 3 location, the Excavation Director must oversee its implementation.	Some areas identified in the EIS along the project corridor are heavily disturbed and the likelihood of uncovering heritage items is low, but possible. These are identified as zone 3. The Department recommends a further amendment which ensures that the Excavation Director oversees the implementation of the Unexpected Heritage Finds Procedure (Condition E62) in zone 3 areas in the event that any heritage items are discovered during excavation.
E78 Heritage Management Sub-Plan	~~Works~~ The Excavation Director must oversee and advise on work in the following locations: a) Cumberland Hospital (East Campus);	The proposed amendment to this condition requires the Excavation Director to oversee and advise on work impacting on the listed Aboriginal archaeological sites. The Department

Condition	Modified Condition	Consideration
	b) Harris Street Footpath / Robin Thomas Reserve; c) PLR AFT 2; and d) Sydney Turf Club Carpark. *Note: Work in the locations referenced in Condition E78 (a)-(d) that impacts Aboriginal archaeological sites is construction as defined in this approval. Any mitigation and salvage measures required to manage or mitigate impacts must be specified in the Heritage Management Sub-plan required by* ***Condition C3****.*	and Heritage Council both support this amendment. However, the Proponent also requested that the condition be decoupled from the Heritage Management Sub-plan (HMSP), as this HMSP would not be approved before this work is scheduled to commence. Heritage Council is concerned that the management measures required in the HMSP would not be in place when the work occurs that may impact heritage items. The Department acknowledges this concern but notes that work in these locations may not impact on the Aboriginal archaeological sites, but would become construction if sites were found and therefore trigger the need for a HMSP.

4.3 Noise and Out-of-Hours Work Conditions

The noise and out-of-hours work conditions regulate noise during and outside of specific work hours. The conditions also outline mitigation and respite periods that must be provided to the community.

The Proponent's proposed amendments would provide flexibility in managing noise above the limits set for evening and night time periods, outlined in Condition E27 (Highly Noise Intensive Works). The project may not be licenced by the Environment Protection Authority. The proponent has stated that a trial period for highly noise intensive works outside of the approved hours of work may be implemented to ensure that the works can be undertaken with minimal impact to residents.

The EPA noted that:

- mitigation measures to be included in the Out-of-Hours Work Protocol have not been finalised and therefore it cannot comment on the proposed amendments; and
- the intent of the Out-of-Hours Work schedule is to provide the community with an indication of the likely amount and timing of out-of-hours work over the upcoming three month period to enable the affected community to make informed lifestyle choices during that time, and is indicative.

The EPA acknowledges that flexibility in work scheduling is required but is concerned that reducing the notification period from three months to one month does not provide sufficient advance warning to the community to enable longer term, informed choices regarding mitigation, respite or relocation (voluntary or offered) measures available to them. **Table 2** below outlines the amendments to the noise conditions.

Table 2 | Modifications to Noise conditions

Condition	Modified Condition	Consideration
E27 Highly Noise Intensive Works	*Except as permitted by an EPL, or through the* ***Out-of-Hours Work Protocol****, Highly Noise Intensive Works that result in an exceedance of the applicable NML at the same sensitive receiver 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*	The Department accepts that at times, out of hours work is inevitable in an urban environment. The proposed amendment will provide the Proponent with some flexibility to undertake highly noise intensive work, that would be allowed under an EPL, should also be allowed where regulated by the Minister's approval and an EPL is not required.

Condition	Modified Condition	Consideration
	c) in continuous blocks not exceeding three (3) hours each with a minimum respite from those activities and works of not less than one (1) hour between each block. *For the purposes of this condition, 'continuous' includes any period during which there is less than a one (1) hour respite between ceasing and recommending any of the work that are the subject of this condition.* *Note: A trial period of the Highly Noise Intensive Works undertaken with the approval of the Out-of-Hours Works Protocol may be established.*	To ensure that the work does not result in undue impacts to sensitive receivers, a trial period may be established as part of the approval of the Out-of-Hours Works Protocol.
E28 Out-of-Hours Works Protocol	*An **Out-of-Hours Work Protocol** must be prepared to identify a process for the consideration, management and approval of works which are outside the permitted hours defined in **Conditions E21 to E22**, where and EPL does not apply. The Protocol must be approved by the Secretary before commencement of out-of-hours works. The Protocol must be prepared and implemented in consultation with AA. The Protocol must:* *a) provide a process for the consideration of out-of-hours works against the relevant noise and vibration criteria;* *b) provide a process for the identification and implementation of mitigation and management measures for residual impacts, in consultation with the community at each affected location, consistent with the requirements of **Condition E39**;* *c) identify an approval process that considers the risk level of activities (in accordance with AS/NZS ISO 31000:2009 "Risk Management"), proposed mitigation, management, and coordination, including where:* *i. low and moderate risk activities can be approved by the ER in consultation with the AA, and* *ii. high risk activities that are approved by the Secretary; and* *d) identify Department and community notification arrangements for approved out of hours works, which will be detailed in the Communication Strategy.* *Note: This condition does not apply where work is required for an emergency (as defined in Condition E25 (b)).*	The objective of the Out-of-Hours Work Protocol is to manage work that the Proponent has scheduled and is able to control. Emergency works as defined in condition E25 (b) are not intended to be captured by the Out-of-Hours Work Protocol. The proposed amendment to condition E28 by way of a note clarifies this intent. The Department has recommended a further editorial amendment to the note.
E38 Construction Noise Mitigation - Respite	*All work undertaken for the delivery of the CSSI, including those undertaken by ~~third parties (such as those undertaken by~~ utility contractors~~)~~, must be coordinated to ensure respite, including the respite required by **Condition E37**. The Proponent must:* *a) schedule any works to provide respite to impacted noise sensitive receivers so that all respite periods are achieved; or*	Condition E38 relates to utility work required for the project, regardless of who carries out the work. The proposed amendment provides additional clarity in this regard and therefore the Department agrees with the requested amendment.

Condition	Modified Condition	Consideration
	b) consider the provision of alternative mitigation, including the provision of at receiver treatments and alternative accommodation to impacted noise sensitive receivers; *c) provide documentary evidence to the AA in support of any decision may be the Proponent in relation to respite to mitigation.*	
E39 Construction Noise Mitigation - Respite	*In order to undertake out-of-hours work described in* ***Condition E25 (c) and (d)****, the Proponent must identify appropriate work and respite periods for the works in consultation with the community at each affected precinct at three (3) monthly intervals. This consultation must be ongoing and include (but not be limited to) providing the community with:* *a) a schedule of likely out-of-hours work for a period of no less than two (2) months for medium to high risk work (as defined in the Out-of-Hours Protocol (**Condition E28**);* *b) a schedule of likely out-of-hours work for a period of no less than seven (7) days for low risk work (as defined in the Out-of-Hours Protocol (**Condition E28**);* *c) the potential works, location and duration;* *d) the noise characteristics and likely noise levels of the works; and* *e) likely mitigation and management measures.* *The Proponent shall consider and respond to the affected community's preference for alternative hours and/or durations.* *The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour works must be provided to the AA, ER and the Secretary.*	The EPA is concerned that the proposed amendment would limit the community's ability to make informed choices to manage the impact of upcoming work on their lives. The Department acknowledges that scheduling work is challenging and subject to change as circumstances evolve, though the intent of this condition does not lock the Proponent into the works once the notification occurs. The intent is to provide the community with information regarding works likely to occur. Engaging the community to inform scheduling is important, as it is likely to result in a more accepting community where the details of work and impacts are acknowledged in advance, are more relevant to them and they have had input to their management. The Department required a three (3) month scheduling period in response to community concerns regarding the extent and duration of these large infrastructure projects. The Department considers that the one month scheduling period requested does not reflect the changing community response to large infrastructure projects. However, the Department acknowledges the risk profile approach as part of the amendment and considers that this along with an advance two (2) month schedule will provide the Proponent the opportunity to provide greater certainty to the community as to upcoming works, while still providing the community with a reasonable period to make upcoming plans.

4.4 General Conditions

Conditions include a timing requirement which links to when work or construction can occur based on having the appropriate environmental management processes in place. Some require plans or other actions to be taken which have unintended consequences such as preceding the availability of required information in the design process The Proponent has requested amendments to timing requirements for various conditions. **Table 3** below outlines the timing amendments, while **Table 4** outlines general amendments to conditions.

Timing triggers

Table 3 | Timing amendments to conditions

Condition	Modified Condition	Consideration
A14 Staging	*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 other activities~~ construction (as defined in this instrument) 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 CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);* *c) specify how compliance with conditions will be achieved across and between each of the stage of the CSSI; and* *d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.* *Note: nothing in this condition invalidates the timing requirements or triggers specified in other conditions of this approval.*	Conditions A14 and A16 both refer to construction and work, where construction is a subset of work as defined in the approval. The Proponent has requested clarity on the intended time for submitting the Staging Report which requires amendment to both Conditions A14 and A16. The Department acknowledges that the reference to both construction and work may lead to confusion as to when the Staging Report is required to be submitted to the Department. The proposed amendment makes clear that the report must be submitted before construction and does not have a material effect on the environment.
A16 Staging	*Where staging is proposed, the terms of this approval that apply or are relevant to ~~the works or activities~~ construction to be carried out in a specific stage must be complied with at the relevant time identified in the Staging Report for that stage.*	As for A14 above.
E10 Traffic Networks Management	*The Proponent must prepare and implement a **Network Management Strategy** for construction of the CSSI, in consultation with RMS, Sydney Coordination Office and Relevant Council(s) before the impacts on the road network (including intersections) occur. The Strategy must determine appropriate measures to manage impacts to traffic identified in the documents listed in **Condition A1**, and must include:* *a) details of impacts to the network from road closures, directional changes, night works and traffic diversions;* *b) details of further appropriate network/intersection modelling and analysis undertaken since the EIS and/or Submissions Report was prepared;* *c) consideration of cumulative impacts from other construction projects;* *d) details of the required intersection upgrades and traffic management measures by precinct to minimise the impacts identified above;* *e) vehicular access changes;* *f) special event management; and*	The Proponent is required to develop a Traffic Management Strategy to manage traffic impact and road network performance during construction. The Strategy will detail the impact of construction on traffic and road network performance including intersection performance. The condition currently requires the Strategy to be submitted for information before works commence and is inconsistent with the intent of the Traffic Management Strategy. The condition is intended to provide a framework to manage impacts to traffic networks associated during project construction. The Proponent has requested that the timing for submitting the strategy be before construction commences. The Department accepts this proposed amendment.

Condition	Modified Condition	Consideration
	g) changes to bus services. *The Strategy must focus on the management of construction related traffic impacts and be provided to the Secretary for information before ~~works~~ construction commences.*	
E45 Building Condition Survey	*Before the commencement of any ~~works~~ construction and with the agreement of the landowner, a structural engineer must undertake building condition surveys of all buildings identified in the documents listed in* ***Condition A1*** *as being at risk of damage. The results of the surveys must be documented in a* ***Building Condition Survey Report*** *for each building surveyed. Copies of the* ***Building Condition Survey Reports*** *must be provided to the landowners of the buildings surveyed, and if agreed by the landowner, the relevant Council within three weeks of completing the surveys and no later than one month before the commencement of construction.*	Building Condition Surveys must be undertaken to identify the existing condition of buildings before work that may have an impact on the building. The Proponent has requested that the condition be amended to refer to construction as work that is not construction is low impact and unlikely to cause building damage. The Department agrees and accepts this request
E116 Electromagnetic Management Plan	*~~Before the commencement of~~ To inform the detailed design of light rail infrastructure, the Proponent must identify EMI susceptible devices that may potentially be affected by CSSI operations and establish baseline electromagnetic field levels at the relevant EMI susceptible devices near the CSSI. Targeted consultation must be carried out with the owners/operators of the identified EMI susceptible devise. The outcomes of these consultations must be documented as part of the* ***Electromagnetic Management Plan*** *required by* ***Condition E117****.*	The Proponent argues that identifying all EMI susceptible devices before detailed design is not practical as design occurs throughout construction. The Department accepts the proposed amendment provides for feasible implementation of the condition without compromising its intent.

General amendments

Table 4 | General amendments to conditions

Condition	Modified Condition	Consideration
A5 Consultation	*Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Secretary with the document or monitoring program or review. The evidence must include:* *a) documentation of the engagement with the party(ies) identified in the relevant condition of approval before submitting the document for approval;* *b) log of the points of engagement or attempted engagement with the identified party(ies) and a summary of the issues raised by the identified party(ies);* *c) documentation of any follow up with the identified party(ies), where feedback has not*	Where the terms of the approval require the Proponent to prepare a document or monitoring program, agency consultation on the development of the document or monitoring program is required. This consultation allows the agencies to comment on the details of the document or monitoring program that may not have been available during the development of the EIS. The Department acknowledges that decisions often need to be made on technical reasons or are a balancing of competing views and therefore not all matters raised in consultation can be adopted. The condition reflects this by requiring the Proponent describe the outstanding issues raised and why these have not been addressed. The Proponent has sought to clarify that where an outstanding issue cannot be resolved with

Condition	Modified Condition	Consideration
	been approved, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requested; *d) outline of the issues raised by the identified party(ies) and how they have been addressed, including evidence that the party(ies) is satisfied the issues have been addressed; and* *~~A description of any~~where there are outstanding issues raised by the identified party(ies) that have not been adopted, ~~and~~ the reasons why they have not been/could not be adopted must be provided, including evidence of consultation with the relevant party(ies).*	the party that raised it, justification of why the outstanding issue cannot be resolved is included in the document. The Department has made further amendments to the condition, to ensure that thorough consultation has occurred with the agencies, by requiring that evidence of the consultation be provided.
A23 Environmental Representative	*For the duration of the works until after the commencement of operation, or as agreed with the Secretary, the approved ER must:* *a) receive and respond to communication from the Secretary in relation to the environmental performance of the CSSI;* *b) consider and inform the 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 impacts to the environment and the community;* *d) review documents identified in Table 2 and any other documents that are identified by the Secretary, for consistency, in the opinion of the ER, with requirements in or under this approval and if so:* *i. make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or* *ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Secretary for information or are not required to be submitted to the Secretary);* *e) regularly monitor the implementation of the documents listed in Table 2 to ensure implementation is being carried out in accordance with the document and the terms of this approval;* *f) as may be requested by the Secretary, help plan, attend or undertaken audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and the site visits, but not independent environmental audits required under* ***Condition A41*** *of this approval;* *g) as may be requested by the Secretary, assist the Department is the resolution of community complaints;* *h) assess, and if acceptable approve the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities or other ancillary*	The appointed Environmental Representative (ER) is required to assess the impacts of minor ancillary facilities, which comprises lunch sheds, office sheds and portable toilet facilities. The Proponent seeks to broaden the range of minor ancillary facilities that the ER can assess and approve. The Department considers that this request is reasonable, as the role of the ER uses a risk based approach based on low environmental impact rather than specific types of facilities or activities.

Condition	Modified Condition	Consideration
	facilities determined by the ER to have a minor environmental impact; and *i) prepare and submit to the Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports". The Environmental Representative Monthly Report must be submitted within seven (7) days following the end of each months for the duration of the ER's engagement for the CSSI.*	
E6 Condition Reports	*~~Existing~~ Current condition reports for all existing roads and all existing property and infrastructure in the road reserve where the physical condition is likely to be adversely affected ~~the physical condition~~ during work ~~be used or affected by works~~ must be prepared before commencement of such works. The report must state the current condition of the asset owner no later than one month before the commencement of ~~construction~~ works of the CSSI.*	Condition reports are intended to establish the before construction condition that a road must be returned to once construction is complete. The Proponent has requested an amended to this condition. The Department considers the amendment reasonable, though it has recommended a further amendment to clarify that the condition report only relates to existing roads.
E11 Parking Management Strategy	*A **Parking Management Strategy** must be prepared before permanent or long term i.e. greater than three (3) months loss of parking. The Strategy must be ~~works commences and~~ implemented in consultation with the relevant road authority and Relevant Council(s) to manage car parking impacts and kerbside parking access, particularly for the Westmead, Parramatta North, and Parramatta CBD precincts, as a result of the CSSI. The **parking Management Strategy** must include, but not be limited to:* *a) confirmation of the timing of the removal of on and off-street parking associated with the construction of the CSSI;* *b) comprehensive parking surveys of all parking spaces to be removed to determine current demand during peak, off-peak, school drop-off and pick-up, and weekend periods;* *c) assessment of the impacts of changes to on and off-street parking taking into consideration outcomes of consultation with affected stakeholders;* *d) identification of measures to manage any reduction in parking including staged removal, resident parking schemes, managed staff parking arrangements, and provision of alternative parking arrangements for accessible and service spaces;* *e) replacement parking for specific impacted kerbside uses (e.g. accessible parking and loading zones) within the local vicinity with consideration of the Disability Discrimination Act 1992 (DDA) Public*	The Parking Management Strategy is required to be prepared for construction that impacts on parking, so that the impacts can be minimised. The Proponent argues that some early work may affect parking for short periods (hours, days or weeks) and that the parking strategy should not be required where this impact is temporary and low scale and therefore seeks to modify the condition to apply where activities affect parking availability permanently or long-term. The Department accepts this argument as its assessment of the EIS found that parking capacity generally exceeds demand across the alignment.

Condition	Modified Condition	Consideration
	Transport Standards and the DDA Access Code (2010); and *f) monitoring on the efficacy of these measures, including potential unintended traffic impacts and contingencies in the event that the measures implemented are not adequate.* *The **Parking Management Strategy** must be submitted to the Secretary for information and the results of monitoring reported in the **Operational Traffic, Transport and Access Performance Review** required by **Condition E18**.*	
E103 Tree Register	*The Arborist must:* *a) be the principal point of advice in relation to the assessment and management of CSSI impacts on trees;* *b) prepare a Tree Register of all trees within the CSSI footprint (either for the entire CSSI or separate areas where tree removal and/or pruning is proposed) before the removal of any trees;* *c) identify those trees within the footprint that must be removed for construction to proceed or for CSSI operations; and* *d) identify those trees where their fate is uncertain and may be retained, removed or ~~may be~~ pruned (either for construction or for ongoing maintenance during operation).*	The Proponent considers that the current condition does not allow for trees that may be impacted by the project, but are yet unknown, to be removed. The Department accepts that the proposed amendment clarifies that some trees identified in d) may need to be removed for the construction or operation of the project.
E106 Tree Register	*The **Tree Register** and any evidence required by **Condition E105** must be submitted to the Secretary before the removal or damage ~~or pruning~~ (as defined by the Independent Arborist) of a tree for the purposes of the CSSI. The recommendations of the Independent Arborist must be outlined in the Tree Register and implemented by the Proponent, unless otherwise agreed by the Secretary.*	The Department acknowledges that pruning may be required that would not damage a tree. An Independent Arborist to oversee any such pruning would provide the appropriate checks and balances.
E128 Waste Management	*The importation of waste and storage of virgin excavated natural material (VENM), treatment, processing, reprocessing or disposal of ~~such~~ any other waste must comply with the Protection of the Environment Operations Act 1997, ~~under~~ and the Protection of the Environment Operations (Waste) Regulation 2014, ~~and~~ where orders or exemptions ~~made~~ apply under the regulation.*	The Department acknowledges that VENM is clean soil though classified as waste under the POEO Act and Regulation. The proposed amendment would allow material classified as VENM to be imported for use on the project. The amended condition would still require compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*.

4.5 Editorial Amendments

In addition to the amendments described in the sections above, several minor editorial corrections are presented in **Table 5** below. **Table 5** | Editorial Amendments

Condition	Requested Condition	Justification
Table 1 – Construction Definition	Includes all works required to construct the CSSI as described in the EIS/Submissions Report (incorporating Preferred Infrastructure Report), including commissioning trials of equipment and temporary use of part of the CSSI, but excluding the following low impact work: a) survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning system (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys; b) investigations including investigated drilling, contamination investigations and excavation; c) establishment of ancillary facilities in approved locations including constructing ancillary facility access roads and providing utilities to the facility; d) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community; e) minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report (incorporating Preferred Infrastructure Report); f) installation of mitigation measures including but not limited to erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments; g) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of property utility connections including water supply and electricity; h) relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER; i) reconfiguration of Robin Thomas Reserve for the purposes of maintaining two sports playing fields; j) archaeological testing under the *Code of practice for archaeological investigation of Aboriginal objects in NSW* (DECCW, 2010), archaeological investigations to inform design or archaeological monitoring undertaken in association with [a]-[i] above to ensure that there is no impact to heritage items; k) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access including access and egress to construction ancillary facilities; and l) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI. However, where heritage items, or threatened species, populations or ecological communities (within the meaning of the *Biodiversity Conservation Act 2016*) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Secretary in consultation with OEH or ~~DPI~~ DoI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation). Construction does not include site establishment works where such works are included as part of the Site Establishment Management Plan approved under **Condition C18**.	Editorial change for clarification.
Table 1: DPI	~~DPI~~ DoI (NSW Department of Industry)	Editorial change, to reflect the Departmental name change
Table 2	Table 2: Reports and Notifications that must be submitted to the Secretary ~~(to be updated following conditions negotiation)~~	Editorial change

Condition	Requested Condition	Justification
Table 2: E67 CHIP Hostel Options Analysis	Before commencement of construction in Cumberland Hospital East or at the intersection of Fleet and Factory streets that could preclude alternative outcomes	Editorial change to reflect amendment to E67
Table 2: E94 Design Review Panel Terms of Reference	Following formation of Design Review Panel	Editorial change to reference E95
Table 2: E106 Tree Register	Purpose: ~~Approval~~ Information	Editorial change, to be consistent with the requirement of E106
Table 2: E113 Flood Management Plan	Flood Management ~~Plan~~ Design Report	Editorial change to reflect amendment to E113
C1: Construction Environmental Management Plan	A **Construction Environmental Management Plan (CEMP)** ~~must be~~ must be prepared to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in **Condition A1** will be implemented and achieved during construction.	Editorial change to remove duplicate wording
C8: CEMP Sub-plans	Construction must not commence until the CEMP and any **CEMP Sub-plan** specified in **Condition C3** have been submitted to or approved by the Secretary. The **CEMP** and **CEMP Sub-plans**, submitted to, or approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the **CEMP** and **Sub-plans** for the stage have been submitted to or approved by the Secretary. *Note: The requirement to submit or have a CEMP or CEMP Sub-plan approved is specified in* ***Condition C3****.*	Editorial change to reflect the requirement of the CEMP Sub-plans
E42: Construction Noise and Vibration Impact Statements	**Construction Noise and Vibration Impact Statements** must be prepared and implemented for each construction site before construction noise and vibration impacts commence and include specific mitigation measures identified through consultation with affected sensitive receivers. Each **Construction Noise and Vibration Impact Statement** will supplement the **Noise and Vibration Management Sub-plan** and must specifically address each of the major construction sites and must include but not be limited to: a) a description of the proposed activities; b) predicted noise and vibration levels based on background noise levels; c) examination of alternative methods of construction that would potentially reduce noise and vibration if the potential noise and vibration exceeds the relevant criteria; d) description and commitment to work practices which limit noise and vibration; e) description of specific noise and vibration mitigation treatments and time restrictions, including respite periods, duration, and frequency; f) justification for any activities to be undertaken outside the specified construction hours defined in **Conditions E21** and **E22**; g) internal noise audit systems including recording of daily hours of construction, progressive impact assessments as work proceeds, conducting informal checks by the ~~**ER**~~**AA**, providing active and communication links to Council and surrounding residents and sensitive receivers;	Editorial change to reflect the role is of the AA and not the ER

Condition	Requested Condition	Justification
	h) assessment of potential noise from the proposed construction methods including noise from construction vehicles and noise impacts from required traffic diversions; i) community consultation and notification; j) all reasonable and feasible measures including adopting the least noisy available construction methods, systems and equipment; k) additional noise and vibration mitigation measures as negotiated with affected residents and other sensitive receivers. *Note: Existing noise levels, pre-construction noise levels, or the like for the purposes of identifying rating background noise levels, noise management levels and construction noise impacts are noise levels that do not include any other construction related noise.*	
E67: Demolition of CHIP Hostel No. 1	The proponent must prepare an analysis of alternatives to demolition of CHIP Hostel No. 1 before the commencement of construction in Cumberland Hospital (East Campus) or any work in the Fleet/Factory street intersection which would preclude consequential rail realignment if the CHIP Hostel No. 1 were retained. The analysis must be submitted to the Secretary stating a preferred option for approval. If demolition of the CHIP Hostel No. 1 is proposed, justification must be provided which considers the following guidelines included in the *Parramatta North Urban Transformation Consolidated Conservations Management Plan* (UrbanGrowth NSW, 2017): a) that there is no prudent or feasible alternative; b) demolition would result in no or minimal impacts on the heritage significance of the pace or the wider Parramatta North Historic Sites; and c) demolition would be of an overall benefit to the heritage significance of the place and the wider Parramatta North Historic Sites. Nothing in this approval permits the demolition of the CHIP Hostel No. 1 without the written approval of the Secretary.	Editorial change, to include the name of the site, to define where construction may proceed.
E:73 Historical Archaeological Research Design and Excavation Methodology	The **Historical Archaeological Research Design and Excavation Methodology** must ~~to~~ be submitted to the Heritage Council of NSW (or its delegate) for review comment before finalization. The **Historical Archaeological Research Design and Excavation Methodology** must: a) be consistent with NSW Heritage Council Guidelines including: i. Archaeological Assessments (1996), ii. Assessing Significance for Historical Archaeological Sites and Relics (2009), iii. Skeletal Remains (1998), and iv. Historical Archaeological Code of Practice (2009); b) include provision for early physical investigation of areas of impact identified as likely to contain State significant archaeology in the research design to inform detailed design in these areas to avoid State significant archaeology. This shall include, but not be limited to: i. St Patrick's Roman Catholic Cemetery, ii. Ancient Aboriginal and Early Colonial Landscape / Robin Thomas Reserve, and iii. the Parramatta Town Drains (where these alignments are unclear), c) provide for the detailed analysis of any archaeological relics discovered during the investigations; d) include management options for discovered archaeological relics (including options for avoidance, salvage and display or interpretation); e) include procedures for notifying the Heritage Council of NSW (or its delegate) and Secretary of any relic as required under s146 of the *Heritage Act 1997*; and	Editorial change to remove word

Condition	Requested Condition	Justification
	f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.	
E75: Archaeological Excavation Report	In the event that non-Aboriginal or post-contact archaeological relics are discovered, the Proponent must prepare an **Archaeological Excavation Report** containing the findings of any excavations, including artefact analysis and the identification of a final repository of any relics. The report must be submitted to the Secretary, for information, within 12 months of completing all archaeological investigations, unless otherwise agreed with the Secretary. The **Archaeological Excavation Report** must also be submitted to the NSW Heritage Council, the local library and the local Historical Society in the local government area. A copy of the **Archaeological Excavation Report** must be provided with the relics.	Editorial change for clarification
E79: Heritage Interpretation Strategy	Any Aboriginal objects discovered must be identified in the **Heritage Interpretation Strategy** required by **Condition ~~E65~~ E64** and, where relevant, include registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register.	Editorial change to correct cross-referencing
E92: Design Review Panel	The **Design Review Panel** must be ~~must be~~ chaired by the NSW Government Architect (or its nominee), and must be comprised of, where relevant, a suitably qualified, experienced and independent professional in each of the fields of: a) architecture; b) urban design and place making; c) landscape design; d) Aboriginal cultural heritage; and e) non-Aboriginal heritage. The Chair is to invite Relevant Councils, technical experts, key stakeholders, and NSW government agencies to observe **Design Review Panel** meetings and to provide advice on local issued, context, and city outcomes. This includes the Heritage Council (or its delegate). The Proponent and its contractor(s) may be invited onto the Panel as observers only and to provide technical advice. Observers or advisors should not be present while the Panel is deciding upon its recommendations. The Panel must provide independent secretarial resources to the Panel.	Editorial change to remove duplicate wording
E95: Design Review Panel	Once the **Design Review Panel** is formed a **Design Review Panel Terms of Reference** must be developed and endorsed by all panel members and then approved by the Secretary. The Terms of Reference must ~~be submitted to the Secretary for information and~~: a) establish best practice governance and protocols for the operation of the **Design Review Panel**; b) include a Code of Conduct; c) outline the agreed frequency of **Design Review Panel** meetings; d) outlines secretariat functions and administration including the recording and storing of meeting agenda, minutes and actions; and e) identify cessation arrangements.	Editorial change, to remove inconsistent wording regarding the Terms of Reference. The Terms of Reference are to be approved by the Secretary.
E110: Business Activation Plan	The Proponent must prepare an implement a **Business Activation Plan** to manage impacts to businesses on streets affected by construction of the CSSI, including those where access is altered. The Plan must be prepared before construction and must include but not necessarily be limited to: a) measures to address amenity, vehicular and pedestrian access during business hours and visibility of the business appropriate to	Editorial change, to correct the cross-referencing.

Condition	Requested Condition	Justification
	its reliance on such, and other reasonable matters raised in consultation with affected business; b) Business Management Strategies for each stage of construction (and/or activity), identifying affected businesses and associated management strategies, including the employment of place managers and specific measures to assist small business owners adversely impacted by the construction of the CSSI; c) Business Support Services Program to assist small business owners adversely impacted by construction of the CSSI. The Program must assist local businesses to develop proactive business strategies including: i. marketing and promotion, ii. business diversification and business planning, and iii. engagement of specialists to run workshops both before and during construction; d) establishment of business reference groups to provide, but not be limited to, the following services: i. provide information on the CSSI, ii. discuss mitigation measures to minimise impacts, and iii. consult on out of hours works ('Eat Street' only) where required by **Condition E24** ~~Error! Reference source not found.~~ **(d)(iii)**, e) a monitoring program to assess the effectiveness of the measures including business feedback against which effectiveness of the measures will be measured; and f) provision of reporting of monitoring results to the Secretary, as part of the **Compliance Monitoring and Reporting Program** required in **Condition A30**.	
E113: Flood Management Plan	A **Flood Management ~~Plan~~ Design Report** must be prepared and implemented in respect of the flood prone land and overland flow paths for the waterways and catchments in the CSSI's vicinity. The ~~Plan~~ Report must be prepared during detailed design to identify the potential adverse impacts of the operation of the CSSI on existing flooding characteristics for a full range of flood events up to and including the probable maximum flood (PMF). The ~~Plan~~ Report must include but not be limited to: a) the results of further modelling to identify the potential impacts of the CSSI on flood behavior including consideration of increased rainfall intensity and sea level rise under climate change conditions, consistent with the requirements of the *Floodplain Development Manual* (2005) and *Practical Consideration of Climate Change* (2007); b) the identification of design measures that would be implemented to manage the impacts of flooding on the operation of the CSSI and not worsen the existing flood characteristics. Design of mitigation measures must consider the full range of design events up to the 1% AEP; c) demonstration of constructability of proposed management measures; d) sensitivity analyses to assess the risk that additional properties or infrastructure could be subject to changes in existing flood behavior as a result of the CSSI (i.e. beyond those identified as being impacted in point a) above), for design events up to and including the 1% AEP flood event, namely: i. assessment of 100% blockage of pits for the pre-development (existing) and post-development (with the CSSI) scenarios, ii. assessment of the impact of local and regional coincident flood peaks, and iii. assessment of cumulative impacts of the CSSI and other state significant developments and/or infrastructure in the CBD being constructed or that have received approval (and for which sufficient design detail is available at the time); e) the identification of measures to be implemented to minimise scour and dissipate energy at locations where flood velocities are predicated to increase as a result of the CSSI;	Editorial Change to distinguish between the plans required in Conditions E113 and E114.

Condition	Requested Condition	Justification
	f) identification of stormwater drainage system upgrades including those upgrades considered as mitigation measures; and g) identification of the timing and maintenance responsibility of any necessary works. Not worsen existing flooding characteristics within and in the vicinity of the CSSI means the following: a) a material increase in the duration of inundation for all design up to and including a 1% SEP flood event; b) an increase in flood levels of more than 10mm at properties for all design events up to and including the 1% AEP flood event; and c) no increase in high hazard flooding as defined in Appendix L of the NSW Government's Floodplain Development Manual (2005). The **Flood Management ~~Plan~~ Design Report** must be prepared by a suitably qualified and experienced person in consultation with directly affected landowners, Sydney Water, OEH, NSW State Emergency Services and the Relevant Council(s). The ~~Plan~~ Report must be independently peer reviewed by a suitably qualitied and experienced hydrological engineer to confirm that the management of and response to flood events is appropriate. The ~~Plan~~ Report and results of the peer review must be submitted to the Secretary, for information, and Relevant Council(s) at each design stage associated with the CSSI where there is potential to cause adverse flooding impacts.	
E131: Asbestos Management	Asbestos or asbestos-contaminated materials ~~be~~ that are discovered during demolition and construction activities of the CSSI must be strictly managed in accordance with the requirements under the *Protection of the Environment Operations (Waste) Regulation 2014* and any guidelines or requirements in force at the date of this approval and issued by the EPA in relation to those materials.	Editorial change of wording.

5. Evaluation

The Department has reviewed the requested amendments and accepts that the proposed amendments seek to clarify and do not materially change the intended objectives of those conditions and will not materially affect the assessed impacts of construction and operation of the project.

The Department sought comment and advice from key agencies and council on the proposed changes. The agencies generally agreed, with some further changes, to the proposed amendments. The Department has incorporated further clarifying amendments based on those agency comments and discussions.

Overall, the Department supports changes to the conditions which provide clarity to the Proponent in implementing the obligations which the approval imposes and what the community can expect. For these reasons, the Department considers the modifications to be in the public interest and recommends they be approved.

6. Recommendation

It is recommended that the Director, Transport Assessments, as delegate of the Minister for Planning:

- **consider** the findings and recommendations of this report; and
- **determine** that the request SSI 8285 MOD 1 falls within the scope of section 5.25 of the EP&A Act;
- **accept and adopt** all of the findings and recommendations in this report as the reasons for making the decision to amend the request;
- **modify** the approval SSI 8285 MOD 1;
- **sign** the attached Instrument of Modification (Appendix C).

Recommended by:

Naomi Moss
Senior Planner
Transport Assessments

Recommended by:

21.12.18

Lisa Mitchell
Team Leader
Transport Assessments

7. Determination

The recommendation is: **Adopted by:**

Glenn Snow
Director
Transport Assessments

21/12/18

Appendices

Appendix A – List of Documents

Modification application

EPA response to the Modification application

Heritage Council of NSW response to the Modification application

Office of Environment and Heritage response to the Modification application

City of Parramatta Council response to the Modification application

Appendix B – Consolidated Approval

Appendix C – Instrument of Modification