

# Modification of Infrastructure Approval

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

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



Glenn Snow  
Director  
Transport Assessments

Sydney 21 December 2018

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## SCHEDULE 1

**Infrastructure Approval:**

SSI 8285 granted by the Minister for Planning on 29 May 2018

**For the following:**

Development for the purposes of Parramatta Light Rail 1 (Stage 1) being the construction and operation of a new passenger light rail infrastructure.

**Modification:**

Modification to amend conditions in relation to timing and application and to make minor editorial changes.

## SCHEDULE 2

### 1. Delete condition A5 and replace with the following:

- A5 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 been provided, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requests;
  - (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
  - (e) where there are outstanding issues raised by the identified party(ies) that have not been adopted, the reasons why they have not been/could not be adopted must be provided, including evidence of consultation with the relevant party(ies).

### 2. Delete A14 and replace with the following:

- A14 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 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 of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
  - (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: nothing in this condition invalidates the timing requirements or triggers specified in other conditions of this approval.*

### 3. Delete condition A16 and replace with the following:

- A16 Where staging is proposed, the terms of this approval that apply or are relevant to 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.

### 4. Delete condition A23 and replace with the following:

- A23 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 impact to the environment and to 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 undertake audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and 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 in 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 facilities determined by the ER to have 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 days following the end of each month for the duration of the ER's engagement for the CSSI.

**5. Delete condition C1 and replace with the following:**

- C1 A **Construction Environmental Management Plan (CEMP)** 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.

**6. Delete condition C8 and replace with the following:**

- C8 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 that 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**.*

**7. Delete condition E6 and replace with the following:**

- E6 Current condition reports for all existing roads and all existing property and infrastructure in the road reserve where the physical condition is likely to adversely affected during works must be prepared before commencement of such work. The report must state the current condition of the asset. A copy of the report must be provided to the asset owner no later than one month before the commencement of works of the CSSI.

**8. Delete condition E10 and replace with the following:**

- E10 The Proponent must prepare and implement a **Network Management Strategy** for construction of the CSSI, in consultation with RMS, Sydney Coordination Office and Relevant Council(s) before impacts on the road network (including intersections) occur. The Strategy must determine appropriate measures to manage impacts to traffic identified in the documents listed in **Condition A1**, and must include:
- (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
- (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 construction commences.

**9. Delete condition E11 and replace with the following:**

- E11 A **Parking Management Strategy** must be prepared before ~~works commence and~~ permanent or long term loss of parking (i.e. greater than three (3) months). The Strategy must be 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 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**.

**10. Delete condition E27 and replace with the following:**

- E27 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
  - (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 recommencing any of the work that are the subject of this condition.

*Note: A trial period of the Highly Noise Intensive Work undertaken with the approval of the Out of Hours Work Protocol may be established.*

**11. Delete condition E28 and replace with the following:**

- E28 An **Out-of-Hours Work Protocol** must be prepared to identify a process for the consideration, management and approval of works which are outside the permitted hours defined in **Conditions E21 to E22**, where an EPL does not apply. The Protocol must be approved by the Secretary before commencement of 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)).*

**12. Delete condition E38 and replace with the following:**

- E38 All work undertaken for the delivery of the CSSI, including 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
  - (b) consider the provision of alternative mitigation, including the provision of at receiver treatments and alternative accommodation to impacted noise sensitive receivers; and
  - (c) provide documentary evidence to the AA in support of any decision made by the Proponent in relation to respite or mitigation.

**13. Delete condition E39 and replace with the following:**

- E39 In order to undertake out-of-hours work described in **Condition E25 (c) and (d)**, the Proponent must identify appropriate work and respite periods for the works in consultation with the community at each affected precinct at three monthly intervals. This consultation must be ongoing and include (but not be limited to) providing the community with:
- (a) a schedule of likely out-of-hours work for a period of no less than three (3) months for medium to high risk work (as defined in the **Out of Hours Works 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 (as defined in the **Out-of-Hours Works 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.

**14. Delete condition E42 and replace with the following:**

- E42 **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 AA, providing active and communication links to Council and surrounding residents and sensitive receivers;
  - (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.*

**15. Delete condition E45 and replace with the following:**

- E45 Before commencement of any 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 **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.

**16. Delete condition E62 and replace with the following:**

- E62 An **Unexpected Heritage Finds Procedure** must be:
- (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**.

*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.*

**17. Delete condition E64 and replace with the following, and insert new condition E64A:**

- E64 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 identifies and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI.

The Heritage Interpretation Strategy must be prepared and implemented in consultation with OEH and the Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be submitted to the Secretary for information and include, but not be limited to 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:

- (a) Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group
- (b) Lennox Bridge;
- (c) St Patrick's Roman Catholic Cemetery;
- (d) The Convict Lumberyard (Arthur Phillip High School site)
- (e) Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve);
- (f) Queen's Wharf Reserve and stone wall and potential archaeological site;
- (g) Dundas Railway Station Group;
- (h) Prince Alfred Square (and potential archaeological site);
- (i) Royal Oak Hotel and stables (and potential archaeological site);
- (j) Clyde Carlingford Rail Bridge abutments (Northern); and
- (k) Clyde Carlingford Rail Bridge abutments (Southern)

- E64A Within six 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 Condition E70 to E79 inclusive.*

**18. Delete condition E67 and replace with the following:**

- E67 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 Conservation 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 place 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.

**19. Delete condition E70 and replace with the following:**

- E70 The Proponent must prepare a **Heritage Archival Recording and Salvage Report**, including photographic recording of heritage 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 Archival Recording and Salvage Report** to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.

**20. Delete condition E71 and replace with the following:**

- E71 The Proponent must salvage material from heritage items identified in **Condition E70**. Following archival recording, the Proponent must 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 (where appropriate) are to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners within the locality from where the material originated.

**21. Delete condition E72 and replace with the following:**

- E72 Before works within 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 of Excavation Directors* (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with 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.

**22. Delete condition E73 and replace with the following:**

- E73 The **Historical Archaeological Research Design and Excavation Methodology** must be submitted to the Heritage Council of NSW (or its delegate) for review and comment before finalisation. 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 must 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 1977; and
  - (f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.



**23. Delete condition E75 and replace with the following:**

- E75 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.

**24. Delete condition E78 and replace with the following:**

- E78 The Excavation Director must oversee and advise on work in the following locations:
- (a) Cumberland Hospital (East Campus);
  - (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.*

**25. Delete condition E79 and replace with the following:**

- E79 Any Aboriginal objects discovered must be identified in the **Heritage Interpretation Strategy** required by **Condition E64** and, where relevant, include registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register.

**26. Delete condition E92 and replace with the following:**

- E92 The **Design Review Panel** 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 issues, context, and city outcomes. This includes the Heritage Council (or its delegate). The Proponent and its contractor(s) may be invited onto the Panel as observers only and to provide technical advice.

Observers or advisors should not be present while the Panel is deciding upon its recommendations.

The Proponent must provide independent secretarial resources to the Panel.

**27. Delete condition E95 and replace with the following:**

- E95 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:
- (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) outline secretariat functions and administration including the recording and storing of meeting agenda, minutes and actions; and
- (e) identify cessation arrangements

**28. Delete condition E103 and replace with the following:**

- E103 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 pruned (either for construction or for ongoing maintenance during operation).

**29. Delete condition E106 and replace with the following:**

- E106 The **Tree Register** and any evidence required by **Condition E105** must be submitted to the Secretary before the removal or damage (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.

**30. Delete condition E110 and replace with the following:**

- E110 The Proponent must prepare and implement a **Business Activation Plan** to manage impacts to businesses on streets affected by construction of the CSSI, including those where access is altered. The Plan must be prepared before construction and must include but not necessarily be limited to:
- (a) measures to address amenity, vehicular and pedestrian access during business hours and visibility of the business appropriate to its reliance on such, and other reasonable matters raised in consultation with affected business;
  - (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**
  - (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 for reporting of monitoring results to the Secretary, as part of the **Compliance Monitoring and Reporting Program** required in **Condition A30**.

**31. Delete condition E113 and replace with the following:**

- E113 A **Flood Management 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 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 Report must include but not be limited to:

- (a) the results of further modelling to identify the potential impacts of the CSSI on flood behaviour including consideration of increased rainfall intensity and sea level rise under climate change conditions, consistent with the requirements of the *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 behaviour as a result of the CSSI (i.e. beyond those identified as being impacted in point a) above), for design events up to and including the 1% AEP flood event, namely:
  - 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 predicted to increase as a result of the CSSI;
- (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:

- (h) a material increase in the duration of inundation for all design events up to and including a 1% AEP flood event;
- (i) an increase in flood levels of more than 10 mm at properties for all design events up to and including the 1% AEP flood event; and
- (j) no increase in high hazard flooding as defined in Appendix L of the NSW Government's *Floodplain Development Manual (2005)*.

The **Flood Management 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 Report must be independently peer reviewed by a suitably qualified and experienced hydrological engineer to confirm that the management of and response to flood events is appropriate.

The 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.

### **32. Delete condition E114 and replace with the following:**

- E114 An **Operational Flood Management Plan** must be prepared and implemented before the commencement of CSSI operations. The Operational Flood Management Plan must identify measures to be implemented during the operational phase to minimise risks and maximise safety during flooding events, particularly for passengers and staff. The **Operational Flood Management Plan** must be prepared by a suitably qualified and experienced person in consultation with OEH, NSW State Emergency Service and the Relevant Council(s). It should take into account the outcomes of the sensitivity analyses undertaken in the **Flood Management Design Report** required by **Condition E113**.

**33. Delete condition E116 and replace with the following:**

E116 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 devices. The outcomes of these consultations must be documented as part of the **Electromagnetic Management Plan** required by **Condition E117**.

**34. Delete condition E128 and replace with the following:**

E128 The importation and storage of virgin excavated natural material (VENM), and the treatment, processing, reprocessing or disposal of any other waste, must comply with the *Protection of the Environment Operations Act 1997*, and the *Protection of the Environment Operations (Waste) Regulation 2014*, where orders or exemptions apply under the regulation.

**35. Delete condition E131 and replace with the following:**

E131 Asbestos or asbestos-contaminated materials 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.

**36. Delete Table 1 and replace with the following:**

**Table 1: Definitions**

Term	Definition
AA	The Acoustics Adviser for the CSSI.
Active Transport Link	An active transport link (pedestrian and cycling) connecting Carlingford to the Parramatta Valley Cycleway at Rydalmere, with bridge crossings at Parramatta River and James Ruse Drive, and ending at Alfred Street, Parramatta
Ancillary facility	A temporary facility for construction of the project including an office and amenities compound, construction compound, material crushing and screening plant, materials storage compound, maintenance workshop, testing laboratory, material stockpile area car parking compound and truck marshalling facility.
Annoying activities	As defined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009)
CEMP	Construction Environmental Management Plan
Completion of construction	The date upon which all construction works and activities described in the EIS/Submissions Report (incorporating Preferred Infrastructure Report) are completed and all requirements of the Secretary (if any) and the whole of the CSSI has been constructed to the appropriate standard for operation
Construction	Includes all works required to construct the CSSI as described in the EIS/Submissions Report (incorporating Preferred Infrastructure Report), including commissioning trials of equipment and temporary use of part of the CSSI, but excluding the following low impact work: (a) survey works including carrying out general alignment survey, installing survey controls (including installation of global

Term	Definition
	<p>positioning system (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys;</p> <p>(b) investigations including investigative drilling, contamination investigations and excavation;</p> <p>(c) establishment of ancillary facilities in approved locations including constructing ancillary facility access roads and providing utilities to the facility;</p> <p>(d) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community;</p> <p>(e) minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report (incorporating Preferred Infrastructure Report);</p> <p>(f) installation of mitigation measures including but not limited to erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments;</p> <p>(g) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of property utility connections including water supply and electricity;</p> <p>(h) relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER;</p> <p>(i) reconfiguration of Robin Thomas Reserve for the purposes of maintaining two sports playing fields;</p> <p>(j) archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW</i> (DECCW, 2010), 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;</p> <p>(k) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access including access and egress to construction ancillary facilities; and</p> <p>(l) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI.</p> <p>However, where heritage items, or threatened species, populations or ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i>) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation).</p> <p>Construction does not include site establishment works where such works are included as part of a Site Establishment Management Plan approved under <b>Condition C18</b>.</p>
CSSI	The Critical State Significant Infrastructure as described in Schedule 1 of this approval, the carrying out of which is approved under the terms of this approval.
Department	NSW Department of Planning and Environment
DECC	Former NSW Department of Environment and Climate Change

Term	Definition
DPI	NSW Department of Primary Industries including DPI Agriculture, DPI Biosecurity and Food Safety, DPI Land and Natural Resources, DoI Water and DPI Fisheries
DoI	NSW Department of Industry
Eat Street	That section of Church Street between Palmer and George streets.
EIS	The Environmental Impact Statement submitted to the Secretary seeking approval to carry out the project described in it, as revised if required by the Secretary under the EP&A Act and including any additional information provided by the Proponent in support of the application for approval of the project.
EMI susceptible device	A device, equipment or system whose performance can be degraded by an electromagnetic disturbance (IEC 60050: International Electrotechnical Vocabulary 161-01-24). Other susceptible receivers may include biological resources or small animal facilities.
EMS	Environmental Management System
Environmental Representative Protocol	The document of the same title published by the Department (2017)
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence under the POEO Act
ER	The Environmental Representative for the CSSI
Heritage Division	The Heritage Division of OEH
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).
Highly Noise Intensive Works	Rock breaking, rock hammering, sheet piling, pile driving and any similar activity
ICNG	<i>Interim Construction Noise Guideline</i> (DECC, 2009)
Incident	An occurrence or set of circumstances that causes, or threatens to cause material harm.  <i>Note: “material harm” is defined in this approval.</i>
Land	Has the same meaning as the definition of the term in section 1.4 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

Term	Definition
Material harm	Is harm that: (a) involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or (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).
Minister	NSW Minister for Planning
NCA	Noise catchment area
NML	Noise management level as derived from the <i>Interim Construction Noise Guideline</i> (DECC, 2009)
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval but is not an incident.
NSW Heritage Council	Heritage Council of NSW
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Operation	<p>The carrying out of the CSSI (whether in full or in part) upon the completion of construction for the applicable stage (if any), excluding the following activities:</p> <ul style="list-style-type: none"> <li>• commissioning trials of equipment;</li> <li>• temporary use of any part of the CSSI; and</li> <li>• maintenance works.</li> </ul> <p><i>Note: There may be overlap between the carrying out of construction and operation if the phases are staged. Commissioning trials of equipment and temporary use of any part of the CSSI are within the definition of construction.</i></p>
Parramatta Strategic Planning Framework	Planning policies developed by City of Parramatta Council (in consultation with Government Architect NSW) including the Parramatta Strategic Framework, Parramatta City Link Strategy, and Parramatta River Strategy.
PIR	The Preferred Infrastructure Report submitted to the Secretary under the EP&A Act (referred to as part of the Submissions Report (including Preferred Infrastructure Report)).
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
Post-contact archaeological relics	Archaeological and other heritage relics dating after European occupation in 1788 which helps to explain the story of the relationship between Aborigines and the new settlers
Precinct	The precincts of Westmead; Parramatta North; Parramatta CBD; Rosehill and Camellia; and Carlingford as described in the EIS and illustrated in Figures 5.2a to 5.2h of Volume 1
Proponent	The person identified as such in Schedule 1 of this approval

Term	Definition
Relevant Council(s)	Any or all as relevant: <ul style="list-style-type: none"> <li>• City of Parramatta; and</li> <li>• Cumberland Council</li> </ul>
Relevant Road Authority	The same meaning as the road authorities defined in the <i>Roads Act 1993</i> .
Relic	Has the same meaning as the definition of the term in section 4 of the <i>Heritage Act 1977 (NSW)</i>
RMS	NSW Roads and Maritime Services
Secretary	Secretary of the NSW Department of Planning and Environment (or nominee, whether nominated before or after the date on which this approval was granted)
Sensitive receiver	Includes residences, temporary accommodation such as caravan parks and camping grounds, and health care facilities (including nursing homes, hospitals).  Also includes the following, when in use: educational institutions (including preschools, schools, universities, TAFE colleges), religious facilities (including churches), child care centres, passive recreation areas, commercial premises (including film and television studios, research facilities, entertainment spaces, restaurants, office premises and retail spaces), and others as identified by the Secretary
SES	NSW State Emergency Services
Submissions Report	The report comprising the Proponent's response to written submissions received in relation to the application for approval for the CSSI under the EP&A Act. The Proponent has prepared a Submissions Report (incorporating the Preferred Infrastructure Report) for the CSSI
Tree	As defined in Australian Standard <i>AS 4970-2009 Protection of trees on development sites</i> .
TMC	Transport Management Centre 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 referred to in <b>Condition A1</b> or suspected to be present. An unexpected heritage find does not include human remains.
Work	All physical work for the purpose of the CSSI including construction



37. Delete Table 2 and replace with the following:

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

Condition	Report / Notification / Appointment	Timing <sup>1</sup>	Purpose
<b>Part A – Administrative</b>			
A13	Staging Report	No later than one month before the commencement of construction (or operation) of the proposed stages of construction	Approval
A19 / A20	Environmental Representative	No later than one month before the commencement of works	Approval
A23	Environmental Representative Monthly Reports	Within seven days following the end of each month	Information
A29	Noise and Vibration Report	Within seven days following the end of each month	Information
A30 / A31	Compliance Tracking Program	At least one month before the commencement of works	Information
A34	Pre-Construction Compliance Report	No later than one month before the commencement of construction (or each stage of construction in staging report)	Information
A38	Pre-Operation Compliance Report	No later than one month before commencement of operation	Information
A40	Environmental Audit Program	No later than one month before the commencement of construction	Information
A43	Environmental Audit Reports	Within six weeks of completing the audit	Information
A44	Notification of Incidents	Immediately after the Proponent becomes aware of an incident	Notification
A45	Incident Report	Within one week of notification of an incident	Information
A47	Notification of Incident notified under POEO	Within 24 hours after notification give to EPA	Information
<b>Part B – Communication Information and Reporting</b>			
B1 / B3	Community Communication Strategy	No later than one month before the commencement of works	Approval
<b>B9Error! Reference source not</b>	Complaints	On request	Information

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

Condition	Report / Notification / Appointment	Timing <sup>1</sup>	Purpose
found. / B10			
<b>Part C – Construction Environmental Management</b>			
C7	Construction Environmental Management Plan	No later than one month before the commencement of construction	Approval
C16	Construction Monitoring Program	At least one month before the commencement of construction	Information
C18	Site Establishment Management Plan	One month before establishment of any construction ancillary facility	Approval
<b>Part D – Operation Environmental Management</b>			
D3 / D6 / D7	Operational Management Plan	No later than one month before the commencement of operation	Information
<b>Part E – Key Issues</b>			
<b>Traffic and Transport</b>			
E10	Network Management Strategy	Before works commence	Information
E11	Parking Management Strategy	Before works commence	Information
E14	Pedestrian and Cyclist Network and Facilities Strategy	Before construction of pedestrian/cyclist permanent built works	Information
E19	Operational Traffic, Transport and Access Performance Review	Within one month of completion	Information
<b>Noise and Vibration</b>			
E28	Out-of-Hours Work Protocol	Before commencement of any out-of-hours works	Approval
E39	Out-of-Hours Work Respite	Following consultation at three monthly intervals	Information
E48	Operational Noise and Vibration Review	Before the implementation of mitigation measures	Approval
E58	Noise and Vibration Compliance Assessment Report	Within one month of its completion	Information
E59	Noise and Vibration Compliance Assessment Report – update	Within one month of its completion	Information
<b>Heritage</b>			

Condition	Report / Notification / Appointment	Timing <sup>1</sup>	Purpose
E64 / E64A	Heritage Interpretation Strategy	Before work affecting identified items	Information
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	Approval
E75	Archaeological Excavation Report	Within 12 months of completing archaeological investigations	Information
<b>Urban Design and Visual Amenity</b>			
E84	Feasibility of wire-free running	Before construction commences in identified locations	Information
E85	Feasibility of grass track	Before construction commences in identified locations	Information
E87	Urban Design Requirements Report	Following review by the Design Review Panel	Approval
E93	Design Review Panel members	Before development of detailed design and before construction commences	Approval
E95	Design Review Panel Terms of Reference	Following formation of Design Review Panel	Approval
<b>Biodiversity and Revegetation</b>			
E102	Independent Arborist	Before works commence	Approval
E106	Tree Register	Before the removal, damage or pruning of a tree for the purposes of the CSSI	Information
<b>Socio-Economic, Land Use and Property</b>			
E113	Flood Management Design Report	At each design stage with potential to cause adverse flooding impacts	Information
E117	Electromagnetic Management Plan	Before commencement of operations	Information
E124	Site Audit Statement	No later than one month before commencement of operation	Information
E132	Final Hazard Analysis and Construction Safety Study	Before commencement of construction of any hazardous works or works adjacent to hazardous infrastructure	Approval
E133	Post-Startup Compliance Report	Three months after commencement of operations	Information
E137	Sustainability Strategy	Within six months of the date of approval	Information