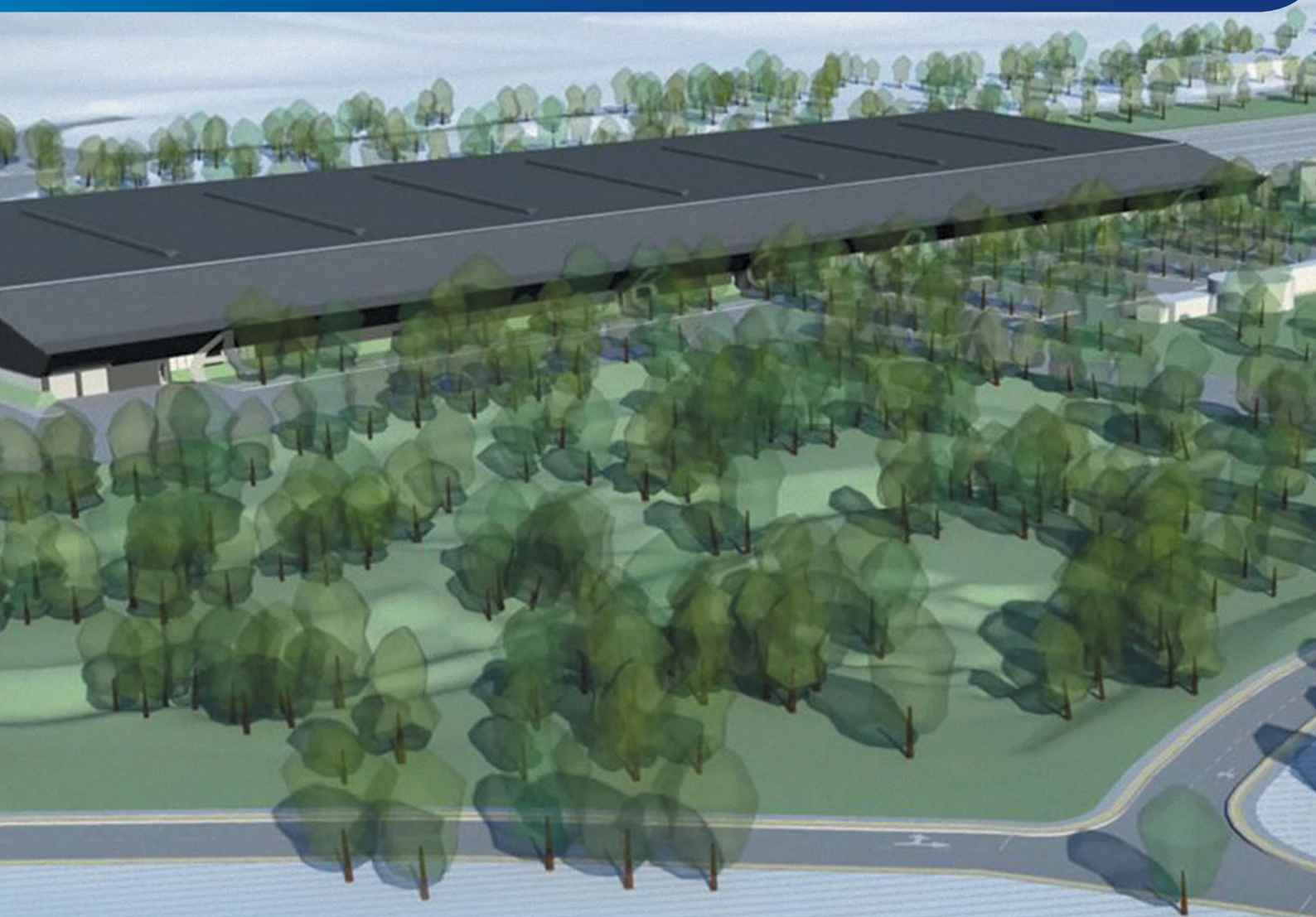


New Intercity Fleet Maintenance Facility

Addendum Review of Environmental Factors
Determination Report
Alternative Construction Access Routes



*Artist's impression of the New Intercity Fleet Maintenance Facility.
Indicative image only, subject to detailed design*

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Glossary and abbreviations

Term	Meaning
Addendum REF	<i>The New Intercity Fleet Maintenance Facility Addendum Review of Environmental Factors – Alternative Construction Access Routes</i> (WSP, June 2018) included as Appendix A.
Additional SIS	<i>(Additional Species Impact Statement</i> ((WSP, May 2017) that specifically targets Mahony's Toadlet (<i>Uperoleia mahonyi</i>) which is included at Appendix D.
Approved Activity	Construction and operation of the New Intercity Fleet Maintenance Facility in Kangy Angy as described in the Project REF (June 2016), the Combined Submissions Report (August 2017) and the <i>New Intercity Fleet Maintenance Facility Project Determination Report</i> (August, 2017) – (also referred to as the 'Approved Project')
BC Act	<i>Biodiversity Conservation Act 2016</i> (NSW)
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CoA	Conditions of Approval included at Appendix F
Combined Submissions Report	<i>The New Intercity Fleet Maintenance Facility Project – Combined Submissions Report</i> (WSP, August 2017).
Concept design	The concept design is the preliminary design presented in the REF (as amended by the Proposed Modification), which would be refined by the Contractor (should the Proposal (as modified) proceed) to a design suitable for construction (subject to TfNSW acceptance).
Contractor	The Contractor for the Modified Activity would be appointed by TfNSW to undertake the detailed design, construction and operation of the Modified Activity.
Detailed design	Detailed design broadly refers to the process that the Contractor undertakes (should the Approved Project (as modified by the Proposed Modification) proceed) to refine the concept design to a design suitable for construction (subject to TfNSW acceptance).
Determination Report	This document – report prepared by WSP on behalf of TfNSW which considers responses made during the public display period and assesses and addresses certain matters to allow for a determination of the Modified Activity under, and in accordance with, Part 5, Division 5.1, of the <i>Environmental Planning and Assessment Act 1979</i> .
DoEE	Australian Government Department of the Environment and Energy
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i> (NSW)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
Infrastructure SEPP	<i>State Environmental Planning Policy (Infrastructure) 2007</i> (NSW)
LGA	Local Government Area
MNES	Matters of 'National Environmental Significance' under the EPBC Act

Term	Meaning
Main North Line	Main North Railway Line
Modified Activity (the)	Refers to the Approved Activity as modified by the Proposed Modification associated with the New Intercity Fleet Maintenance Facility (also referred to as the 'Modified Project')
NSW	New South Wales
OEH	NSW Office of Environment and Heritage
Project REF	The <i>New Intercity Fleet Maintenance Facility Project Review of Environmental Factors</i> (WSP Parsons Brinckerhoff, June 2016) prepared to assess the environmental impacts associated with the Approved Project which is included as Appendix B
Proponent	A person or body proposing to carry out an activity under Part 5, Division 5.1, of the EP&A Act – in this instance, Transport for NSW
Proposed Modification (the)	Construction and operation of the temporary construction traffic access routes for the New Intercity Fleet Maintenance Facility.
Roads and Maritime	NSW Roads and Maritime Services (formerly Roads and Traffic Authority)
SIS	The <i>New Intercity Fleet Maintenance Facility Species Impact Statement</i> prepared (WSP Parsons Brinckerhoff, June 2016) to assess the biodiversity impacts associated with the Approved Project which is included as Appendix C.
TfNSW	Transport for NSW
WSP	Professional services firm commissioned by TfNSW to prepare the various environmental impact assessment documents and the Determination Report. Also referred to as WSP Parsons Brinckerhoff.

Executive summary

Overview of Modified Activity

Transport for NSW (TfNSW) is responsible for improving the customer experience of transport services, transport policy and regulation, planning and program administration, procuring transport services, and infrastructure and freight.

Transport for NSW is proposing to modify the existing approval for the New Intercity Fleet Maintenance Facility (the Approved Activity) to construct and operate a temporary alternative access road for use during construction (the Proposed Modification). The Approved Activity, as modified by the Proposed Modification is referred to as the 'Modified Activity'. Transport for NSW is the Proponent for the Modified Activity, which is part of the broader New Intercity Fleet program.

The Modified Activity would provide separate temporary access routes for light and heavy vehicles associated with the project construction traffic. Access for light vehicles would continue occur via Turpentine, Ourimbah and Orchard Roads, during the construction of the approved access road bridge (i.e. over the rail corridor), with no upgrades to these roads required for access (as per the Approved Activity).

Access for heavy vehicles would occur separately via Enterprise Drive, Hereford Street, Chittaway Road and a service road within the western portion of the rail corridor (rail service road). Localised upgrades of existing roads surrounding the Approved Activity, including an access road within the rail corridor (existing rail service road), would be required to provide additional temporary access routes for heavy construction vehicles.

The Modified Activity would include the following key elements to enable access for heavy vehicles:

- widening of Chittaway Road beneath and adjacent to the existing rail underpass to provide sufficient turning room for longer vehicles, including a turning area on the western side
- upgrade of an existing service road within the western portion of the rail corridor (rail service road)
- upgrade of an existing vehicular access track (identified as an extension of Turpentine Road) on the western side of the rail corridor from the Approved Activity, including construction of a temporary drainage line crossing for access to the rail service road.

The impacts associated with the Modified Activity have been considered in accordance with clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

Transport for NSW, as the Proponent for the Modified Activity, has prepared an Addendum Review of Environmental Factors (the Addendum REF), included as Appendix A, detailing the scope of works and environmental impacts associated with the Proposed Modification, and the cumulative impacts of the Modified Activity. The Addendum REF was prepared by WSP on behalf of Transport for NSW in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and clause 228 of the EP&A Regulation.

Addendum REF Public Consultation

The Addendum REF was placed on public display from Monday 25 June to Monday 16 July 2018 at three locations within the Central Coast Council local government area, as well as on the [Transport for NSW website](#).

Community consultation activities undertaken for the public display also included:

- distribution of letters to property owners located along the proposed temporary access route, including a summary of the Addendum REF, on Monday 25 June 2018
- placement of information on the Transport for NSW website
- distribution of a brochure to about 800 properties surrounding the maintenance facility site detailing the basic contents of the Addendum REF, the submission process and channels to gain more information
- door-knocking of about 75 properties along Hereford Street and connecting side streets to discuss the Addendum REF with businesses potentially affected by the proposed heavy vehicle route
- provision of a project information telephone line and email address for project enquiries
- a letter outlining the scope of the Proposed Modification, information on where to view the Addendum REF on the Transport for NSW website, along with details on how to make a submission was sent to Central Coast Council as per the consultation requirements under clause 13 of the Infrastructure SEPP.

Refinements to the Proposed Modification

Further design review and assessment by Transport for NSW has resulted in a minor change to the Proposed Modification to that described in the Addendum REF.

The Addendum REF identified one aspect of the Proposed Modification which included the widening of Chittaway Road beneath and immediately north of the existing rail underpass, to provide sufficient turning room for longer construction vehicles.

It is now proposed that longer construction vehicles would enter and exit the site over the Main North Line via an existing track crossing (i.e. at the level of the existing rail tracks) off Chittaway Road (approximately 200 metres (m) north-east of the intersection of Chittaway Road and Enterprise Drive). Accordingly, the proposed widening of Chittaway Road is no longer required. Hereford Street and Chittaway Road would still be used as an additional construction traffic access as identified in the Addendum REF.

No other changes to the Proposed Modification are proposed.

It is noted that whilst access for heavy vehicles via Turpentine Road was not included in the Proposed Modification, it was included for the Approved Activity, and limited access for heavy vehicles would continue to occur via Turpentine Road for the Modified Activity.

The impacts associated with the changes to the Proposed Modification have been considered in accordance with the requirements of Section 5.5 and Section 5.7 of the EP&A Act and clause 228 of the EP&A Regulation (refer to Chapter 4). These changes are considered to result in a reduction of the likely impact of the Proposed Modification (and therefore also the Modified Activity) on the environment as defined in clause 228 of the EP&A Regulation.

Should further design changes be required as a result of the detailed design process, these changes would be assessed to determine consistency with the Modified Activity, including significance of impact on the environment. Additional mitigation measures and/or consultation would be undertaken where necessary.

Purpose of this report

The purpose of this Determination Report is for Transport for NSW, as the Proponent of the New Intercity Fleet Maintenance Facility at Kangy Angy, to determine whether or not to proceed with the Modified Activity. Transport for NSW must make a determination in accordance with the provisions of Part 5, Division 5.1, of the EP&A Act.

Conclusion

Based on the assessment of impacts in the Addendum REF (as amended in this Determination Report), and a review of the submissions received from the community and stakeholders, it is recommended that the Modified Activity be approved, subject to the mitigation measures included in the Addendum REF and the proposed Conditions of Approval (as modified). Transport for NSW will continue to liaise with the community and other stakeholders as the Modified Activity progresses into the construction phase.

1 Introduction

1.1 Background

Transport for NSW is the NSW Government's lead public transport agency that ensures planning and policy is fully integrated across all modes of transport in NSW. It manages a multi-billion dollar budget allocation for train, bus, ferry, light rail and taxi services and related infrastructure in NSW.

Transport for NSW is responsible for improving the customer experience of transport services, transport policy and regulation, planning and program administration, procuring transport services, infrastructure and freight.

In May 2014, the NSW Government announced its intention to invest in the procurement of the New Intercity Fleet, a fleet of trains that will carry Central Coast, Newcastle, the Blue Mountains and South Coast customers to and from Sydney. The introduction of the New Intercity Fleet will allow for the replacement of the older train fleets currently used to provide intercity services, improving the level of customer service, reducing operational costs and increasing capacity for intercity passengers.

The New Intercity Fleet Maintenance Facility (the Approved Activity) is required due to the procurement of the New Intercity Fleet trains and the need to adequately maintain them.

The New Intercity Fleet Maintenance Facility Project was determined by Transport for NSW in August 2017, and is described in greater detail the *New Intercity Fleet Maintenance Facility Project Review of Environmental Factors* (WSP | Parsons Brinckerhoff, 2016) (the Project REF), *New Intercity Fleet Maintenance Facility Project Combined Submissions Report* (WSP | Parsons Brinckerhoff, 2017) (the Combined Submissions Report) and *New Intercity Fleet Maintenance Facility Project Determination Report* (Transport for NSW, 2017) (the Project Determination Report). The New Intercity Maintenance Facility (as collectively described through these documents) is referred to as the 'Approved Activity' (or 'Approved Project').

The key features of the Approved Activity included construction and operation of:

- a fleet maintenance building, and associated infrastructure including a train wash, and wheel lathe
- administration buildings and other facilities
- new railway track infrastructure, including a new rail bridge (consisting of two separate structures) over Chittaway Creek and Turpentine Road
- a new access roadway and bridge to the maintenance facility site off Enterprise Drive
- relocation of the existing high voltage power transmission line and Combined Services Route.

The Approved Activity included access for construction vehicles via the new (permanent) access roadway and bridge to the maintenance facility site off Enterprise Drive, which was proposed to be constructed during enabling works. Access for light vehicles during enabling works for the Approved Activity would be via Turpentine, Ourimbah and Orchard Roads. The Approved Activity also included some access for heavy vehicles via Turpentine Roads, noting the restrictions in using this access due to both the current road standard and the low clearance of the existing bridge.

Due to delays to project commencement and refinement of the construction methodology, the new access roadway, bridge and maintenance facility are required to be constructed concurrently. Modifications to the Approved Activity are therefore proposed to include temporary alternative access for use during construction (referred to as the 'Proposed Modification for the purposes of this document').

1.2 Addendum Review of Environmental Factors

An Addendum Review of Environmental Factors (Addendum REF) to assess the impacts of the Proposed Modification (and therefore also the Modified Activity) was prepared by WSP Australia Pty Ltd (WSP) in accordance with Section 5.5 of the *Environmental Planning and Assessment 1979* (EP&A Act), and clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), to ensure that Transport for NSW takes into account to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the Modified Activity, and the cumulative impacts of the Modified Project. The Addendum REF is included in Appendix A.

The Addendum REF for the Proposed Modification was placed on public display from Monday 25 June to Monday 16 July 2018, with nine submissions received. Issues raised in these submissions are addressed in section 2.3 of this report.

1.3 Determination Report

Prior to proceeding with the Modified Activity, the Secretary for Transport for NSW must make a determination in accordance with Part 5, Division 5.1 of the EP&A Act.

The purpose of this Determination Report is to address the following aspects to allow for a determination of the Modified Activity:

- assess the environmental impacts with respect to the Proposed Modification and the cumulative impact of the Modified Activity, which are detailed in the environmental impact assessments for the Approved Activity and Proposed Modification
- identify mitigation measures to minimise potential environmental impacts
- determine whether the impacts of the Proposed Modification and Modified Activity are likely to significantly affect the environment
- address whether the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) apply to the Modified Activity.

This report has been prepared having regard to, among other things, the objectives of Transport for NSW under the *Transport Administration Act 1988*:

- a) to plan for a transport system that meets the needs and expectations of the public
- b) to promote economic development and investment
- c) to provide integration at the decision-making level across all public transport modes
- d) to promote greater efficiency in the delivery of transport infrastructure projects
- e) to promote the safe and reliable delivery of public transport and freight services.

1.4 Description of the Proposed Modification in the Addendum REF

Transport for NSW is proposing to modify the approval for the New Intercity Fleet Maintenance Facility (the Approved Activity) to include a temporary alternative access road for use during construction (the Proposed Modification). An overview of the Proposed Modification, which is the subject of the Addendum REF, is provided in the Executive Summary with full details set out in Chapter 3 of the Addendum REF (refer to Appendix A).

In summary, the Proposed Modification as outlined in the Addendum REF comprises localised upgrades to existing roads surrounding the Approved Activity, including an access road within the rail corridor (existing rail service road), including:

- widening of Chittaway Road beneath and adjacent to the existing rail underpass to provide sufficient turning room for longer vehicles, including a turning area on the western side
- upgrade of an existing service road within the western portion of the rail corridor (rail service road)
- upgrading of an existing vehicular access track (identified as an extension of Turpentine Road) on the western side of the rail corridor from the Approved Activity, including construction of a temporary drainage line crossing for access to the rail service road.

The Modified Activity would include two separate temporary access routes for light and heavy vehicles associated with the project construction traffic. Access for heavy vehicles would occur via Enterprise Drive, Hereford Street, Chittaway Road and the rail service road. Access for light vehicles would continue occur via Turpentine, Ourimbah and Orchard Roads, during the construction of the new access road bridge, with no upgrades to these roads required for access (as per the Approved Activity).

Construction works for the Proposed Modification is anticipated to take six weeks to complete, with the alternative traffic routes to be used temporarily until mid-2019, when the new access bridge is anticipated to be completed.

The need for, and benefits of the Proposed Modification are outlined in Chapter 2 of the Addendum REF.

Figure 1 shows the Modified Activity, as outlined in the Addendum REF.

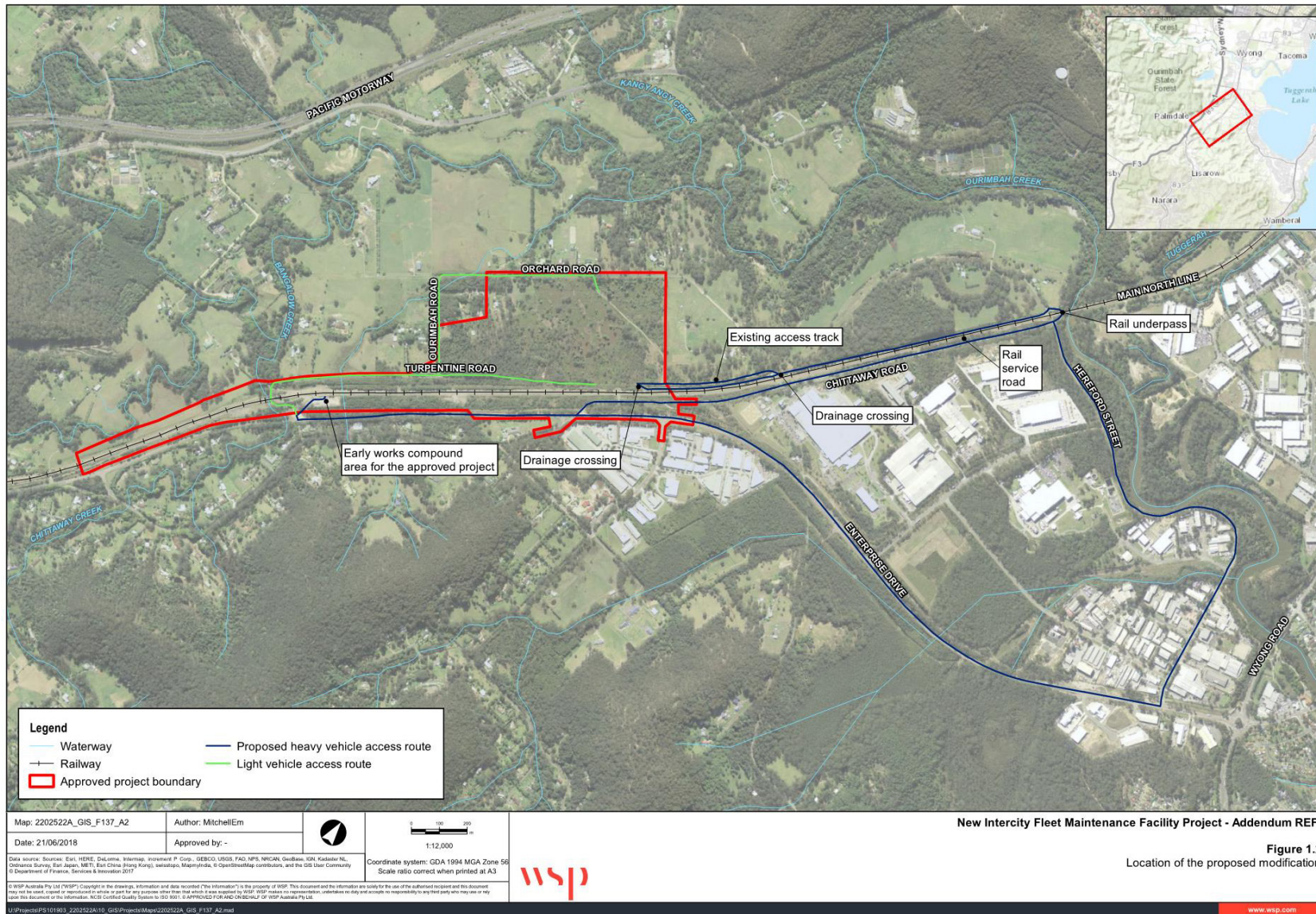


Figure 1: Modified Activity

2 Consultation and assessment of submissions

2.1 Addendum REF public consultation

The Addendum REF was placed on public display from Monday 25 June to Monday 16 July 2018 at the following locations as well as on the [Transport for NSW website](http://www.transport.nsw.gov.au/projects/intercity-fleet)¹:

- Central Coast Council, 49 Mann Street Gosford NSW
- Central Coast Council, 2 Hely Street Wyong NSW
- Tuggerah Library and Council Services, 50 Wyong Road Tuggerah
- Transport for NSW Level 5, Tower A, Zenith Centre 821 Pacific Highway, Chatswood.

Community consultation activities undertaken for the public display included:

- distribution of letters to property owners located along the proposed temporary access route, including a summary of the Addendum REF, on Monday 25 June 2018
- placement of information on the Transport for NSW website
- distribution of a brochure to about 800 properties surrounding the maintenance facility site detailing the basic contents of the Addendum REF, the submission process and channels to gain more information
- door-knocking of about 75 properties along Hereford Street and connecting side streets to discuss the Addendum REF with businesses potentially affected by the proposed heavy vehicle route
- provision of a project information telephone line and email address for project enquiries
- a letter outlining the scope of the Proposed Modification, information on where to view the Addendum REF on the Transport for NSW website, along with details on how to make a submission was sent to Central Coast Council as per the consultation requirements under clause 13 of the Infrastructure SEPP.

2.2 Addendum REF submissions

A (cumulative) total of 210 submissions were originally received regarding the Approved Activity. Responses to these submissions were provided in the Combined Submissions Report (WSP, August 2017).

A total of nine additional submissions were received by Transport for NSW during display of the Addendum REF, including seven (7) submissions from individuals, one (1) from the Kangy Angy Resident Action Group and one (1) from Central Coast Council. No additional submissions were received from other agencies or stakeholder groups. Submissions included feedback on a range of issues in relation to the Proposed Modification and the Modified Activity. The key issues raised in submissions included:

- traffic, transport and access impacts, predominantly associated with a request that all construction vehicles use the proposed alternative access route throughout the construction period and the ongoing use of local roads
- landscape and visual impacts, including effectiveness of mitigation measures, concerns regarding privacy and light spill

¹ <http://www.transport.nsw.gov.au/projects/intercity-fleet>

- land use and property impacts, including the appropriateness of the existing zoning for the Modified Activity
- concern regarding the overall site location for the Approved Activity.

2.3 Consideration and response to submissions

Community submissions

A summary of all issues raised and associated responses is provided in Table 1. The numbering of submissions has continued from the submissions received for the Approved Activity, starting at submission number 211.

Table 1: Response to community submissions received

No.	Submission no.	Issue/s raised	Transport for NSW response
1	Options selection and development		
1.1	Submission 214	Concern was raised with regards to the general siting of the Approved Activity.	Comments relating to the location of the Approved Activity are outside the scope of the Modified Activity. A response to comments regarding this issue was provided in section 4.2.1 of the Combined Submissions Report for the Approved Activity.
1.2	Submission 217	Concern was raised with respect to the preferred location for the Approved Activity, noting either Bushells Ridge or Warnervale as a preferred alternative.	Comments relating to the location of the Approved Activity are outside the scope of the Modified Activity. A response to comments regarding this issue was provided in sections 4.2.2 and 4.2.3 of the Combined Submissions Report for the Approved Activity.
2	Traffic, transport and access		
2.1	Submission 218	One submission requested confirmation that as the overpass bridge is not being built first, how residents will access Enterprise Drive during construction of the new rail bridge over Turpentine Road.	Section 6.9 of the Addendum REF identifies that existing access for road users using local roads would be maintained, however some delays under traffic management conditions during construction and use of the alternative construction access are anticipated to occur. It is not proposed that access to Enterprise Drive be removed as part of the construction of the new rail bridge over Turpentine Road.

No.	Submission no.	Issue/s raised	Transport for NSW response
2.2	Submissions 212, 213, 215, 216, 217 and 218	A number of submissions noted that all construction vehicles should access the proposed site via Hereford Street for the entire duration of construction for the Approved Activity and that no access for construction traffic be provided along Turpentine Road, Ourimbah Road and Orchard Road.	<p>The use of Turpentine, Ourimbah and Orchard Roads for light vehicles during enabling works was identified in section 4.4 of the Project REF. As the new access roadway, bridge and maintenance facility would be constructed concurrently, the Modified Activity includes light vehicle access for both enabling and main works until approximately mid-2019 when the new access bridge for the Approved Activity is anticipated to be completed.</p> <p>Consideration of potential alternative access routes was provided in section 2.3 of the Addendum REF. Combining the light vehicle and heavy vehicle routes along Hereford Street is not considered to be feasible due to constraints in accessing the rail service road, which would be limited to one-way movements in some sections.</p> <p>The assessment of traffic, transport and access included in section 6.6 of the Addendum REF concluded that there would be sufficient capacity at existing intersections to accommodate the Modified Activity.</p>
2.3	Submission 218	One submission questioned how TfNSW would enforce 'residents only access' to Ourimbah Road, Turpentine Road, and Orchard Road during operation	While 'residents only access' to Orchard Road would not be enforced for the Modified Activity, it is expected that all employees and visitors would access the maintenance facility during operation via the new access road bridge as this would represent the shortest (and therefore most efficient) access route to the facility.
2.4	Submission 218	One submission questioned whether the new road bridge would have a street name and requested clarification of the final address of the maintenance facility	The need for street names, and the final address of the facility will be discussed with Central Coast Council during the construction of the facility.
2.5	Submission 211	One respondent noted that if Chittaway Road is widened due to the access route for construction, it should remain that way and not be re-instated following completion of construction.	As detailed in Chapter 3 of this Determination Report, the proposed widening of a section Chittaway Road near the rail underpass is no longer required. Accordingly, this issue is no longer applicable.

No.	Submission no.	Issue/s raised	Transport for NSW response
2.6	Submissions 215, 216, 217 and 218	<p>A number of submissions noted that local residents had self-funded sealing of the existing local roads including Turpentine Road, Orchard Road and Ourimbah Road for light, local resident use.</p> <p>The submissions raised concern that the proposed new access route would result in additional deterioration to these roads.</p> <p>It was requested that TfNSW provide additional information regarding how use of these roads would be minimised during construction.</p>	<p>The Modified Activity includes temporary use of the alternate access routes, until construction of road bridge is anticipated to be completed. At which time, use of the alternate access routes for project construction vehicles are anticipated to cease.</p> <p>As part of the Approved Activity, a dilapidation assessment of the local road surfaces was undertaken to confirm their current condition, including Turpentine Road, Orchard Road and Ourimbah Road.</p> <p>Should damage to these roads occur as a result of the Modified Activity, Transport for NSW would rectify the damage where applicable, at no cost to the roads authority and/or owner of the road.</p>
3	Landscape and visual		
3.1	Submission 218	<p>One submission requested planting mounds and advanced trees be considered.</p> <p>It was also requested that TfNSW re-landscape the area on both corners of Enterprise Drive and Turpentine Road at the completion of the project.</p> <p>It was noted this may be able to be combined with a formal bus stop.</p>	<p>Additional measures to reduce potential impacts to privacy from the Modified Activity would be considered, as detailed in mitigation measure M.10 (refer to page 88 of the Addendum REF).</p> <p>However, due to the minor and temporary impacts from the Modified Activity, further use of earth mounds, and planting of mature trees is outside the scope of the Modified Activity.</p> <p>Changes to the intersection of Enterprise Drive and Turpentine Road are not proposed, and the provision of a formal bus stop at this location is outside the scope of the Modified Activity.</p>
3.2	Submission 218	<p>One submission requested confirmation of off-site tree planting.</p>	<p>Consideration of off-site tree planting is being completed as part of the Approved Activity.</p> <p>Additional measures to reduce potential visual impacts from the Modified Activity would be considered, as detailed in mitigation measure M.10 (refer to page 88 of the Addendum REF).</p>

No.	Submission no.	Issue/s raised	Transport for NSW response
3.3	Submission 218	One submission requested advice regarding what additional privacy measures are being considered with respect to previously identified mitigation measure M.1.	<p>Mitigation measure M.1 is detailed in page 227 of the Project REF, and refers to the access road bridge to be constructed and the consideration of additional measures to reduce potential visual privacy impacts from the access road bridge.</p> <p>No changes to the access road bridge are proposed as part of the Modified Activity.</p>
3.4	Submission 218	One submission noted that given vegetation along Turpentine Road is going to be cleared, it was requested that confirmation be provided regarding the mitigation proposed to be put in place for residents with respect to light spill.	<p>The Proposed Modification does not propose any additional vegetation clearance along Turpentine Road.</p> <p>The extent of vegetation clearing associated with the Modified Activity is described in Chapter 3 of the Addendum REF.</p> <p>The extent of vegetation clearing has been reduced through refinement of the Proposed Modification, discussed further in section 3.2.</p>
4 Land use and property			
4.1	Submissions 212, 213, and 214	<p>Three submissions noted concern regarding the current zoning of the local roads affected by the Modified Activity, noting that the access roads are zoned as an environmentally protected area and not for heavy industrial traffic.</p> <p>One of the submissions also objected to the use of the zoning associated with the overall maintenance facility site.</p>	<p>As identified in section 4.1.2 of the Addendum REF, relevant land use zones do not apply to the Modified Activity, under the provisions of the <i>State Environmental Planning Policy (Infrastructure) 2007</i>. However, consideration of land use zoning applicable to the Modified Activity was provided in this section.</p> <p>A response to queries regarding the current zoning of the site of the Approved Activity was provided in section 4.15.1 of the Combined Submissions Report.</p>

No.	Submission no.	Issue/s raised	Transport for NSW response
5	Hydrology, drainage & flooding		
5.1	Submission 218	One submission included a petition from residents requesting kerb and guttering be provided along Turpentine Road, Ourimbah Road and Orchard Road.	<p>Response to request for the provision of kerb and guttering was provided in section 4.12.7 of the Combined Submissions Report.</p> <p>The Modified Activity includes temporary use of local roads for construction traffic. It is not proposed that kerb and guttering be installed as part of the Modified Activity.</p> <p>An assessment of hydrology and flooding was provided in section 6.7 of the Addendum REF, which concluded the Modified Activity would have minor and temporary impacts.</p>
6	Noise and vibration		
6.1	Submission 218	One submission requested that sound and vibration exceedances mitigation be addressed prior to construction. It was noted that residents have not been advised of specific mitigation measures.	<p>As noted in section 4.8.3 of the Combined Submissions Report, the Construction Noise and Vibration Management Plan for the Approved Activity would include details of management measures and protocols to reduce and manage construction noise impacts from construction activities.</p>
	Submission 218		<p>These measures would apply to trucks on public roads accessing the site and any works carried out outside of standard construction hours. Construction works outside of standard hours would also be required to be approved by Transport for NSW in accordance with the relevant protocols or by the NSW EPA.</p> <p>The approved Construction Noise and Vibration Management Plan for the Approved Activity would be updated to include the Modified Activity. Additional mitigation for the Modified Activity is identified in section 6.3.4 of the Addendum REF.</p>

No.	Submission no.	Issue/s raised	Transport for NSW response
7	Socio-economic		
7.1	Submissions 212 and 213	Two submissions raised concern with respect to the amenity impacts, including noise, associated with the use of Turpentine Road, Ourimbah Road and Orchard Road for construction traffic, in particular with respect to equestrian activities.	<p>The Modified Activity includes use of temporary alternate access routes for project construction vehicles until approximately mid-2019.</p> <p>Potential temporary impacts to amenity were considered in the Addendum REF, in particular noise impacts were considered in section 6.3.</p> <p>Mitigation measures were proposed to manage and mitigate the anticipated impacts.</p> <p>However, where possible, it is expected that construction traffic would use the new access road bridge (once constructed) to access the site.</p>
8	Hazard and risk		
8.1	Submissions 212, 213, 215 and 218	<p>Three submissions noted safety concerns regarding construction traffic using local roads, in particular Orchard Road, Ourimbah Road and Turpentine Road.</p> <p>Issues include concern that the road cannot safely cope with the increased traffic with respect to local resident's activities (walking, children using for activities, horse riding/transporting, etc.), and need for traffic calming on Orchard Road.</p>	<p>The use of Turpentine, Ourimbah and Orchard Roads for light and heavy vehicles during enabling works was identified in the Project REF.</p> <p>The Modified Activity includes use of Orchard Road, Ourimbah Road and Turpentine Road, for light vehicles (a motor vehicle that has a loaded mass of less than 4.5 tonnes) only. No right turn movements for construction vehicles accessing Turpentine Road from Enterprise Drive would be permitted.</p>
	Submissions 212, 213, 215 and 218		The traffic management plan for the Approved Activity would be updated to include the Modified Activity. Traffic control would be implemented in accordance with the traffic management plan to control traffic flow and maintain the safety of other road users.

No.	Submission no.	Issue/s raised	Transport for NSW response
9	Utilities		
9.1	Submission 218	One submission requested that connection to town water is provided for residents.	A response to provision of town water connections for residents was provided in section 4.19.1 of the Combined Submissions Report. The Modified Activity does not include any changes to the Approved Activity relevant to the provision of town water supply.
9.2	Submission 218	One submission requested that overhead powerlines adjacent to the project site are buried.	The Modified Activity does not include any changes to the Approved Activity relevant to the relocation or undergrounding of power lines.
9.3	Submission 218	One submission requested confirmation that residents would not lose power during relocation of the high voltage power lines.	The Modified Activity does not include any changes to the Approved Activity relevant to the relocation of power lines.
10	Issue out of scope		
10.1	Submission 218	One submission requested that TfNSW make representation to Central Coast Council on behalf of the Kangy Angy Resident Action Group to request the suburb name change from Kangy Angy to Ourimbah for the residential properties in close proximity to the maintenance facility.	Changes to the name of the suburb, or representation on behalf of local residents with respect to this issue, are outside the scope of the Modified Activity.

Other stakeholder submissions

One submission was received from Central Coast Council. No other submissions were received from other agencies/stakeholder groups in respect of the Proposed Modification. Table 2 outlines issues raised Central Coast Council in their submission, along with Transport for NSW's response.

Table 2: Response to other stakeholder submissions received

Issue no.	Issue/s raised	Transport for NSW response
1	Consultation	
1.1	Central Coast Council requested to be included in Community Liaison Plans and provided contact details for inclusion in the communication plan.	Future consultation, including consultation with Central Coast Council would be undertaken for the Modified Activity, and is discussed further in section 2.4 below. Transport for NSW would continue to keep Central Coast Council informed about community liaison and communication activities, and involved where appropriate.

Issue no.	Issue/s raised	Transport for NSW response
2	Roads	
2.1	Central Coast Council requested to be provided with the dilapidation assessment of the local road surfaces for review to determine if further assessment is required.	Transport for NSW will provide the dilapidation assessment of the local road surfaces to Central Coast Council as part of the ongoing consultation undertaken for Modified Activity.

2.4 *Future consultation*

Should Transport for NSW proceed with the Modified Activity, consultation activities would continue, including ongoing consultation with Central Coast Council. In addition, Transport for NSW would notify residents, businesses and community members in the lead up to, and during construction of the Modified Activity. The consultation activities would help to ensure that:

- the community and stakeholders are notified in advance of any upcoming works, including changes to pedestrian or traffic access arrangements and out of hours construction activities
- accurate and accessible information is made available
- a timely response is given to issues and concerns raised by the community
- feedback from the community is encouraged.

The [Transport for NSW email address](mailto:projects@transport.nsw.gov.au)² and Infoline (1800 684 490) would continue to be available during the construction phase. Targeted consultation methods, such as use of letters, notifications, signage and verbal communications, would continue to occur. The [Transport for NSW website](http://www.transport.nsw.gov.au/projects/intercity-fleet)³ would also include updates on the progress of construction.

² projects@transport.nsw.gov.au

³ <http://www.transport.nsw.gov.au/projects/intercity-fleet>

3 Refinements to the Proposed Modification subsequent to the Addendum REF

3.1 Summary of design refinements

Further design review and assessment by Transport for NSW has resulted in a minor change to the Proposed Modification to that described in the Addendum REF. The Addendum REF identified one aspect of the Proposed Modification which included the widening of Chittaway Road beneath and immediately west of the existing rail underpass, to provide sufficient turning room for longer construction vehicles.

It is now proposed that longer construction vehicles would enter and exit the site over the Main North Line via an existing track crossing (i.e. at the level of the existing rail tracks) off Chittaway Road (approximately 200 metres north east of the intersection of Chittaway Road and Enterprise Drive). Accordingly, the proposed widening of Chittaway Road is no longer required. Hereford Street and Chittaway Road would still be used as an additional construction traffic access as identified in the Addendum REF.

This refinement to the Proposed Modification is summarised in Table 3.

Table 3: Design refinement

Item/aspect	Proposed design (Addendum REF)	Altered design
Widening of Chittaway Road	Widening of Chittaway Road beneath and adjacent to the existing rail underpass to provide sufficient turning room for longer vehicles, including a turning area on the western side of the rail underpass.	No widening of the Chittaway Road beneath and adjacent to the existing rail underpass.

No other changes to the Proposed Modification are proposed. These changes are considered to result in a reduction of the likely impact of the Proposed Modification on the environment (and therefore also the Modified Activity).

Should further design changes be required as a result of the detailed design process, these changes would be assessed to determine consistency with the Modified Activity, including significance of impact on the environment. Additional mitigation measures and/or consultation would be undertaken where necessary.

3.2 Assessment of design changes to the Proposed Modification

This design change would also result in the avoidance of impact to about 0.05 hectares of native vegetation comprising Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast, reducing the additional impact to this vegetation community from the Modified Activity to 0.05 hectares.

Similarly, as longer construction vehicles would not be required to travel along Hereford Street, noise and traffic impacts along this thoroughfare associated with the Proposed Modification would also be reduced.

4 Consideration of the environmental impacts

4.1 *Environmental Planning and Assessment Act 1979*

The Addendum REF addresses the requirements of Section 5.5 of the EP&A Act. In considering the Proposed Modification (and also the cumulative impacts of the Modified Activity), all matters affecting or likely to affect the environment are addressed in the Addendum REF and this Determination Report and associated documentation.

In accordance with the checklist of matters pursuant to clause 228(3) of the EP&A Regulation, an assessment is provided in Chapter 6 of the Addendum REF and section 8.3 of the Addendum REF.

In respect of the Modified Activity, an assessment has been carried out regarding potential impacts on critical habitat, threatened species, populations or ecological communities or their habitats, under Section 5.7 of the EP&A Act.

The likely significance of the environmental impacts of the Modified Activity has been assessed in accordance with the then NSW Department of Planning's 1995 best practice guideline [*Is an EIS Required?*](#)⁴ It is concluded that the Modified Activity and the cumulative impacts of the Modified Project are not likely to significantly affect the environment (including critical habitat) or threatened species, populations of ecological communities, or their habitats. Accordingly, an environmental impact statement under Division 5.1 of the EP&A Act is not required.

4.2 *NSW Threatened Species Conservation Act 1995 (Repealed)*

The *Threatened Species Conservation Act 1995* (TSC Act) was repealed by the *Biodiversity Conservation Act 2016* (BC Act) on 25 August 2017. However, as the assessment of the Approved Activity was completed under the TSC Act prior to its repeal, transitional provisions apply to the Modified Activity.

Under Section 5.7 (1B) of the EP&A Act (formerly Section 112), a determining authority (TFNSW) must not carry out an activity that is in respect of land that is, or is a part of, critical habitat or is likely to significantly affect threatened species, populations or ecological communities, or their habitats unless a species impact statement (SIS), has been prepared in accordance with the TSC Act (in force at that time).

An SIS was prepared for the Approved Activity (Appendix C) which identified an impact to 3.6 hectares to Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast as a result of the project (amongst impacts to other biodiversity at the maintenance facility site). The Chief Executive of OEH subsequently issued a concurrence for the SIS on 22 August 2016.

Subsequent to this initial OEH concurrence, an Additional SIS (Appendix D) was subsequently prepared for potential impacts to Mahony's Toadlet, a newly listed species under the TSC Act.

Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast is not considered potential habitat for Mahony's Toadlet. However, design changes to reduce potential impact to Mahony's Toadlet also reduced the impact to this vegetation type to a total of 3.3 hectares. Concurrence for the Additional SIS was issued by OEH on 29 August 2017.

⁴ Refer to the National Library of Australia's 'Trove' website
<http://trove.nla.gov.au/work/7003034?selectedversion=NBD11474648>

The Modified Activity would result in an additional impact of 0.05 hectares of Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on ranges of the Central Coast, increasing the total impact to this community type to 3.35 hectares. Whilst this impact is marginally greater than that detailed in the additional SIS for the Approved Activity, it is consistent with impact to 3.6 hectares assessed as part of the original SIS which was granted concurrence from OEH.

4.3 *Environment Protection and Biodiversity Conservation Act 1999*

As part of the consideration of the Modified Activity, all matters of national environmental significance (NES) and any impacts on Commonwealth land for the purposes of the EPBC Act have been assessed. In relation to NES matters, this evaluation has been undertaken in accordance with Commonwealth Administrative Guidelines on determining whether an action has, will have, or is likely to have a significant impact. A summary of the evaluation is provided in Chapter 6 and section 8.4 of the Addendum REF.

An assessment of the significance of the environmental impacts of the Proposed Modification, and the cumulative impacts of the Modified Activity, is provided in section 8.5 of the Addendum REF. It is considered that the Proposed Modifications described in the Addendum REF, and the cumulative impacts of the Modified Activity, are not likely to have a significant impact on any Commonwealth land and is not likely to have a significant impact on any matters of NES. Accordingly, referral of the Proposed Modification and cumulative impacts of the Modified Activity to the (Federal) Minister for the Environment under the EPBC Act is not required.

5 Conditions of Approval

If approved, the Modified Activity would proceed subject to the Conditions of Approval included in Appendix E. It is noted that the Secretary for TfNSW should not consider any conditions for the purposes of making a determination under Part 5, Division 5.1, of the EP&A Act, particularly to the extent that such conditions are proposed to be imposed to mitigate environmental impacts.

6 Conclusion

Having regard to the assessment in the Addendum REF and consideration of the submissions received, it can be concluded that the Proposed Modification, and the cumulative impacts of the Modified Activity, are not likely to significantly affect the environment (including critical habitat) or threatened species, populations of ecological communities, or their habitats. Consequently, an environmental impact statement is not required to be prepared under Division 5.1 of the EP&A Act.

It is also considered that the Modified Activity is consistent with the impacts originally identified as part of the SIS and Additional SIS that were granted concurrence from OEH on 22 August 2016 for the SIS and on 29 August 2017 respectively. The Proposed Modification, or cumulative impacts of the Modified Activity would not trigger any further approvals required under Part 3 of the EPBC Act.

It is also noted that whilst access for heavy vehicles via Turpentine Road was not included in the Proposed Modification, it was included for the Approved Activity, and limited access for heavy vehicles would continue to occur via Turpentine Road for the Modified Activity.

The environmental impact assessment (Addendum REF and this Determination Report) is recommended to be approved subject to the proposed mitigation and environmental management measures included in the Conditions of Approval (as modified in Appendix E).

References

Transport for NSW, 2017, New Intercity Fleet Maintenance Facility Determination Report.

WSP | Parsons Brinckerhoff, 2016, New Intercity Fleet Maintenance Facility Review of Environmental Factors.

WSP | Parsons Brinckerhoff, 2017, New Intercity Fleet Maintenance Facility Combined Submissions Report.

WSP, 2018, BC Act consideration regarding the proposed works outside of the approved Project site boundary for the New Intercity Fleet Maintenance Facility Project.

Appendix A Addendum Review of Environmental Factors

Desksite References:

- New Intercity Fleet Maintenance Facility - Addendum Review of Environmental Factors - Alternative Construction Access Routes: 6089726
- Link to Transport for NSW website: <https://www.transport.nsw.gov.au/projects/current-projects/new-intercity-fleet-program-maintenance-facility>

Appendix B Project Review of Environmental Factors

Desksite References:

- Review of Environmental Factors Volume 1: 5188641
- Review of Environmental Factors Volume 2 (Part A): 5188631
- Review of Environmental Factors Volume 2 (Part B): 5188636
- Link to TfNSW website: <https://www.transport.nsw.gov.au/projects/current-projects/new-intercity-fleet-program-maintenance-facility>

Appendix C Species Impact Statement

Desksite References:

- Species Impact Statement: 5190508
- Link to TfNSW website: <https://www.transport.nsw.gov.au/projects/current-projects/new-intercity-fleet-program-maintenance-facility>

Appendix D Additional Species Impact Statement

Desksite References:

- Additional Species Impact Statement: 5693618
- Link to TfNSW website: <https://www.transport.nsw.gov.au/projects/current-projects/new-intercity-fleet-program-maintenance-facility>

Appendix E Project Submissions Report

Desksite References:

- Combined Submissions Report 5805714
- Link to TfNSW website: <https://www.transport.nsw.gov.au/projects/current-projects/new-intercity-fleet-program-maintenance-facility>

Appendix F Conditions of Approval

CONDITIONS OF APPROVAL

New Intercity Fleet Maintenance Facility Alternative Construction Access Routes

Note: these conditions of approval must be read in conjunction with the final mitigation measures in the Addendum Review of Environmental Factors. The Conditions of Approval for the Approved Project that have been modified by this Determination Report are highlighted in **bold text**, with deletions in ~~strike through~~ text.

Schedule of acronyms and definitions used:

Acronym	Definition
CECR	Construction Environmental Compliance Report
CEMP	Construction Environmental Management Plan
CIR	Contamination Investigation Report
CLP	Community Liaison Plan
CMP	Contamination Management Plan
CoA	Condition of Approval
dBA	Decibels (A-weighted scale)
ECM	Environmental Controls Map
EIA	Environmental Impact Assessment
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPL	Environment Protection Licence issued by the Environmental Protection Authority under the <i>Protection of the Environment Operations Act 1997</i> .
EMS	Environmental Management System
ICNG	<i>Interim Construction Noise Guidelines</i> (Department of Environment and Climate Change, 2009)
INP	<i>NSW Industrial Noise Policy</i> (EPA, 2000)
ISO	International Standards Organisation
OEH	NSW Office of Environment and Heritage
ONVMP	Operational Noise and Vibration Management Plan
OOHWP	Out of Hours Works Protocol
PCSR	Pre-Construction Sustainability Report
PDP	Public Domain Plan
PECM	Pre-Construction Environmental Compliance Matrix
POCR	Pre-Operational Compliance Report
PMEIA	Principal Manager Environmental Impact Assessment (or nominated delegate)
PMEM	Transport for NSW Principal Manager Environmental Management (or nominated delegate)

Acronym	Definition
PMS	Transport for NSW Principal Manager Sustainability (or nominated delegate)
RAP	Remedial Action Plan
RBL	Rating Background Level
REF	Review of Environmental Factors
RING	<i>Rail Infrastructure Noise Guideline</i> (EPA, 2013)
RNP	<i>NSW Road Noise Policy</i> (Department of Environmental, Climate Change and Water, 2011)
Roads and Maritime	NSW Roads and Maritime Service
TfNSW	Transport for NSW
TMP	Traffic Management Plan
UDP	Urban Design Plan

Schedule of terms and definitions used:

Term	Definition
Construction	Includes all work in respect of the Project, other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, or other activities determined by the TfNSW PMEM to have minimal environmental impact such as minor access roads, minor adjustments to services/utilities, establishing temporary construction compounds (in accordance with this approval), or minor clearing (except where threatened species, populations or ecological communities would be affected).
Contamination	The presence in, on or under land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.
Designated Works	Includes tunnelling, blasting, piling, excavation or bulk fill or any vibratory impact works including jack hammering and compaction, for Construction.
Emergency Work	Includes works to avoid loss of life, damage to external property, utilities and infrastructure, prevent immediate harm to the environment, contamination of land or damage to a heritage (indigenous or non-indigenous) item.
Environmental Impact Assessment (EIA)	The documents listed in Condition 1 of this approval.
Environmental management representative	An independent environmental representative appointed to the Project or a delegate nominated by Transport for NSW.
Feasible	A work practice or abatement measure is feasible if it is capable of being put into practice or of being engineered and is practical to build given project constraints such as safety and maintenance requirements.
Noise Sensitive Receiver	In addition to residential dwellings, noise sensitive receivers include, but are not limited to, hotels, entertainment venues, pre-schools and day care facilities, educational institutions (e.g. schools, TAFE colleges), health care facilities (e.g. nursing homes, hospitals), recording studios, places of worship/religious facilities (e.g. churches), and other noise sensitive receivers identified in the environmental impact assessment.
Project	The construction and operation of the New Intercity Fleet Maintenance Facility, Kangy Angy as described in the Environmental Impact Assessment.
Proponent	A person or body proposing to carry out an activity under Part 5, Division 5.1, of the EP&A Act – in the case of the Project, Transport for NSW.
Reasonable and feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and nature and extent of potential improvements.

CoA number	Type
	General

1 Terms of Approval

The Project shall be carried out generally in accordance with the environmental impact assessment (EIA) and concurrences / approvals for this Project, which comprises the following:

Document	Author	Date
New Intercity Fleet Maintenance Facility Project – Review of Environmental Factors (REF)	WSP	June 2016
New Intercity Fleet Maintenance Facility Project – Species Impact Statement (SIS)	WSP	June 2016
Addendum – Species Impact Statement and Review of Environmental Factors	TfNSW	October 2016
Office of Environment and Heritage – Species Impact Statement – Conditions of Concurrence (SIS Conditions of Concurrence)	OEH	August 2016
Approval under Environment Protection and Biodiversity Conservation Act 1999 (EPBC Approval)	DoEE	May 2017
New Intercity Fleet Maintenance Facility Project – Additional Species Impact Statement (Additional SIS)	WSP	May 2017
Office of Environment and Heritage – Species Impact Statement – Conditions of Concurrence (Additional SIS Conditions of Concurrence)	OEH	August 2017
New Intercity Fleet Maintenance Facility Project – Combined Submissions Report (Combined Submissions Report)	WSP	August 2017
New Intercity Fleet Maintenance Facility Project – Determination Report	TfNSW	August 2017
New Intercity Fleet Maintenance Facility– Addendum Review of Environmental Factors - Alternative Construction Access Routes (Addendum REF)	WSP	June 2018
New Intercity Fleet Maintenance Facility Project: Alternative Construction Access Routes Determination Report	TfNSW	November 2018

In the event of an inconsistency between the:

- REF Determination,
- EPBC Approval,
- SIS Conditions of Concurrence,
- Additional SIS Conditions of Concurrence, and
- Addendum REF Determination;**

the most stringent standard shall apply to the extent of the inconsistency.

For the avoidance of doubt, the New Intercity Fleet Maintenance Facility Project – Determination Report includes the Conditions of Approval for the New Intercity Fleet Maintenance Facility pertaining to the determination under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

CoA number	Type
2	Project Modifications Any modification to the Project as approved in the EIA would be subject to further assessment. The assessment shall be subject to approval under delegated authority by TfNSW. The Proponent shall comply with any additional requirements from the assessment of the Project modification
3	Statutory Requirements These conditions do not relieve the Proponent of the obligation to obtain all other licences, permits, approvals and land owner consents from all relevant authorities and land owners as required under any other legislation for the Project. The Proponent shall comply with the terms and conditions of such licences, permits, approvals and permissions.
Compliance Reporting	
4	Pre-Construction Environmental Compliance Matrix A Pre-Construction Environmental Compliance Matrix (PECM) for the Project (or such stages of the Project as agreed to by the Environmental Management Representative (EMR)) shall be prepared detailing compliance with all relevant conditions and mitigation measures prior to commencement of construction. The PECM shall also include details of approvals, licences and permits required to be obtained under any other legislation for the Project. The PECM shall: <ol style="list-style-type: none"> be submitted to the EMR for review. The EMR is to be given a minimum period of 7 days to review and provide any comments in relation to the PECM upon completion of the EMR review period, be submitted to the Associate Director Environmental Management (ADEM) for approval, at least 14 days (or within such time as otherwise agreed to by the ADEM) prior to commencement of construction of the Project.

CoA number	Type
5	<p>Construction Environmental Compliance Reports</p> <p>Construction Environmental Compliance Reports (CECRs) for the Project shall be prepared which addresses the following matters:</p> <ul style="list-style-type: none"> a) compliance with the construction environmental management plan (CEMP) and these conditions b) compliance with TfNSW's NSW Sustainable Design Guidelines - Version 3.0 compliance checklist (7TP-FT-249) c) compliance with any approvals or licences issued by relevant authorities for construction of the Project d) compliance with the Combined Submissions Report management measures, SIS mitigation measures and Additional SIS mitigation measures e) implementation and effectiveness of environmental controls (the assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the CEMP) f) environmental monitoring results, presented as a results summary and analysis g) details of the percentage of waste diverted from landfill and the percentage of spoil beneficially reused h) number and details of any complaints, including summary of main areas of complaint, actions taken, responses given and intended strategies to reduce recurring complaints (subject to privacy protection) i) details of any review and amendments to the CEMP resulting from construction during the reporting period j) any other matter as requested by the ADEM. <p>Each CECR shall be submitted to the EMR for review, and then ADEM for approval. The first CECR shall report on the first six months of construction and be submitted within 21 days of expiry of that period (or at any other time interval agreed to by the ADEM). CECRs shall be submitted no later than three months after the date of submission of the preceding CECR (or at other such periods as requested by the ADEM) for the duration of construction.</p>
6	<p>Pre-Operation Compliance Report</p> <p>A Pre-Operation Compliance Report (POCR) for the Project shall be prepared, prior to commencement of operation of the Project. The POCR shall detail compliance with all conditions of approval, licences and permits required to be obtained under any other legislation for the project.</p> <p>The POCR shall:</p> <ul style="list-style-type: none"> a) be submitted to the EMR for review. The EMR is to be given a minimum period of 7 days to review and provide any comments in relation to the POCR. <p>upon completion of the EMR review period be submitted to the ADEM for approval. The POCR is to be provided to the ADEM at least one month prior to the scheduled operation of the Project (or such time as otherwise agreed to by the ADEM).</p>

CoA number	Type
Communications	
7	<p>Community Liaison Plan</p> <p>A Community Liaison Plan (CLP) shall be developed and implemented to engage with government agencies, relevant councils, landowners, community members and other relevant stakeholders (such as utility and service providers, bus companies and businesses) where required. The CLP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) details of the protocols and procedures for disseminating information and engaging the community and other key stakeholders about construction activities (including timing and staging) and any associated impacts during the construction period b) stakeholder and issues identification and analysis c) procedures for dealing with complaints or disputes and response requirements, including advertising the 24 hour construction response line number d) details (including a program) of training for all employees, contractors and sub-contractors on the requirements of the CLP. <p>Sub-plans to the CLP will be developed as required. These sub-plans will detail site-specific consultation and communication requirements for construction works that impact residents, transport customers and other stakeholders and businesses. They will also identify further mitigation measures and processes to reduce construction impacts.</p> <p>The CLP shall be prepared to the satisfaction of the Director Community Engagement at least 21 days prior to the commencement of any site activities for the Project commencing and implemented, reviewed and revised as appropriate during construction of the Project.</p>
8	<p>Community Notification and Liaison</p> <p>The local community shall be advised of any activities related to the Project with the potential to impact upon them.</p> <p>Prior to any site activities commencing and throughout the Project duration, the community is to be notified of works to be undertaken, the estimated hours of construction and details of how further information can be obtained (i.e. contact telephone number/email, website, newsletters etc.) including the 24 hour construction response line number.</p> <p>Construction-specific impacts including information on traffic/ parking changes, access changes, detours, services disruptions, public transport changes, high noise generating work activities and work required outside the nominated working hours shall be advised to the local community at least 7 days prior to such works being undertaken or other period as agreed to by the Director Community Engagement or as required by Environment Protection Authority (EPA) (where an environment protection licence (EPL) is in effect).</p>
9	<p>Website</p> <p>The Proponent shall provide electronic information (or details of where hard copies of this information may be accessed by members of the public) related to the Project, on dedicated pages within its existing website, including:</p> <ul style="list-style-type: none"> a) a copy of the documents referred to under Condition 1 of this approval b) a list of environmental management reports that are publicly available c) 24 hour contact telephone number for information and complaints. d) community notifications. <p>All documents uploaded to the website must be compliant with the <i>Web Content Accessibility Guidelines 2.0</i>.</p>

CoA number	Type
10	<p data-bbox="347 302 667 331">Complaints Management</p> <p data-bbox="347 342 1410 533">The Proponent shall establish and maintain a 24 hour construction response line number. Details of all complaints received during construction are to be recorded on a complaints register. A verbal response to phone enquiries on what action is proposed to be undertaken is to be provided to the complainant within 2 hours during all times construction is being undertaken and within 24 hours during non-construction times (unless the complainant agrees otherwise).</p> <p data-bbox="347 544 1410 633">A verbal response to written complaints (email/letter) should be provided within 48 hours of receipt of the communication. A detailed written response is to be provided to the complainant within 7 calendar days for verbal and/or written complaints.</p> <p data-bbox="347 645 1410 701">Information on all complaints received during the previous 24 hours shall be forwarded to the EMR and the Proponent each working day.</p>

CoA number	Type
Environmental Management	
11	<p>A Construction Environmental Management Plan (CEMP) shall be prepared prior to commencement of construction, for implementation for the duration of construction. The CEMP is to address the following matters, as a minimum:</p> <ul style="list-style-type: none"> a) traffic and pedestrian management (in consultation with the relevant roads authority) b) noise and vibration management c) water and soil management d) air quality management (including dust suppression) e) indigenous and non-indigenous heritage management f) flora and fauna management g) storage and use of hazardous materials h) contaminated land management (including acid sulphate soils) i) weed management j) waste management k) bushfire risk l) sustainability m) environmental incident reporting and management procedures n) non-compliance and corrective/preventative action procedures. <p>The CEMP shall:</p> <ul style="list-style-type: none"> 1. comply with the Conditions of Approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant legislation and regulations, and accepted best practice management 2. comply with the relevant requirements of <i>Guideline for Preparation of Environmental Management Plans</i> (Department Infrastructure, Planning and Natural Resources, 2004) 3. include an Environmental Policy 4. be prepared in consultation with government agencies and relevant service/utility providers 5. be submitted to the EMR for review. The EMR is to be given a minimum period of 7 days to review and provide any comments on the CEMP 6. once reviewed by EMR, be submitted to the ADEM for approval at least 14 days (or within such time as otherwise agreed to by the ADEM) prior to commencement of construction of the Project 7. be reviewed and updated at regular intervals, and in response to any actions identified as part of the EMR's audit of the document. Updates to the CEMP shall be made within 7 days of the completion of the review or receipt of actions identified by any EMR audit of the document, and be submitted to the EMR for approval. <p>The CEMP must be approved by the ADEM prior to the commencement of construction work associated with the Project.</p>

CoA number	Type
12	<p>Environmental Management Representative</p> <p>Prior to the commencement of construction, the ADEM shall appoint an Environmental Management Representative (EMR) for the duration of the construction period for the Project.</p> <p>The EMR shall provide advice to the ADEM in relation to the environmental compliance and performance of the Project. The EMR shall have responsibility for:</p> <ul style="list-style-type: none"> a) considering and advising the Proponent on matters specified in these conditions and compliance with such b) reviewing and where required by the ADEM, providing advice on the Project's induction and training program for all persons involved in the construction activities and monitoring implementation c) periodically auditing the Project's environmental activities to evaluate the implementation, effectiveness and level of compliance of on-site construction activities with authority approvals and licences, the CEMP and associated plans and procedures, including carrying out site inspections weekly, or as required by the ADEM d) reporting weekly to the Proponent, or as required by the ADEM e) issuing a recommendation to the Proponent for work to stop immediately, if in the view of the EMR circumstances so require. The stop work recommendation may be limited to specific activities if the EMR can easily identify those activities f) requiring reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts g) reviewing corrective and preventative actions to ensure the implementation of recommendations made from the audits and site inspections h) providing reports to the Proponent on matters relevant to the carrying out of the EMR role as necessary i) where required by the ADEM, providing advice on the content and implementation of the CEMP and Environmental Controls Map (ECM) in accordance with the conditions j) reviewing and approving updates to the CEMP. <p>The EMR shall be available during construction activities to inspect the site(s) and be present on-site as required.</p>
13	<p>Environmental Controls Map</p> <p>An Environmental Controls Map (ECM) shall be prepared in accordance with the TfNSW <i>Guide to Environmental Controls Map (3TP-SD-015)</i> prior to the commencement of construction, for implementation for the duration of construction. The ECM is to be endorsed by the EMR and may be prepared in stages as set out in the CEMP.</p> <p>A copy of the ECM shall be submitted to the EMR for review and endorsement. The EMR is to be given a minimum period of 7 days to review and endorse the ECM. Following receipt of the EMR's endorsement, the ECM shall be submitted to the ADEM for approval, at least 14 days prior to commencement of construction (or such time as is otherwise agreed to by the ADEM).</p> <p>The ECM shall be prepared as a map – suitably enlarged (e.g. A3 size or larger) for mounting on the wall of a site office and included in site inductions, supported by relevant written information.</p> <p>Updates to the ECM shall be made within 7 days of the completion of the review or receipt of actions identified by any EMR audit of the document, and be submitted to the EMR for approval.</p>

CoA number	Type
Site-specific Environmental Management	
14	<p>Operational Environmental Management Plan</p> <p>An Operational Environmental Management Plan (OEMP) shall be prepared by the maintenance facility operator prior to commencement of operation which addresses the following matters, as a minimum:</p> <ul style="list-style-type: none"> a) traffic and pedestrian management (in consultation with the relevant roads authority) b) noise and vibration management c) water and soil management d) air quality management (including dust suppression) e) indigenous and non-indigenous heritage management f) flora and fauna management g) storage and use of hazardous materials h) contaminated land management (including acid sulphate soils) i) weed management j) waste management k) bushfire risk l) sustainability m) environmental incident reporting and management procedures n) non-compliance and corrective/preventative action procedures <p>The OEMP shall:</p> <ul style="list-style-type: none"> i) comply with the Conditions of Approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant legislation and regulations, and accepted best practice management ii) comply with the relevant requirements of <i>Guideline for Preparation of Environmental Management Plans</i> (Department Infrastructure, Planning and Natural Resources, 2004) iii) include an Environmental Policy iv) include a noise and vibration sub-plan which is to consider the environmental management measures listed in the New Intercity Fleet Maintenance Facility Noise and Vibration Impact Assessment and Combined Submissions Report in order to meet the requirements of Condition 22 and 25. <p>The maintenance facility operator shall:</p> <ul style="list-style-type: none"> 1. consult with NSW Train Link, government agencies and relevant service/utility providers as part of the preparation of the OEMP 2. submit a copy of the OEMP to the EMR for review 3. submit a copy of the OEMP to the ADEM at least one month prior to the commencement of operation, for approval <p>The OEMP must be approved by the ADEM prior to the commencement of operation of the Project.</p>

CoA number	Type
Hours of Work	
15	<p>Standard Construction Hours</p> <p>Construction activities shall be restricted to the hours of 7:00 am to 6:00 pm (Monday to Friday); 8:00 am to 1:00 pm (Saturday) and at no time on Sundays and public holidays except for the following works which are permitted outside these standard hours:</p> <ul style="list-style-type: none"> a) any works which do not cause noise emissions to be more than 5 dBA higher than the rating background level at any nearby residential property and/or other noise sensitive receivers b) out of hours work identified and assessed in the EIA or the approved out of hours work protocol (OOHWP) c) the delivery of plant, equipment and materials which is required outside these hours as requested by police or other authorities for safety reasons and with suitable notification to the community as agreed by the ADEM d) emergency work to avoid the loss of lives, property and/or to prevent environmental harm e) any other work as agreed by the ADEM and considered essential to the Project, or as approved by EPA (where an EPL is in effect).
16	<p>High Noise Generating Activities</p> <p>Rock breaking or hammering, jack hammering, pile driving, vibratory rolling, cutting of pavement, concrete or steel and any other activities which result in impulsive or tonal noise generation shall not be undertaken for more than 3 hours, without a minimum 1 hour respite period unless otherwise agreed to by the ADEM, or as approved by EPA (where relevant to the issuing of an EPL), unless inaudible at nearby residential properties and/or other noise sensitive receivers.</p>
Noise and Vibration	
17	<p>Construction Noise and Vibration</p> <p>Construction noise and vibration mitigation measures shall be implemented through the CEMP, in accordance with TfNSW's <i>Construction Noise Strategy</i> (7TP-ST-157) and the EPA's <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009). The mitigation measures shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) details of construction activities and an indicative schedule for construction works b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA) d) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints e) an out of hours work protocol (OOHWP) for the assessment, management and approval of works outside the standard construction hours identified in Condition 15 of this approval, including a risk assessment process which deems the out of hours activities to be of low, medium or high environmental risk, is to be developed. All out of hours works are subject to approval by the EMR and/or ADEM or as approved by EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with the TfNSW <i>Construction Noise Strategy</i> f) a description of how the effectiveness of actions and measures shall be monitored during the proposed works, clearly indicating the frequency of monitoring, the locations at which monitoring shall take place, recording and reporting of monitoring results and if any exceedance is detected, the manner in which any non-compliance shall be rectified.

CoA number	Type
18	<p>Vibration Criteria</p> <p>Vibration (other than from blasting) resulting from construction and received at any structure outside of the Project shall be limited to:</p> <ul style="list-style-type: none"> a) for structural damage vibration – German Standard DIN 4150:Part 3 – 1999: <i>Structural Vibration in Buildings: Effects on Structures</i>) b) for human exposure to vibration – the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: A Technical Guideline</i> (Department of Environment and Conservation, 2006). <p>These limits apply unless otherwise approved by the ADEM through the CEMP. or as approved by EPA (where relevant to the issuing of an EPL).</p>
19	<p>Non-Tonal Reversing Beepers</p> <p>Non-tonal reversing beepers (or an equivalent mechanism) shall be fitted and used on all construction vehicles and mobile plant regularly used on site (i.e. greater than one day) and for any out of hours work.</p>
20	<p>Piling</p> <p>Wherever practical, piling activities shall be completed using non-percussive piles. If percussive piles are proposed to be used, approval of the ADEM shall be obtained prior to commencement of piling activities.</p>
21	<p>Noise Impact on Educational Facilities</p> <p>Potentially affected pre-schools, schools, universities and any other affected permanent educational institutions shall be consulted in relation to noise mitigation measures to identify any noise sensitive periods (e.g. exam periods). As much as reasonably practicable noise intensive construction works in the vicinity of affected educational buildings are to be minimised.</p>
22	<p>Operational Noise and Vibration Levels</p> <p>Operational noise levels (L_{Aeq} (15 minute)) from the facility are to comply with the requirements of the <i>Industrial Noise Policy</i> (EPA, 2000) at surrounding residential receivers of the maintenance facility for daytime, evening and night-time periods.</p> <p>Operational noise levels (L_{A1} (60 second)) from horn testing, brake testing and the train movement warning system are not to exceed the Rating Background Level by more than 15 dBA (L_{A1} (60 second) \leq RBL + 15 dBA) at surrounding residential receivers of the maintenance facility for evening (6pm-10pm) and night-time (10pm-7am) periods.</p> <p>Operation of the new rail turn outs are to comply with the requirements of the <i>NSW Rail Infrastructure Noise Guideline</i> (EPA, 2013). Augmentation of track infrastructure on the Main North Line to provide access to and from the maintenance facility is to include a provision with the aim of installing turnouts which avoid the generation of impulsive noise (e.g. use of 'swing nose' turnouts).</p>

CoA number	Type
23	<p>Operational Noise and Vibration Review</p> <p>Prior to commencement of laying of rail track, construction of the maintenance building or the construction of physical noise mitigation structures, an Operational Noise and Vibration Review (ONVR) shall be prepared to confirm the final physical mitigation measures for operational noise and vibration that would be implemented to satisfy the requirements of Condition 22.</p> <p>The ONVR shall be prepared in consultation with Sydney Trains (where relevant), NSW Train Link and other relevant stakeholders. The ONVR shall:</p> <ol style="list-style-type: none"> examine all reasonable and feasible noise and vibration mitigation measures consistent with <i>Rail Infrastructure Noise Guideline</i> (EPA, 2013) and <i>Industrial Noise Policy</i> (EPA, 2000) identify specific physical and other mitigation measures for controlling noise and vibration at the source and at the receiver (if relevant) including location, type and timing of implementation of the proposed operational noise and vibration mitigation measures seek feedback from directly affected receivers on the final mitigation measures proposed in the review. <p>A copy of the ONVR shall be submitted to the EMR for review and endorsement. The EMR is to be given a minimum period of 7 days to review and endorse the ONVR. Following receipt of the EMR's endorsement, the ONVR shall be submitted to the ADEM for approval, at least one month prior to commencement of laying of rail track, construction of the maintenance building or the construction of physical noise mitigation structures (or such time as is otherwise agreed to by the ADEM).</p> <p>The approved physical mitigation measures are to be installed prior to the commencement of operations, unless otherwise agreed by the ADEM.</p>
24	<p>Operational Noise Compliance Monitoring</p> <p>In order to validate compliance with the requirements of Condition 22 and performance of operational noise mitigation measures identified in the ONVR, monitoring shall be undertaken within three months of commencement of operation. The noise and vibration monitoring shall be undertaken to confirm compliance with the predicted noise and vibration levels.</p> <p>Should the results of monitoring identify exceedances of the operational noise levels identified in Condition 22, predicted noise and vibration levels, additional reasonable and feasible mitigation measures would be implemented in consultation with the affected property owners, to the satisfaction of the ADEM.</p>
25	<p>Warning Sounds</p> <p>Warning sounds associated with the movements of rolling stock shall only occur in emergency traffic or pedestrian safety situations but not as part of normal operations of the Project. Testing of warning sounds on rolling stock shall only be undertaken wholly within the Maintenance Building.</p>
26	<p>Maintenance Building Materials</p> <p>The Maintenance Building is to be designed and constructed to achieve a sound insulation performance of at least 26dB Rw (weighted sound reduction index). In the event this would not achieve compliance with the requirements of Condition 22, additional noise mitigation measures are to be provided to ensure that compliance with the requirements of Condition 22.</p>

CoA number	Type
Contamination and Hazardous Materials	
27	<p>Unidentified Contamination (Other Than Asbestos)</p> <p>If previously unidentified contamination (excluding asbestos) is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and report prepared to determine the nature, extent and degree of any contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA guidelines, including the <i>Guidelines for Consultants Reporting on Contaminated Sites</i>.</p> <p>The contamination report(s) shall be:</p> <ol style="list-style-type: none"> submitted to the EMR for review. The EMR is to be given a minimum period of 7 days to review and provide any comments to the Proponent in relation to the report Upon completion of the EMR review period, the EMR shall determine whether consultation with the relevant council and/or EPA is required prior to continuation of construction works within the affected area. <p>Note: <i>In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 27 and Condition 28.</i></p>
28	<p>Asbestos Management</p> <p>If previously unidentified asbestos contamination is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and report prepared to determine the nature, extent and degree of the asbestos contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA and SafeWork NSW guidelines and include the proposed methodology for the remediation of the asbestos contamination. Remediation activities must not take place until receipt of the investigation report.</p> <p>Works may only recommence upon receipt of a validation report from a suitably qualified contamination specialist that the remediation activities have been undertaken in accordance with the investigation report and remediation methodology.</p> <p>Note: <i>In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 27 and Condition 28.</i></p>
29	<p>Storage and Use of Hazardous Materials</p> <p>Construction hazard and risk issues associated with the use and storage of hazardous materials shall be addressed through risk management measures, which shall be developed by the construction contractor prior to construction as part of the overall CEMP, in accordance with relevant EPA guidelines, TfNSW <i>Chemical Storage and Spill Response Guideline</i> and Australian and ISO standards. These measures shall include:</p> <ol style="list-style-type: none"> the storage of hazardous materials, and refuelling/maintenance of construction plant and equipment to be undertaken in clearly marked designated areas that are designed to contain spills and leaks spill kits, appropriate for the type and volume of hazardous materials stored or in use, to be readily available and accessible to construction workers. Kits to be kept at hazardous materials storage locations, in site compounds and on specific construction vehicles. Where a spill to a watercourse is identified as a risk, spill kits to be kept in close proximity to potential discharge points in support of preventative controls all hazardous materials spills and leaks to be reported to site managers and actions to be immediately taken to remedy spills and leaks training in the use of spill kits to be given to all personnel involved in the storage, distribution or use of hazardous materials.

CoA number	Type
Erosion and Sediment Control	
30	<p>Erosion and Sediment Control</p> <p>Soil and water management measures shall be prepared and implemented as part of the CEMP for the mitigation of water quality impacts during construction of the Project. The management measures shall be prepared and implemented in accordance with <i>Managing Urban Stormwater; Soils and Construction 4th Edition</i> (Landcom, 2004).</p>
Heritage Management	
31	<p>Indigenous and Non-Indigenous Heritage</p> <p>If previously unidentified Indigenous or non-Indigenous heritage/archaeological items are uncovered during construction works, the procedures contained in the TfNSW <i>Unexpected Heritage Finds Guideline</i> (3TP-SD-115) shall be followed and all works in the vicinity of the find shall cease. The Proponent shall be immediately notified to co-ordinate a response, which may include seeking appropriate advice from a suitably qualified and experienced heritage consultant (in consultation with the Heritage Division, OEH where appropriate). Works in the vicinity of the find shall not re-commence until clearance has been received from TfNSW and/or the heritage consultant.</p>
32	<p>Archival Recording</p> <p>Photographic archival recording of the Turpentine Road/Chittaway Creek underpass shall be undertaken in accordance with OEH (Heritage Division) guidelines prior to construction of the new bridges.</p> <p>A copy of the archival recording shall be lodged with Sydney Trains, Central Coast Council, the local historical society and the Heritage Division of the Office of Environment and Heritage.</p>
Site specific Heritage Management	
33	<p>Aboriginal Heritage Assessment</p> <p>Prior to the commencement of construction, an Aboriginal Cultural Heritage Assessment Report (ACHAR) shall be prepared for areas of the Project site identified as having moderate or high potential for Aboriginal heritage. The ACHAR is to be undertaken in accordance with the following guidelines:</p> <ul style="list-style-type: none"> a) <i>Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW</i> (OEH, 2011) b) <i>Code of practice for archaeological investigation of Aboriginal objects in New South Wales</i> (Department of Climate Change and Water, 2010) c) <i>Aboriginal cultural heritage consultation requirements for proponents</i> (Department of Climate Change and Water, 2010). <p>If the results of the ACHAR confirm Aboriginal objects are present and would be harmed, an Aboriginal Heritage Impact Permit must be obtained in accordance with the requirements of the <i>National Parks and Wildlife Act 1974</i> prior to the object(s) being impacted.</p>
Flora and Fauna	
34	<p>Removal of Trees or Vegetation</p> <p>Separate approval, in accordance with TfNSW's <i>Application for Removal or Trimming of Vegetation</i>, is required prior to the trimming, cutting, pruning or removal of any trees or vegetation where the impact has not already been identified and assessed in the EIA for the Project. The trimming, cutting, pruning or removal of trees or vegetation shall be undertaken in accordance with the conditions of that approval.</p>

CoA number	Type
35	<p>Vegetation Management Plan</p> <p>A Vegetation Management Plan (VMP) shall be developed prior to the commencement of any works which will require the removal of, or impacts to vegetation. The VMP is to identify/include the following:</p> <ul style="list-style-type: none"> a) preparation of a map(s) of a suitable scale and size which identifies areas of vegetation to be protected, and vegetation approved for removal (respectively) b) the methodology to be used for the on-site demarcation of areas of vegetation to be retained and removed (respectively) c) identification and inclusion of all applicable recommendations and requirements pertaining to flora/fauna/biodiversity management contained within the EIA d) measures to be implemented on site throughout the works to ensure that biodiversity impacts are managed in accordance with the requirements of the EIA. <p>A copy of the VMP shall be submitted to the EMR for review and endorsement. The EMR is to be given a minimum period of 7 days to review and endorse the VMP. Following receipt of the EMR's endorsement, the VMP shall be submitted to the ADEM for approval, at least one month prior to commencement of works which would remove, or have an impact upon vegetation (or such time as is otherwise agreed to by the ADEM).</p> <p>The preparation of the VMP may be undertaken in stages where agreed to by the ADEM.</p>
36	<p>Vegetation Removal Validation Audit</p> <p>Following the on-site demarcation of areas of vegetation to be retained and removed (respectively) for the Project, but prior to the commencement of works affecting vegetation, a validation audit is to be conducted by a suitably qualified and experienced ecologist who is independent of the construction contractor(s), in consultation with the EMR, to confirm that areas have been demarcated in accordance with the map(s) contained in the VMP and the requirements of the EIA.</p> <p>The ecologist shall prepare an audit report which confirms whether the demarcation activities are compliant with the requirements of the EIA, for submission to the EMR for review and endorsement. The EMR is to be given a minimum period of 7 days to review and endorse the audit report.</p> <p>Following receipt of the EMR's endorsement, the audit report shall be submitted to the ADEM for approval, at least 7 days prior to commencement of works which would remove, or have an impact upon vegetation (or such time as is otherwise agreed to by the ADEM).</p>
37	<p>Inductions</p> <p>The location of, and measures to protect, all sensitive vegetation are to be included as part the Project site induction prior to personnel commencing on site. The location of, and measures to protect this vegetation are to be clearly marked on all Environmental Control Maps.</p>
38	<p>Replanting Program</p> <p>All vegetation planted on-site is to consist of locally endemic native species, unless otherwise agreed by the ADEM, following consultation with the relevant council, where relevant, and/or the owner of the land upon which the vegetation is to be planted.</p>
39	<p>Mitigation Measures in the Species Impact Statement and Additional Species Impact Statement</p> <p>The mitigation measures contained in Chapter 7 of the Species Impact Statement (WSP, June 2016) and Chapter 6 of Additional Species Impact Statement (WSP, May 2017) shall be implemented to minimise impacts to biodiversity.</p>

CoA number	Type
40	<p>Biodiversity Offsets Strategy</p> <p>A Biodiversity Offsets Strategy shall be prepared and approved (prior to construction works commencing) in accordance with the requirements of the NSW Office of Environment and Heritage (OEH) Conditions of Concurrence (for both the Species Impact Statement and Additional Species Impact Statement), and the EPBC Approval.</p>
41	<p>Biodiversity Offsets Package</p> <p>A Biodiversity Offsets Package shall be prepared in accordance with the requirements of the NSW Office of Environment and Heritage (OEH) Conditions of Concurrence (for both the Species Impact Statement and Additional Species Impact Statement), and the EPBC Approval.</p>
42	<p>Mahony's Toadlet and Wallum Froglet Conservation Management Plan</p> <p>A Mahony's Toadlet and Wallum Froglet Conservation Management Plan shall be prepared and implemented in accordance with the commitments and requirements of the Additional Species Impact Statement and OEH Conditions of Concurrence for the Additional Species Impact Statement which addresses, as a minimum, the following:</p> <ul style="list-style-type: none"> a) environment induction training b) site hygiene management c) temporary and permanent frog exclusion fencing d) procedures for pre-clearing surveys and relocation e) construction works procedures f) reporting procedures g) retention of onsite habitat h) creation of habitat enhancement areas i) monitoring procedures for onsite conservation areas (inclusive of retained habitat and created habitat). <p>The Conservation Management Plan is to be submitted to the ADEM at least one month prior to the commencement of construction for approval.</p>
Site specific to Riparian Areas	
43	<p>Waterway Crossings</p> <p>Waterway crossings and bridges must be designed and constructed in accordance with Department of Primary Industries' <i>"Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings"</i> (Fairfull and Witheridge, 2003).</p>
44	<p>Scour Protection</p> <p>Natural rock is to be used (e.g. sandstone, dolerite etc) for scour protection, unless otherwise agreed by the ADEM. The use of gabion baskets/ mattresses within creek channels, banks or riparian areas is not permitted.</p> <p>Rock material for scour protection is to be sourced from the local area where material is suitable and available.</p>

CoA number	Type
Property	
45	<p>Property Condition Surveys</p> <p>Subject to landowner agreement, property condition surveys shall be completed prior to piling, excavation or bulk fill or any vibratory impact works including jack hammering and compaction (Designated Works) in the vicinity of the following buildings/structures:</p> <ol style="list-style-type: none"> all buildings/structures/roads within a plan distance of 100 metres from the edge of the Designated Works all heritage listed buildings and other sensitive structures within 50 metres from the edge of the Designated Works. <p>Property condition surveys need not be undertaken if a risk assessment indicates that selected buildings/structures/roads identified in (a) and (b) will not be affected as determined by a qualified geotechnical and construction engineering expert with appropriate registration on the National Professional Engineers Register prior to commencement of Designated Works.</p> <p>Selected potentially sensitive buildings and/or structures shall first be surveyed prior to the commencement of the Designated Works and again immediately upon completion of the Designated Works.</p> <p>All owners of assets to be surveyed, as defined above, are to be advised (at least 14 days prior to the first survey) of the scope and methodology of the survey, and the process for making a claim regarding property damage.</p> <p>A copy of the survey(s) shall be given to each affected owner. A register of all properties surveyed shall be maintained.</p> <p>Any damage to buildings, structures, lawns, trees, sheds, gardens, etc. as a result of construction activity direct and indirect (i.e. including vibration and groundwater changes) shall be rectified at no cost to the owner(s), no later than three months following completion of construction, unless otherwise agreed by the ADEM.</p>
Sustainability	
46	<p>Sustainability Officer</p> <p>A suitably qualified and experienced Sustainability Officer is to be appointed who is responsible for implementing the sustainability objectives of the Project.</p> <p>Details of the Sustainability Officer, including defined responsibilities, duration and resource allocation throughout the appointment, consistent with TfNSW's sustainability objectives are to be submitted to the satisfaction of the Associate Director Sustainability Planning and Development (ADSPD), prior to preparation of the PCSR.</p>
47	<p>Pre-Construction Sustainability Report</p> <p>Prior to commencement of construction, a Pre-Construction Sustainability Report (PCSR) shall be prepared to the satisfaction of the ADSPD. The PCSR shall include the following minimum components:</p> <ol style="list-style-type: none"> a completed electronic checklist demonstrating compliance with TfNSW's <i>NSW Sustainable Design Guidelines Version 3.0</i> (7TP-ST-114) a statement outlining the Proponent's corporate sustainability obligations, goals, targets, in house tools, etc a section specifying a process to identify and progress innovation initiatives on the project as appropriate. The process should identify any areas of innovation that are currently being explored and/or implemented on the Project. <p>A copy of the PCSR shall be submitted to the ADSPD for approval, at least 14 days prior to the commencement of construction (or within such time as otherwise agreed to by the ADSPD).</p>

CoA number	Type
48	<p>Infrastructure Sustainability Council of Australia Ratings</p> <p>The Project must be registered with the Infrastructure Sustainability Council of Australia (ISCA), and the Proponent shall achieve a minimum “Infrastructure Sustainability Rating Tool” overall score of 65 for the ‘Design’, ‘As-built’ and ‘Operating’ components of the Project.</p> <p><i>Note: In the event of any inconsistency between the requirements of the NSW Sustainable Design Guidelines Version 3.0 and ISCA ratings, the more stringent requirements shall apply to the extent of the inconsistency.</i></p>
Traffic and Access	
49	<p>Traffic Management Plan</p> <p>A construction Traffic Management Plan (TMP) shall be prepared as part of the CEMP which addresses, as a minimum, the following:</p> <ul style="list-style-type: none"> a) ensuring adequate road signage at construction work sites to inform motorists and pedestrians of the work site ahead to ensure that the risk of road accidents and disruption to surrounding land uses is minimised b) maximising safety and accessibility for pedestrians and cyclists c) ensuring adequate sight lines to allow for safe entry and exit from the site d) ensuring access to businesses, entertainment premises and residential properties is maintained (unless affected property owners have been consulted and appropriate alternative arrangements made) e) managing impacts and changes to on and off street parking and requirements for any temporary replacement provision f) routes to be used by heavy construction-related vehicles to minimise impacts on sensitive land uses and businesses g) measures to manage traffic flows around the area affected by the Project, including as required regulatory and direction signposting, line marking and variable message signs and all other traffic control devices necessary for the implementation of the TMP. <p>The relevant roads authority shall be consulted during preparation of the TMP, as required. The performance of all Project traffic arrangements are to be monitored regularly during construction, and updated as required.</p>
50	<p>Road Condition Reports</p> <p>Prior to the commencement of construction, or other Project activities that may impact on road condition, road condition surveys and reports on the condition of roads and footpaths affected by construction shall be prepared. Any damage resulting from the construction of the Project, aside from that resulting from normal wear and tear, shall be repaired at no cost to the owner of the asset, no later than three months following completion of construction, unless otherwise agreed by the ADEM.</p>
51	<p>Road Safety Audit</p> <p>A Road Safety Audit would be undertaken as part of the detailed design process and on completion of construction. The Road Safety Audit would include specific assessment of:</p> <ul style="list-style-type: none"> a) sight distances for vehicles exiting or entering the new roundabout on Enterprise Drive/Old Chittaway Road and mitigation measures proposed b) assessment of the Enterprise Drive/Old Chittaway Road intersection and mitigation measures proposed. <p>The Road Safety Audit is to be submitted to and accepted by the TfNSW Project Manager.</p>

CoA number	Type
	Urban Design
52	<p>Urban Design Plan</p> <p>An Urban Design Plan (UDP) shall be prepared which demonstrates design excellence in the essential urban design requirements of the Project, as evident in the following matters:</p> <ul style="list-style-type: none"> a) the appropriateness of the proposed design with respect to the existing surrounding landscape, built form, behaviours and use-patterns (including consideration of Crime Prevention Through Environmental Design principles). This is to include but not be limited to: <ul style="list-style-type: none"> i) connectivity with surrounding local and regional movement networks including street networks, other transport modes and active transport networks. Existing and proposed paths of travel for pedestrians and bicycles should be shown ii) integration with surrounding local and regional open space and or landscape networks. Existing and proposed open space infrastructure/landscape elements should be shown iii) integration with surrounding streetscape including street wall height, active frontages, awnings, street trees, entries, vehicle cross overs etc iv) integration with surrounding built form (existing or desired future) including building height, scale, bulk, massing and land use. Avoiding large expanses of blank walls through the use of varied materials, colours, textures or opening where possible. b) design detail that is sensitive to the amenity and character of the local area and heritage items located within or adjacent to the Project site c) total water management principles to be integrated into the design where considered appropriate d) any other matters which the conditions require the UDP to address. <p>The UDP shall be:</p> <ul style="list-style-type: none"> 1. prepared and submitted to TfNSW with the first design submission and updated and submitted with subsequent design submissions 2. prepared in consultation with council and relevant stakeholders 3. prepared by a registered architect and/or landscape architect who has appropriate and relevant urban design expertise <p>The plan is to be prepared in consultation with TfNSW's Precincts and Urban Design team at the commencement of the design phase.</p>

CoA number	Type
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53 Public Domain Plan

A Public Domain Plan (PDP) shall be prepared which demonstrates design excellence in the essential urban design requirements of the Project, as evident in the following matters:

- a) materials, finishes, colour schemes and maintenance procedures including graffiti control for new walls, barriers and fences
- b) location and design of pedestrian and bicycle pathways, street furniture including relocated bus and taxi facilities, bicycle storage (where relevant), telephones and lighting equipment
- c) landscape treatments and street tree planting to integrate with surrounding streetscape which, at a minimum, must address the following:
 - i) landscape details, including details of soil preparation, mulches, plant selection, plant sizes (planting container and expected final sizes)
 - ii) a schedule which details the landscape maintenance requirements to be implemented for the 12 month period following the commencement of operation
- d) opportunities for public art created by local artists to be incorporated, where considered appropriate, into the Project
- e) total water management principles to be integrated into the design where considered appropriate
- f) design measures included to meet TfNSW's *NSW Sustainable Design Guidelines - Version 3.0* (7TP-ST-114)
- g) identification of design and landscaping aspects that will be open for stakeholder input, as required
- h) any other matters which the conditions require the PDP to address.

The PDP shall be:

1. prepared and submitted to TfNSW with the first design submission and updated and submitted with subsequent design submissions
2. prepared in consultation with council and relevant stakeholders
3. prepared by a registered landscape architect.

The plan is to be prepared in consultation with TfNSW's Precincts and Urban Design team at the commencement of the design phase.

Lighting

54 Lighting Scheme

A lighting scheme for the construction and operation of the Project is to be developed by a suitably qualified lighting designer and prepared in accordance with AS 1158 "Road Lighting" and AS 4282 "Control of the Obtrusive Effect of Outdoor Lighting". The lighting scheme shall address the following as relevant:

- a) consideration of lighting demands of different areas
- b) strategic placement of lighting fixtures to maximise ground coverage
- c) use of LED lighting
- d) minimising light spill by directing lighting into the facility
- e) control systems for lighting that dim or switch-off lights settings according to the amount of daylight the zone is receiving
- f) motion sensors to control low traffic areas
- g) allowing the lighting system to use low light or switch off light settings while meeting relevant lighting Standards requirements, and
- h) ensuring security and warning lighting is not directed at neighbouring properties.

The lighting scheme is to be prepared in consultation with TfNSW's Precincts and Urban Design team at the commencement of the design phase.

CoA number	Type
Air Quality	
55	<p>Dust Management Plan</p> <p>A Dust Management Plan shall be prepared as part of the CEMP which addresses, as a minimum, the following:</p> <ul style="list-style-type: none"> a) details of construction activities likely to generate dust b) details of site-specific mitigation measures c) details of surveys required to measure the dust condition of existing buildings within the vicinity of the Project, including identification of the buildings to be surveyed d) a mechanism for making, recording and responding to air quality complaints e) locations of dust monitors f) procedures for activities to be undertaken in the event of dust level exceedances.
Hydrology, Drainage and Flooding	
56	<p>Flood Impact Assessment</p> <p>The detailed design process shall ensure that the Project will not increase flood levels downstream or upstream of the project site for events up to and including the 1 in 100 year ARI (+ 10% for climate change).</p> <p>As part of this process, and prior to the finalisation of detailed design, a detailed Flood Impact Assessment is to be developed in accordance with the NSW Government's <i>Floodplain Development Manual</i> (Department of Infrastructure, Planning and Natural Resources, 2005), to confirm the potential impacts of the Project on the regional flood and local drainage processes as a result of the detailed design process. The detailed Flood Impact Assessment shall identify management and mitigation measures to be implemented to ensure that flooding impacts are appropriately managed.</p> <p>The flood impact assessment is to be prepared in consultation with Central Coast Council.</p> <p>A copy of the detailed flood impact assessment shall be submitted to the ADEM for approval, prior to completion of the detailed design (or such time as is otherwise agreed to by the ADEM).</p>
57	<p>Groundwater Assessment</p> <p>A detailed Groundwater Assessment is to be developed as part of, but prior to the finalisation of the detailed design process undertaken to confirm the potential impacts of the Project on local and regional groundwater conditions. The Groundwater Assessment shall identify management and mitigation measures to be implemented to ensure that groundwater impacts are appropriately managed.</p> <p>The Groundwater Assessment shall be prepared in consultation with the NSW Office of Water, and Central Coast Council, and include consideration of impacts to adjacent groundwater dependent ecosystems.</p> <p>A copy of the detailed groundwater assessment shall be submitted to the ADEM for approval, prior to completion of the detailed design (or such time as is otherwise agreed to by the ADEM).</p>

CoA number	Type
	Graffiti and Advertising
58	<p>Graffiti and Advertising</p> <p>Hoardings, site sheds, fencing, acoustic walls around the perimeter of the site, and any structures built as part of the Project are to be maintained free of graffiti and advertising not authorised by TfNSW during the construction period. Graffiti and unauthorised advertising will be removed or covered within the following timeframes:</p> <ul style="list-style-type: none"> a) offensive graffiti will be removed or concealed within 24 hours b) highly visible (yet inoffensive) graffiti will be removed or concealed within a week c) graffiti that is neither offensive or highly visible will be removed or concealed within a month d) any unauthorised advertising material will be removed or concealed within 24 hours.

END OF CONDITIONS

Appendix G Environmental Impact Assessment Determination

New Intercity Fleet Maintenance Facility - Alternative Construction Access Routes

APPROVAL

I, LOUISE SUREDA, as delegate of the Secretary, Transport for NSW:

1. Have examined and considered the Modified Activity in the New Intercity Fleet Maintenance Facility - Alternative Construction Access Routes Addendum Review of Environmental Factors and Determination Report in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979*.
2. Determine on behalf of Transport for NSW (the Proponent) that the Modified Activity may be carried out in accordance with the Conditions of Approval in this Determination Report, consistent with the Proposal described in the New Intercity Fleet Maintenance Facility - Alternative Construction Access Routes Addendum Review of Environmental Factors as amended by this Determination Report.



Louise Sureda
Director, Planning and Environment Services
Infrastructure and Services
Transport for NSW

Date: 22-11-18