



Transport Access Program

Waratah Station Upgrade

Determination Report



Artist's impression of Waratah Station Upgrade, indicative only, subject to detailed design



Waratah Station Upgrade Determination Report

**Transport Access Program
Ref 6205578**

Contents

Glossary and abbreviations	4
Executive summary	6
1 Introduction	7
1.1 Background	7
1.2 Review of Environmental Factors	7
1.3 Determination Report	8
1.4 Description of the Proposed Activity in the REF	9
2 Consultation and assessment of submissions	11
2.1 REF public display	11
2.2 REF submissions	11
2.3 Consideration and response to submissions	12
2.4 Future consultation	20
3 Consideration of the environmental impacts	21
4 Conditions of Approval	22
5 Conclusion	23
Environmental Impact Assessment Determination	24
References	25

Appendix A Review of Environmental Factors

Appendix B Conditions of Approval

Figures

Figure 1: Planning approval process	8
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Tables

Table 1: Response to community submissions received	12
Table 2: Response to Newcastle City Council	17
Table 3 Response to the SES	19

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Glossary and abbreviations

Term	Meaning
ADEM	TfNSW Associate Director Environmental Management (or nominated delegate)
CoA	Condition of Approval
CCTV	Closed Circuit Television
Concept design	The concept design is the preliminary design presented in the REF, which would be refined by the Construction Contractor (should the Proposal proceed) to a design suitable for construction (subject to TfNSW acceptance).
Construction Contractor	The Construction Contractor for the Proposed Activity would be appointed by TfNSW to undertake the detailed design and construction of the Proposed Activity
CPTED	Crime Prevention Through Environmental Design
DDA	<i>Disability Discrimination Act 1992 (Cwlth)</i>
Detailed design	Detailed design broadly refers to the process that the Contractor undertakes (should the Proposal proceed) to refine the concept design to a design suitable for construction (subject to TfNSW acceptance).
DSAPT	<i>Disability Standards for Accessible Public Transport (2002)</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
Infrastructure SEPP	<i>State Environmental Planning Policy (Infrastructure) 2007 (NSW)</i>
ISCA	Infrastructure Sustainability Council of Australia
MCA	Multi-Criteria Assessment
NCC	Newcastle City Council
NES	Matters of 'National Environmental Significance' under the EPBC Act
Proponent	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in this instance, TfNSW

Term	Meaning
Proposed Activity	The construction and operation of the Waratah Station Upgrade
REF	Review of Environmental Factors
Roads and Maritime	NSW Roads and Maritime Services (formerly Roads and Traffic Authority)
SES	The State Emergency Service of NSW
SoHI	Statement of Heritage Impact
SSER	Station Services and Equipment Room
TAP	Transport Access Program
TCP	Traffic Control Plan
TfNSW	Transport for NSW (the Proponent)
TGSIs	Tactile Ground Surface Indicators (“tactiles”)
TMP	Traffic Management Plan
UDP	Urban Design Plan

Executive summary

Overview of Proposed 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.

TfNSW is the proponent for the Waratah Station Upgrade (the 'Proposed Activity'), which is part of the Transport Access Program. The program is a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure. This project aims to improve easy access to the station for people who have a disability, limited mobility, parents/carers with prams and customers with luggage.

The Proposed Activity involves installation of three new lifts, provision of an accessible path, improvements to kiss and ride facilities, upgrade of the station services and equipment room (SSER), provision of new accessible toilets and improvement of bus interchange infrastructure. The improvements would assist in supporting public transport use and would provide an improved customer experience for existing and future users of the station.

TfNSW, as the proponent for the Proposed Activity, commissioned RPS to prepare a Review of Environmental Factors (REF) on behalf of TfNSW, which details the scope of works and environmental impacts associated with the Proposed Activity. The REF was prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

Modifications to the Proposed Activity

There have been no changes to the design for the Waratah Station Upgrade since the REF was prepared. Should further design modifications be required as a result of the detailed design process, these modifications would be assessed to determine consistency with the Approved Project, 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 TfNSW, as the Proponent of the Waratah Station Upgrade, to comply with its obligations under Division 5.1 of the EP&A Act and determine whether or not to proceed with the carrying out of the Proposed Activity. TfNSW must make a determination in accordance with the provisions of Division 5.1 of the EP&A Act.

Conclusion

Based on the assessments in the REF and a review of the submissions received from the community and other stakeholders, it is recommended that the Proposed Activity be approved, subject to the mitigation measures included in the REF and the Conditions of Approval. TfNSW will continue to liaise with the community and other stakeholders as the Proposed Activity progresses through detailed design and into the construction phase.

1 Introduction

1.1 Background

The NSW Government is committed to facilitating and encouraging use of public transport, such as trains, by upgrading stations to make them more accessible, and improving interchanges around stations with other modes of transport such as buses, bicycles and cars.

Waratah Station access does not currently meet key compliance requirements of the *Disability Standards for Accessible Public Transport* (DSAPT) or the *Commonwealth Disability Discrimination Act 1992* (DDA) and has been identified for an accessibility upgrade.

The Transport Access Program has been established to provide a better experience for public transport customers across the State by ensuring infrastructure improvements are delivered in a co-ordinated and integrated way. The Transport Access Program ensures the integrated planning and delivery of works with the aim of providing:

- stations that are accessible to those with disabilities, mobility issues, parents/carers with prams and customers with luggage
- modern buildings and facilities for all modes that meet the needs of a growing population
- modern interchanges that support an integrated network and allow seamless transfers between all modes for all customers
- safety improvements including extra lighting, lift alarms, fences and security measures for car parks and interchanges, including stations, bus stops and wharves
- signage improvements so customers can more easily use public transport and transfer between modes at interchanges
- other improvements and maintenance such as painting and new fencing.

TfNSW is the proponent for the Waratah Station Upgrade (referred to as the 'Proposed Activity' for the purposes of this document). The Proposed Activity includes installation of three new lifts, provision of an accessible path, improvements to kiss and ride facilities, upgrade of the station services and equipment room (SSER), provision of new accessible toilets and improvement of bus interchange infrastructure.

The Proposed Activity would ensure that Waratah Station would meet legislative requirements under the *Commonwealth Disability Discrimination Act 1992* (DDA) and the *Disability Standards for Accessible Public Transport 2002* (DSAPT).

1.2 Review of Environmental Factors

A Review of Environmental Factors (REF) was prepared by RPS, on behalf of TfNSW, in accordance with Division 5.1 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 TfNSW takes into account to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the Proposed Activity. A link to the REF is included in Appendix A.

The Waratah Station Upgrade REF was placed on public display from 29 November to 12 December 2018, with 9 submissions received, including one from Newcastle City Council and one from the State Emergency Service (SES). Issues raised in these submissions are addressed in Chapter 2 of this report.

1.3 Determination Report

Prior to carrying out the Proposed Activity, the Secretary for TfNSW must assess and determine the Proposed Activity in accordance with Division 5.1 of the EP&A Act (refer Figure 1).



Figure 1: Planning approval process

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

- examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the Proposed Activity – such matters are detailed in the environmental impact assessment (and any proposed modifications, as detailed and assessed in this Determination Report)
- identify mitigation measures to minimise potential environmental impacts
- determine whether potential environmental impacts are likely to be significant
- address whether the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) apply to the Proposed Activity.

This report has been prepared having regard to, among other things, the objectives of TfNSW 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 Activity in the REF

The Proposed Activity would include works to Waratah Station and the surrounding interchange. The station is located in Waratah, a suburb of Newcastle, around 165 kilometres north of the Sydney Central Business District (CBD). Waratah Station is on the Hunter Line, two stops north-west of Newcastle Interchange.

Waratah Station and the surrounding interchange area do not currently meet key requirements of the *Disability Standards for Accessible Public Transport 2002* (DSAPT) or the *Commonwealth Disability Discrimination Act 1992* (DDA).

The Proposed Activity would provide safe and equitable access to the station platforms and the surrounding pedestrian network and would improve customer facilities and amenity. The improvements would in turn assist in supporting public transport use and would provide an improved customer experience for existing and future users of the station.

An overview of the Proposed Activity, which is the subject of the Waratah Station Upgrade REF, is provided in the Executive Summary with full details set out in Chapter 3 of the REF.

In summary, the Proposed Activity as outlined in the REF comprises:

- installation of a new access ramp and stairs from Platt Street to Platform 2
- installation of three new lifts connecting to the existing footbridge, with awnings for weather protection at the waiting areas
- installation of a new elevated walkway connecting the lift on Platform 1 to the existing footbridge, and localised widening of Platform 1 at the lift location
- refurbishment works to the existing footbridge including: replacement of stair treads and handrails, provision for TGSIs and localised strengthening, repairs and repainting
- works to the existing station building including: provision of a new Family Accessible Toilet and a new unisex ambulant toilet (to replace existing male and female toilets),

works to make the waiting room accessible and work to provide a new Station Services Equipment Room (SSER) including extension of the building

- platform works including localised regrading for accessible paths of travel and boarding points, platform resurfacing and repairs where impacted by construction activities, adjustment to seating and other facilities on the platforms, and TGSi adjustments including for the stairways
- ancillary works including:
 - protection or relocation of services and utilities to accommodate the new works
 - upgrade to the station power supply to cater for the new lifts
 - lighting upgrades required for the new work
 - improvement to station security and communication systems, including CCTV upgrade, public address system and new hearing induction loops within the station platforms)
- modifications to wayfinding and other signage
- transport interchange works including:
 - protection or relocation of services and utilities to accommodate the new works
 - a new accessible parking space on Platt Street
 - upgrade work to provide improved kiss and ride facilities on Platt Street
 - upgrade work to provide improved kiss and ride facilities on Railway Terrace, incorporating the existing taxi zone
 - new bus stop seating in Platt Street and Hanbury Street; and
 - new bicycle racks at the Platt Street station entrance (to replace the existing facility).

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

Construction is expected to commence in early 2019 and take around 18 months to complete.

2 Consultation and assessment of submissions

2.1 REF public display

The Waratah Station Upgrade REF was placed on public display from 29 November to 12 December 2018 at three locations, as well as on the [TfNSW website](#)¹ and the NSW Government [Your Say website](#)²

Community consultation activities undertaken for the public display included:

- one information stall at Waratah Station to allow customers and community members to speak with the project team from 4pm – 6pm on 6 December 2018
- public display of the REF at the Newcastle City Council (282 King Street Newcastle NSW), the Mayfield Library (104 Hanbury Street Mayfield NSW), and the Transport for NSW Office (Level 5, Tower A, Zenith Centre, 821 Pacific Highway, Chatswood)
- placement of an advertisement in the Newcastle Herald on 29 November 2018 outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the TfNSW website, along with details on how to make a submission or attend the information stall
- placement of information on the TfNSW corporate and yoursay websites and NSW Government Your Say website
- 500 flyers handed out at the station and 2000 flyers delivered to local businesses and residents
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the TfNSW website, along with details on how to make a submission was sent to Newcastle City Council as per the consultation requirements under clauses 13, 14 and 15 of the Infrastructure SEPP and the State Emergency Service (SES) (as per clause 15AA of the Infrastructure SEPP).

2.2 REF submissions

A total of 9 submissions were received by TfNSW, including one from Newcastle City Council and one from the State Emergency Service (SES). Submissions included feedback on a range of issues in relation to the Proposed Activity. The key issues raised in submissions were:

- pedestrian and compound traffic safety
- accessible path features
- customer amenities
- accessible parking
- bicycle access and infrastructure
- stormwater and drainage assets.

¹ <https://www.transport.nsw.gov.au/projects/current-projects/waratah>

² yoursay.transport.nsw.gov.au/Waratah

2.3 Consideration and response to submissions

Community submissions

A summary of all issues raised and associated responses is provided in Table 1.

Table 1: Response to community submissions received

No.	Submission no.	Issue/s raised	TfNSW response
1	General		
1.1	W007	Local residents are looking forward to the upgrade. Support for the plans and the provision of accessible transport.	Noted.
1.2	Guide Dogs NSW/ACT	Accessibility improvements are welcomed.	Noted.
1.3	W009	Ongoing meetings with disability access advisors such as the NSW/ACT Guide Dogs specialists should be undertaken.	TfNSW will continue to consult with relevant community stakeholders, where appropriate, in relation to management of construction impacts of the Proposed Activity. (Refer also to Section 2.4)
2	Design		
2.1	W002	Accessible parking could be better on Hanbury Street and Railway Terrace. The proposed accessible space seems to be a long distance from the platform.	The proposed accessible parking location is considered to be the most appropriate based on a multi-criteria analysis. The advantage of the proposed location is that it is located off a busy road, which would make it a safer location for users of the accessible parking space.
2.2	W002	There are concerns regarding placement of the lift and the opal card reader.	The location of proposed opal card readers near the lifts and along the accessible path would be finalised during detailed design in accordance with the relevant codes and standards.
2.3	W002	There must be a ramp installed off Platt Street to make the platform accessible.	The accessible path from Platt Street includes an accessible path to the lift and an accessible walkway to Platform 2.
2.4	W002	There is no public hydration available at the station which is problematic during hot weather.	The family accessible toilet and the ambulant toilet would provide access to potable water from the hand basins during staffed hours. Additional water stations are outside the scope of the TAP for the Proposed Activity. This feedback will be provided to Sydney Trains for their consideration.

No.	Submission no.	Issue/s raised	TfNSW response
2.5	W002	There needs to be widening of platforms to accommodate clearance for wheelchair access.	The design allows for localised platform widening along the accessible path in accordance with relevant codes and standards.
2.6	W003	Consider adding an adult-sized lift/hoist and change station in the upgrade	The installation of an adult-sized lift/hoist to provide a change facility for disabled adults is not a requirement for DSAPT compliance. This feedback will be provided to Sydney Trains for their consideration.
2.7	W003	Consider more than one accessible parking space. The station needs at least three accessible parking spaces.	The Proposed Activity provides for one accessible car parking space to ensure that Waratah Station meets the requirements of DSAPT.
2.8	W003	There are no warning tactiles for the steps off the platform. Tactiles need to be installed on the proposed Platt Street kerb ramp.	The Proposed Activity includes the installation of TGSIs along the accessible path and on the platforms in accordance with the relevant codes and standards.
2.9	W003	Handrails need to extend past the last step.	Upgrades of handrails would be confirmed during detailed design and undertaken in accordance with the relevant codes and standards.
2.10	W004	Station stairs should be redesigned to include a wheel ramp to facilitate use by cyclists.	The focus of the current Transport Access Program is to provide equitable access for customers with a disability and/or who are mobility impaired. Amendment of the existing stairs to include a cycle ramp is outside the scope of the Proposed Activity. Cyclists with heavy bicycles would be able to access both station platforms by using the lifts.
2.11	W004	Consider provision of a cycleway to the station along the rail corridor on the northern side of the track.	The focus of the current Transport Access Program is to provide equitable access to the station for customers with a disability and/or who are mobility impaired. Provision of a cycleway is outside the scope of the Proposed Activity. This feedback will be provided to Newcastle City Council for their consideration.

No.	Submission no.	Issue/s raised	TfNSW response
2.12	W006	Consider more bicycle parking and undercover bicycle parking	The focus of the current Transport Access Program is to provide equitable access for customers with a disability and/or who are mobility impaired. Provision of additional bicycle parking is outside the scope of the Proposed Activity. Bicycle parking requirements are being investigated by TfNSW as part of a separate active transport strategy.
2.13	Guide Dogs NSW/ACT	Consider installing luminance contrast elements such as highlighting on the footbridge handrails, floor surface and surrounding structures. Also consider platform indicator signage adjacent to the stairway access. Also consider high contrast elements for any upgraded waiting shelters for taxis/kiss and ride areas.	Additional contrast/luminance elements on the footbridge are outside the scope of the Proposed Activity. Lighting upgrades would be undertaken where relevant to achieve DSAPT compliance. TGSIs would be installed at the top and bottom of the stairs in accordance with the DSAPT standards to assist in colour contrast. Feedback regarding contrast and luminance elements will be provided to Sydney Trains for their consideration.
2.14	Guide Dogs NSW/ACT	Consider installation of tactile/braille elements at the information point, waiting room entrance and emergency help point to enable customers with vision impairment to use the information and emergency points and the waiting room. Also consider enhancement of the framing/positioning or surrounding of the information point to promote its accessibility.	The information point and the emergency help point will be upgraded to ensure DSAPT compliance.
2.15	Guide Dogs NSW/ACT	Consider amendment of the existing public telephone on Platform 2. The current telephone canopy structure presents an overhang hazard to blind pedestrians.	This information will be provided to Telstra for their consideration.

No.	Submission no.	Issue/s raised	TfNSW response
3	Traffic		
3.1	W001	There is a concern regarding safety of the shared drop off zone (kiss and ride and taxi zone) on Platt Street. Crossing Platt Street is currently challenging due to motorists speeding through the area to bypass traffic lights. More needs to be done to improve pedestrian safety.	The proposed shared zone for the kiss and ride and the taxi zone on Platt Street would be provided with appropriate signage and line marking. The shared zone on Platt Street would be assessed as part of the Road Safety Audit in accordance with Condition of Approval 38. This feedback will be provided to Newcastle City Council for their consideration.
3.2	W003, W008	Request for the bus stop at Platt Street be upgraded stop with a pedestrian crossing instead of the island refuge to improve the connection from the bus to the train.	The focus of the current Transport Access Program is to provide equitable access for customers with a disability and/or who are mobility impaired. Provision of a pedestrian crossing is outside the scope of the Proposed Activity, however, this feedback will be provided to Newcastle City Council for their consideration.
3.3	W005	A better drop off area is needed.	The proposed shared zone improvements on both sides of the station would improve kiss and ride and taxi activity at the station.

No.	Submission no.	Issue/s raised	TfNSW response
3.4	Guide Dogs NSW/ACT	<p>There is a risk that the station will become an island of accessibility with access barriers in the adjacent streetscape.</p> <p>Consider a combined effort between Newcastle City Council, TfNSW, Roads and Maritime and State Government to create accessible pedestrian connectivity between the transport infrastructure and the surrounding area.</p> <p>Specifically:</p> <ul style="list-style-type: none"> • the road crossings on each side of the station and connecting to Turton Road. Note that Market Street (the park access road) is difficult to cross for blind pedestrians using Station Street due to traffic volume and noise • consider traffic configuration to allow for installation of a controlled pedestrian crossing at the intersection of Platt and Station Street. 	<p>The Platt Street and Railway Terrace entrances of the station will have the appropriate TGSIs installed. The focus of the current Transport Access Program is to ensure the station has equitable access for customers. Installation of a controlled pedestrian crossing and upgrade of the pedestrian crossing on Hanbury Street are outside the scope of the Proposed Activity. This feedback will be provided to Newcastle City Council and Roads and Maritime for their consideration.</p>
4	Construction impacts		
4.1	W009	<p>Disabled access to the station needs to be managed during the construction stage of the Proposed Activity. Consider the provision of portable ramps and hi-vis barriers and signage to direct customers around the work site safely.</p>	<p>Safe access to the station will be a priority during construction. Safe access will be maintained by the Construction Contractor throughout the construction stage. Temporary measures to allow continued safe accessible entry to the station will be implemented during construction. Customers with specific access requirements should contact the Project Infoline (1800 684 490) or Transport Info (131 500) for transport advice and alternatives.</p>

Other stakeholder submissions

Table 2 and Table 3 outline issues raised by Newcastle City Council and the SES in their submissions, along with TfNSW's response.

Table 2: Response to Newcastle City Council

Issue no.	Issue/s raised	TfNSW response
1	Traffic transport and access	
1.1	The proposed location of the construction compound [access] at the intersection of Platt and Station Street is unsafe due to constrained sight lines and high volume of traffic. It is preferred that TfNSW use the existing rail corridor access point opposite 14 Platt Street as the entry/exit for the construction compound.	A separate entry and exit to and from the construction compound are preferred. The location of the adjacent Hunter Water Corporation culvert restricts the location for an additional access point. The works will be undertaken in accordance with TfNSW's safety requirements, which would require a Traffic Management Plan and adequate controls to be in place prior to the works taking place. Further consultation would occur with Newcastle City Council during finalisation of the Construction Traffic Management Plan in accordance with Condition of Approval 36.
1.2	The Railway Terrace kiss and ride/taxi facility is located on a State Road (B63) under the control of the Road and Maritime. A Roads and Maritime Road Occupancy License must be obtained for any proposed traffic control, pedestrian diversion and crane lifts. For any works on Platt Street, appropriate approvals from Newcastle City Council must be obtained.	TfNSW will continue to consult with Newcastle City Council and the Roads and Maritime in relation to any further road and traffic related approvals or licenses prior to relevant works commencing.
1.3	The 19-metre long articulated vehicle swept paths indicate that the vehicle would mount the refuges and would require replacing them with mountable kerbs. Any changes to the road infrastructure are to be discussed and approved through Newcastle City Council's Traffic and Asset Management teams before implementation.	TfNSW will continue to consult with Newcastle City Council in relation to applicable road infrastructure approvals prior to works commencing.
1.4	Any changes to on street parking restrictions and signage such as the proposed accessible car parking space and the kiss and ride etc will need to be approved by the Newcastle City Traffic Committee (NCTC). TfNSW is to submit proposed plans to Newcastle City Council's Traffic Team for inclusion in the NCTC meeting agenda for consideration and approval before implementation.	As per 1.3 above.

Issue no.	Issue/s raised	TfNSW response
2	Drainage	
2.1	In relation to stormwater and flooding, Newcastle City Council would expect to be consulted during the detailed design phase.	Stormwater and drainage arrangements would be confirmed during further consultation with Newcastle City Council.
2.2	A dilapidation report in relation to stormwater and drainage assets will be required both pre and post construction. Newcastle City Council have a number of stormwater lines entering the Hunter Water Corporation culvert (plan provided). If any works are carried out on footpaths or roads around these stormwater assets it is requested that the stormwater lines be renewed at the same time.	TfNSW would undertake road and property condition surveys prior to commencement of works as required (subject to the results of a risk assessment). Structures would be rectified where necessary (refer to Condition of Approval 23). Renewal of Council's stormwater assets is not part of the scope of works.
2.3	The open stormwater channel located off Platt Street adjacent to the station is a Hunter Water Corporation (HWC) culvert.	Noted. Where required, Hunter Water Corporation would be consulted in regard to protection of their assets.
3	Design	
3.1	The Proposal includes installation of DSAPT compliant bus stop seating at the two bus stops on Hanbury Street. TfNSW is to submit proposed plans to Newcastle City Council's Asset Management team for review and approval before implementation.	TfNSW will continue to consult with Newcastle City Council in relation to any applicable approvals prior to works commencing.

Table 3: Response to the SES

Issue no.	Issue/s raised	TfNSW response
1	Flooding risk	
1.1	The proposed station upgrade does not contribute to increasing flood risk. However, any improvements that TfNSW can make to reduce the flood risk at the station will benefit the community. The SES encourages TfNSW pursue site design and stormwater management that minimises any risk to the community.	Noted. Preliminary hydrological assessments have been undertaken as part of the design process. Stormwater, drainage design and potential flooding risks were considered and integrated into the design where required. Further hydrological assessment would be undertaken during detailed design.
1.2	TfNSW should ensure that station users are aware of the flood risk. An appropriate business emergency plan can assist in emergency preparation, response and recovery.	Emergency preparation and response at Waratah Station during the Proposed Activity will be communicated to Construction Contractor personnel during site inductions. Flood risk information would be included in the site CEMP in accordance with Condition of Approval 12. Flood risk information would also be included on the environmental control maps shown across the construction site in accordance with Condition of Approval 15. This information will be passed on to Sydney Trains/NSW TrainLink with respect to the operational management of the station.

2.4 Future consultation

Should TfNSW proceed with the Proposed Activity, consultation activities would continue, including consultation with Newcastle City Council regarding design and construction activities. In addition TfNSW would notify residents, businesses and community members in the lead up to and during construction. The community engagement activities would help to ensure that:

- local council and other relevant stakeholders have an opportunity to provide feedback on the detailed design, where appropriate
- the community and stakeholders are notified in advance of any upcoming works including works that are likely to impact the community such as changes to pedestrian or traffic access arrangements and construction activities outside of standard construction hours
- accurate and accessible information is made available
- a timely response is given to enquiries and concerns raised by the community
- feedback from the community is encouraged.

The [TfNSW email address](mailto:projects@transport.nsw.gov.au)³ and TfNSW 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 via doorknocks, would continue to occur. The [TfNSW website](https://www.transport.nsw.gov.au/projects/current-projects/waratah)⁴ would also include updates on the progress of construction.

³ projects@transport.nsw.gov.au

⁴ <https://www.transport.nsw.gov.au/projects/current-projects/waratah>

3 Consideration of the environmental impacts

Environmental Planning and Assessment Act 1979

The REF and this Determination Report have been prepared to address the requirements of sections 5.5 and 5.7 of the EP&A Act.

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

In respect of the Proposed 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 Proposed Activity has been assessed in accordance with the then NSW Department of Planning's 1995 best practice guideline [*Is an EIS Required?*](#)⁵ It is concluded that the Proposed Activity is 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 5.2 of the EP&A Act is not required.

Environment Protection and Biodiversity Conservation Act 1999

As part of the consideration of the Proposed 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 Appendix A of the REF.

It is considered that the Proposed Activity described in the REF is 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.

⁵ Refer to the National Library of Australia's 'Trove' website
<http://trove.nla.gov.au/work/7003034?selectedversion=NBD11474648>

4 Conditions of Approval

If approved, the Proposed Activity would proceed subject to the Conditions of Approval included in Appendix B.

5 Conclusion

Having regard to the assessment in the REF and consideration of the submissions received, it can be concluded that the Proposed Activity is 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 5.2 of the EP&A Act.

It is also considered that the Proposed Activity does not trigger any approvals under Part 3 of the EPBC Act.

The Proposed Activity would provide a series of benefits to the community including:

- a station that is more accessible to customers with a disability, limited mobility and parents/carers with prams in line with DSAPT and DDA requirements
- improved and equitable access to Waratah Station for customers through the installation of lifts, accessible pathway and improved interchange infrastructure
- improved station amenity and safety for customers at the station resulting from the installation of accessible toilet facilities and CCTV.

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

Environmental Impact Assessment Determination

WARATAH STATION UPGRADE

APPROVAL

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

1. Have examined and considered the Proposed Activity in the Waratah Station Upgrade Review of Environmental Factors (November, 2018) and the Waratah Station Upgrade Determination Report (January, 2019) 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 Proposed Activity may be carried out in accordance with the Conditions of Approval in this Determination Report (January, 2019), consistent with the Proposal described in the Waratah Station Upgrade Review of Environmental Factors (November, 2018) as amended by this Determination Report (January, 2019).



Louise Sureda
Director Planning and Environment
Infrastructure and Place
Transport for NSW

Date: 29 January 2019

References

RPS, 2018. *Waratah Station Upgrade – Review of Environmental Factors*, RPS Sydney

TfNSW, 2016, *Vegetation Offset Guide*, Sydney

Appendix A Review of Environmental Factors

Please refer to the TfNSW website to access the Waratah Station Upgrade REF:

<https://www.transport.nsw.gov.au/projects/current-projects/waratah-station-upgrade>

Appendix B Conditions of Approval

CONDITIONS OF APPROVAL

Waratah Station Upgrade

Note: these conditions of approval must be read in conjunction with the final mitigation measures in the Waratah Station Upgrade Review of Environmental Factors.

Schedule of acronyms and definitions used:

Acronym	Definition
ADEIA	Associate Director Environmental Impact Assessment (or nominated delegate)
ADEM	Associate Director Environmental Management (or nominated delegate)
ADSPD	Associate Director Sustainability, Planning & Development (or nominated delegate)
CECR	Construction Environmental Compliance Report
CEMP	Construction Environmental Management Plan
CLP	Community Liaison Plan
CMP	Contamination Management Plan
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> .
EMR	Environmental Management Representative
EMS	Environmental Management System
ISCA	Infrastructure Sustainability Council of Australia
ISO	International Standards Organisation
LED	Light Emitting Diode
OEH	NSW Office of Environment and Heritage
OOHWP	Out of Hours Works Protocol
PCSR	Pre-Construction Sustainability Report
PDP	Public Domain Plan
POCR	Pre-Operational Compliance Report

Acronym	Definition
REF	Review of Environmental Factors
Roads and Maritime	NSW Roads and Maritime Service
SES	State Emergency Service
TfNSW	Transport for NSW
TMP	Traffic Management Plan
UDP	Urban Design Plan

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 ADEM 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), unless otherwise agreed by the ADEM).
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.
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 Waratah Station Upgrade as described in the Environmental Impact Assessment.
Proponent	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in the case of the Project, Transport for NSW.
Reasonable	Selecting reasonable measures from those that are feasible involves making a judgment to determine whether the overall benefits outweigh the overall adverse social, economic and environmental effects, including the cost of the measure.

Conditions of approval

No	Condition
	General
1.	<p>Terms of Approval</p> <p>The Project shall be carried out generally in accordance with the environmental impact assessment (EIA) for this Project, which comprises the following documents:</p> <ol style="list-style-type: none"> a) <i>Waratah Station Upgrade – Review of Environmental Factors</i>, (RPS, November 2018) b) <i>Waratah Station Upgrade – Determination Report</i>, (RPS, January 2019). <p>In the event of an inconsistency between these conditions and the EIA, these conditions will prevail to the extent of the inconsistency.</p>
2.	<p>Project Modifications</p> <p>Any modification to the project as approved in the EIA would be subject to further assessment. This assessment would need to demonstrate that any environmental impacts resulting from the modifications have been minimised. 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.</p>
3.	<p>Statutory Requirements</p> <p>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.</p>
4.	<p>Pre-Construction Environmental Compliance Matrix</p> <p>A Pre-Construction Environmental Compliance Matrix (PECM) for the Project (or such stages of the Project as agreed to by the Associate Director Environmental Management (ADEM)) 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.</p> <p>A copy of the PECM shall be submitted to the ADEM for approval, at least 21 days prior to commencement of construction of the Project (or within such time as otherwise agreed to by the ADEM).</p>
5.	<p>Construction Environmental Compliance Report</p> <p>The Proponent shall prepare a construction environmental compliance report (CECR) which addresses the following matters:</p> <ol style="list-style-type: none"> (a) compliance with the construction environmental management plan (CEMP) and these conditions (b) compliance with Infrastructure Sustainability Council of Australia (ISCA) Infrastructure Sustainability Rating Scheme (v1.2) (c) compliance with any approvals or licences issued by relevant authorities for construction of the Project (d) 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) (e) environmental monitoring results, presented as a results summary and analysis (f) details of the percentage of waste diverted from landfill and the percentage of spoil beneficially reused (g) 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) (h) details of any review and amendments to the CEMP resulting from construction during the reporting period (i) any other matter as requested by the ADEM.

	<p>The Proponent shall:</p> <ol style="list-style-type: none"> i. submit a copy of the CECR 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 CECR ii. submit a copy of the CECR to the ADEM (or nominated delegate) for approval upon completion of the EMR review period. <p>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 six 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 Proponent shall:</p> <ol style="list-style-type: none"> (a) submit a copy of the POCR 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 POCR. (b) upon completion of the EMR review period submit a copy of the POCR to the ADEM (or nominated delegate) 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).
7.	<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 the Proponent during the construction period. Graffiti and unauthorised advertising will be removed or covered within the following timeframes:</p> <ol 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.
	Communications
8.	<p>Community Liaison Management Plan</p> <p>A Community Liaison Management Plan (CLMP) will be developed by the Construction Contractor 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 CLMP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> (a) details of the protocols and procedures for disseminating information and liaising with the community and other key stakeholders about construction activities (including timing and staging) and any associated impacts during the construction period (b) details of any community engagement activities required to consult with relevant stakeholders during detailed design (c) stakeholder and issues identification and analysis (d) procedures for dealing with complaints or disputes and response requirements, including advertising the 24 hour construction response line number (e) details (including a program) of training for all employees, contractors and sub-contractors on the requirements of the CLMP. <p>Sub-plans to the CLMP will be developed as required. These sub-plans will detail site-specific consultation and communication requirements for construction works that may impact residents, other stakeholders and businesses. They will also identify further mitigation measures and processes to reduce construction impacts.</p>

	The CLMP shall be prepared to the satisfaction of the Director Community Engagement (or nominated delegate) prior to the commencement of construction and implemented, reviewed and revised as appropriate during construction of the Project.
9.	<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 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 seven (7) days prior to such works being undertaken or other period as agreed to by the Director Community Engagement (or nominated delegate) or as required by Environment Protection Authority (EPA) (where an environment protection licence (EPL) is in effect).</p>
10.	<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. <p>All documents uploaded to the website must be compliant with the <i>Web Content Accessibility Guidelines 2.0</i>.</p>
11.	<p>Complaints management</p> <p>The Proponent shall set up a 24 hour construction response line number.</p> <p>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 two (2) hours during all times construction is being undertaken and within 24 hours during non-construction times (unless the complainant agrees otherwise). 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 seven (7) calendar days for verbal and/or written complaints.</p> <p>Information on all complaints received during the previous 24 hours shall be forwarded to the TfNSW Community Engagement Manager and the TfNSW Environment and Planning Manager each working day.</p>
Environmental Management	
12.	<p>Construction Environmental Management Plan</p> <p>A Construction Environmental Management Plan (CEMP) prior to commencement of construction 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

	<p>(k) sustainability (l) environmental incident reporting and management procedures (m) non-compliance and corrective/preventative action procedures</p> <p>The CEMP shall:</p> <ol 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. <p>The Proponent shall:</p> <ol style="list-style-type: none"> 1. consult with government agencies and relevant service/utility providers as part of the preparation of the CEMP 2. submit a copy of the CEMP to the EMR for review 3. submit a copy of the CEMP to the ADEM (or nominated delegate) for approval 4. review and update the CEMP at regular intervals, and in response to any actions identified as part of the EMR's audit of the document 5. ensure updates to the CEMP are 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>
<p>13.</p>	<p>Environment Personnel</p> <p>Suitably qualified and experienced environmental management personnel shall be available and be responsible for implementing the environmental objectives for the Project, including undertaking regular site inspections, preparation of environmental documentation and ensuring the Project meets the requirements of the Environmental Management System (EMS).</p> <p>Details of the environmental personnel, including relevant experience, defined responsibilities and resource allocation throughout the project (including time to be spent on-site/off-site) are to be submitted for the approval of the ADEM, at least 21 days prior to commencement of construction of the Project (or within such time as otherwise agreed to by the ADEM).</p> <p>Any adjustments to environmental resource allocations (on-site or off-site) are to be approved by the ADEM.</p>
<p>14.</p>	<p>Environmental Management Representative</p> <p>Prior to the commencement of construction, the ADEM shall appoint an 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> <ol 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

	<ul style="list-style-type: none"> (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>
<p>15.</p>	<p>Environmental Controls Map</p> <p>The Proponent shall prepare an Environmental Controls Map (ECM) in accordance with TfNSW's <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>The Proponent shall submit a copy of the ECM 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 (or nominated delegate) 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. 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>
Hours of Work	
<p>16.</p>	<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 5dBA 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 (or nominated delegate) and considered essential to the Project, or as approved by EPA (where an EPL is in effect).
<p>17.</p>	<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 nominated delegate), 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	
18.	<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 and Vibration Strategy (7TP-ST-157)</i> and the EPA <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009). The mitigation measures shall include, but not necessarily 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 environmental impact assessment) (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 16 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 nominated delegate) or as approved by EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with the TfNSW <i>Construction Noise and Vibration Strategy (7TP-ST-157)</i> (f) a description of how the effectiveness of actions and measures shall be monitored during the proposed works, identification of 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.
19.	<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> (DEC 2006). <p>These limits apply unless otherwise approved by the ADEM through the CEMP.</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>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>
22.	<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>
23.	<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>

	<p>(a) all buildings/structures/roads within a plan distance of 50 metres from the edge of the Designated Works</p> <p>(b) all heritage listed buildings and other sensitive structures within 100 metres from the edge of the Designated Works.</p> <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).</p>
	Flora and Fauna
24.	<p>Replanting Program</p> <p>All cleared vegetation shall be offset in accordance with TfNSW's <i>Vegetation Offset Guide (9TP-SD-087)</i>. 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>
25.	<p>Removal of Trees or Vegetation</p> <p>Separate approval, in accordance with TfNSW's <i>Application for Removal or Trimming of Vegetation Application (9TP-SD-078)</i>, is required for the trimming, cutting, pruning or removal of trees or vegetation where the impact has not already been identified 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>
	Contamination and Hazardous Materials
26.	<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> (OEH, 2011).</p> <p>The Proponent shall:</p> <p>(a) submit a copy of any contamination report 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</p> <p>(b) submit a copy of the report to the ADEM for consideration upon completion of the EMR review period. The ADEM shall determine whether consultation with the relevant council and/or EPA is required prior to continuation of construction works within the affected area.</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 26 and Condition 27.</i></p>
27.	<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</p>

	<p>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 WorkCover 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 26 and Condition 27.</i></p>
28.	<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 Guidelines (9TP-SD-066)</i> and Australian and ISO standards. These measures shall include:</p> <ul style="list-style-type: none"> (a) 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 (b) 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 (c) all hazardous materials spills and leaks to be reported to site managers and actions to be immediately taken to remedy spills and leaks (d) training in the use of spill kits to be given to all personnel involved in the storage, distribution or use of hazardous materials.
29.	<p>Hazardous materials survey</p> <p>A hazardous materials survey in accordance with AS2601 (2001) <i>Demolition of Structures</i> would be undertaken by an appropriately qualified environmental scientist prior to the demolition of portions of the Station Services and Equipment Room (SSER) and adjacent areas.</p> <p>Subsequent removal of any hazardous material is to be undertaken in accordance with applicable EPA and SafeWork NSW guidelines.</p>
	Erosion and Sediment Control
30.	<p>Erosion and Sediment Control</p> <p>Soil and water management measures shall be prepared as part of the CEMP for the mitigation of water quality impacts during construction of the Project. The management measures shall be prepared in accordance with <i>Managing Urban Stormwater; Soils and Construction 4th Edition</i> (Landcom, 2004).</p>
	Lighting
31.	<p>Lighting scheme</p> <p>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 "<i>Road Lighting</i>" and AS 4282 "<i>Control of the Obtrusive Effect of Outdoor Lighting</i>". The lighting scheme shall address the following as relevant:</p> <ul style="list-style-type: none"> (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 rail corridor

	<p>(e) control systems for lighting that dim or switch-off lights settings according to the amount of daylight the zone is receiving</p> <p>(f) motion sensors to control low traffic areas</p> <p>(g) allowing the lighting system to use low light or switch off light settings while meeting relevant lighting Standards requirements, and</p> <p>(h) ensuring security and warning lighting is not directed at neighbouring properties.</p> <p>The proposed lighting scheme is to be submitted to and accepted by the TfNSW Urban Design Team.</p>
Sustainability	
32.	<p>Sustainability Officer</p> <p>The Proponent shall appoint a suitably qualified and experienced sustainability officer who is responsible for implementing sustainability objectives for the Project.</p> <p>Details of the sustainability officer, including defined responsibilities, duration and resource allocation throughout the appointment consistent with the Proponent's sustainability objectives are to be submitted to the satisfaction of the ADSPD prior to preparation of the PCSR.</p>
33.	<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 Report shall include the following minimum components:</p> <p>(a) a completed electronic checklist demonstrating compliance with ISCA Infrastructure Sustainability Rating Scheme (v1.2)</p> <p>(b) a statement outlining the Proponent's own corporate sustainability obligations, goals, targets, in house tools, etc</p> <p>(c) 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> <p>The Proponent shall submit a copy of the PCSR 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>
Urban design and landscaping	
34.	<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> <p>(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:</p> <ol 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 <p>(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</p> <p>(c) total water management principles to be integrated into the design where considered appropriate</p> <p>(d) consideration of the design refinements listed below during design development to maximise the urban design outcomes of the Project, along with a justification if any of the below is unable to be progressed:</p>

	<ul style="list-style-type: none"> i. selection of appropriate materials and colour finishes for new elements of the Project to minimise visual impacts and enhance the overall appearance ii. consideration of the selection and location of new tree plantings that may provide partial screening <p>(e) any other matters which the conditions require the UDP to address.</p> <p>The UDP shall be:</p> <ol style="list-style-type: none"> 1. prepared and submitted to TfNSW with the first design submission and updated and submitted for subsequent design submissions 2. prepared in consultation with councils and relevant stakeholders 3. prepared by a registered architect and/or landscape architect who has appropriate and relevant urban design expertise 4. endorsed by TfNSW Urban Design team
35.	<p>Public Domain Plan</p> <p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> i. landscape details, including details of soil preparation, mulches, plant selection, plant sizes (planting container and expected final sizes) ii. selection and location of new tree plantings that may provide partial screening of the station from surrounding receivers and facilitate improved amenity iii. a schedule which details the landscape maintenance requirements to be implemented for the 12 month period following the commencement of operation (f) opportunities for public art created by local artists to be incorporated, where considered appropriate, into the Project (d) total water management principles to be integrated into the design where considered appropriate (e) design measures included to meet the ISCA Infrastructure Sustainability rating Scheme (v1.2) (f) identification of design and landscaping aspects that will be open for stakeholder input, as required (g) any other matters which the conditions require the PDP to address. <p>The PDP shall be:</p> <ol style="list-style-type: none"> 1. prepared and submitted to TfNSW with the first design submission and updated and submitted for subsequent design submissions 2. prepared in consultation with councils and relevant stakeholders 3. prepared by a registered landscape architect 4. endorsed by TfNSW Urban Design team
Traffic and Access	
36.	<p>Traffic Management Plan</p> <p>The Proponent shall prepare a construction traffic management plan (TMP) 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

	<p>(d) ensuring access to railway stations, businesses, entertainment premises and residential properties (unless affected property owners have been consulted and appropriate alternative arrangements made)</p> <p>(e) managing impacts and changes to on and off street parking and requirements for any temporary replacement provision</p> <p>(f) parking locations for construction workers away from stations and busy residential areas and details of how this will be monitored for compliance</p> <p>(g) routes to be used by heavy construction-related vehicles to minimise impacts on sensitive land uses and businesses</p> <p>(h) details for relocating kiss-and-ride, taxi ranks and rail replacement bus stops if required, including appropriate signage to direct patrons, in consultation with the relevant bus operator. Particular provisions should also be considered for the accessibility impaired.</p> <p>(i) 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> <p>The Proponent shall consult with the relevant roads authority during preparation of the TMP, as required. The performance of all Project traffic arrangements must be monitored during construction.</p>
37.	<p>Road Condition Reports</p> <p>Prior to construction commencement, the Proponent shall prepare road condition surveys and reports on the condition of roads and footpaths affected by construction. Any damage resulting from the construction of the Project, aside from that resulting from normal wear and tear, shall be repaired at the Proponent's expense.</p>
38.	<p>Road Safety Audit</p> <p>A Road Safety Audit would be undertaken as part of the detailed design process. The Road Safety Audit would include specific assessment of:</p> <p>(a) sight distances for vehicles near the intersection of Platt Street and Railway Terrace, the shared zones on Platt Street and Railway Terrace and mitigation measures proposed</p> <p>(b) assessment of the Platt Street and Railway Terrace intersection, the proposed DDA parking space on Platt Street and the shared zones on Platt Street and Railway Terrace and mitigation measures proposed</p> <p>The Road Safety Audit is to be submitted to and accepted by TfNSW.</p>
	<p>Heritage management</p>
39.	<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 TfNSW Environment and Planning Manager shall be immediately notified to coordinate a response, which may include seeking appropriate advice from a suitably qualified and experienced heritage advisor (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 advisor.</p>

END OF CONDITIONS