

# Transport Access Program

## Niagara Park Station Upgrade

### Determination Report



*Artist's impression of the proposed Niagara Park Station Upgrade, subject to detailed design*



# **Niagara Park Station Upgrade – Determination Report**

**Transport Access Program**

**Ref – 6472234**

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Document control	
<b>Status:</b>	Draft
<b>Date of issue:</b>	July 2020
<b>Revision:</b>	1.0
<b>Document author:</b>	SNC-Lavalin Atkins
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## Glossary and abbreviations

Term	Meaning
<b>AS</b>	Australian Standards
<b>BAZ</b>	Boarding Assistance Zone
<b>CCC</b>	Central Coast Council
<b>CCTV</b>	Closed Circuit Television
<b>CEMP</b>	Construction Environmental Management Plan
<b>CLMP</b>	Community Liaison Management Plan
<b>CoA</b>	Condition of Approval
<b>Concept design</b>	The concept design is the preliminary design presented in the REF, which would be refined by the Construction Contractor (should the Proposed Activity proceed) to a design suitable for construction (subject to TfNSW acceptance).
<b>Construction Contractor</b>	The Construction Contractor for the Proposed Activity would be appointed by TfNSW to undertake the detailed design and construction of the Proposed Activity.
<b>CPTED</b>	Crime Prevention Through Environmental Design
<b>DDA</b>	<i>Disability Discrimination Act 1992</i> (Cwlth)
<b>Detailed design</b>	Detailed design broadly refers to the process that the Construction Contractor undertakes (should the Proposed Activity proceed) to refine the concept design to a design suitable for construction (subject to TfNSW acceptance).
<b>Determination Report</b>	This document – a report prepared by TfNSW to assess and address certain matters to allow for a determination of the Proposed Activity under, and in accordance with Division 5.1 of the EP&A Act.
<b>DSAPT</b>	<i>Disability Standards for Accessible Public Transport (2002)</i>
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i> (NSW)
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwlth)
<b>Infrastructure SEPP</b>	<i>State Environmental Planning Policy (Infrastructure) 2007</i> (NSW)
<b>LGA</b>	Local Government Area
<b>NES</b>	Matters of 'National Environmental Significance' under the EPBC Act
<b>NSW</b>	New South Wales
<b>PDP</b>	Public Domain Plan
<b>Proponent</b>	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in this instance, TfNSW.
<b>Proposed Activity</b>	The construction and operation of the Niagara Park Station Upgrade
<b>REF</b>	Review of Environmental Factors
<b>SES</b>	State Emergency Service
<b>TfNSW</b>	Transport for NSW (the Proponent)
<b>UDP</b>	Urban Design Plan



# Executive summary

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## Overview of Proposed Activity

The Transport Access Program is a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure. The program provides:

- stations that are accessible to people with disabilities, are less mobile, 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 transport modes for all customers
- safety improvements including extra lighting, help points, fences and security measures for car parks and interchanges, including stations, bus stops and wharves.

Niagara Park Station has been identified for an accessibility upgrade as it does not currently meet key requirements of the *Disability Standards for Accessible Public Transport* (DSAPT) or the Commonwealth *Disability Discrimination Act 1992* (DDA). The proposed upgrade would provide:

- three new lifts (and lift landings) connecting the existing footbridge to the two commuter car parks and the platform
- an accessible parking space and a new kiss and ride space within each of the two commuter car parks
- a new accessible path through the western commuter car park to the bus stop on Railway Crescent
- pedestrian crossing markings from the proposed accessible path across the western commuter car park to link with the existing path to Niagara Park Shopping Centre
- five new bicycle parking hoops
- modifications to the platform including relocation and provision of additional fencing and, localised platform resurfacing works
- upgrades to stairs, nosings (non-slip angle applied to front edge of stair), and handrails
- lighting and closed-circuit television (CCTV) cameras to provide coverage to meet security standards for new infrastructure
- ancillary work including electrical upgrades to support new infrastructure, installation of platform hearing loops, service relocation, opal card reader relocation, drainage works, wayfinding signage and, relocation of bins and furniture.

Transport for NSW (TfNSW), as the Proponent for the Proposed Activity, has undertaken a Review of Environmental Factors (REF) that details the scope of works and environmental impacts associated with the Proposed Activity. The REF was prepared by SNC-Lavalin Atkins on behalf of TfNSW 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**

Since the public display of the REF there has been a change to the proposed design, the proposed freestanding canopy over the Boarding Assistance Zone (BAZ) has been removed from scope. The additional BAZ canopy was a desirable item but not required for compliance with the *Disability Discrimination Act 1992* or the *Disability Standards for Accessible Public Transport 2002* and by locating the BAZ's close to the existing canopy we can meet the TfNSW directive to have a canopy within proximity to the BAZ.

The impacts associated with the design changes have been considered in accordance with clause 228 of the EP&A Regulation (refer to Chapter 3).

Should further design modifications be required as a result of the detailed design process, these modifications would be assessed to determine consistency with the Conditions of Approval for the Proposed 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 TfNSW, as the Proponent of the Niagara Park 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.

This report also presents a summary of the submissions provided during the public display of the REF, and TfNSW's response to the issues and comments raised in these submissions.

## **Conclusion**

Based on the assessments in the REF, consideration of the submissions received and the design changes subsequent to the public display of the REF, it is recommended that the Proposed Activity be approved, subject to the mitigation measures included in the REF and the proposed Conditions of Approval (refer Appendix B). 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

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## 1.1. Background

The Transport Access Program is a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure. The program provides:

- stations that are accessible to people with disabilities, are less mobile, 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 transport modes for all customers
- safety improvements including extra lighting, help points, fences and security measures for car parks and interchanges, including stations, bus stops and wharves.

Niagara Park Station has been identified for an accessibility upgrade as it does not currently meet the key requirements of the *Commonwealth Disability Discrimination Act 1992* (DDA) and the *Disability Standards for Accessible Public Transport 2002* (DSAPT).

The station entrances to the platform do not facilitate access for people with reduced mobility, parents/carers with prams or customers with luggage. Currently there are no accessible parking spaces, no lift facilities and no accessible path of travel to the bus stop on Railway Crescent.

TfNSW is the Proponent for the Niagara Park Station Upgrade (referred to as the 'Proposed Activity' for the purposes of this document). Also refer to Section 1.4 for a description of the Proposed Activity.

## 1.2. Review of Environmental Factors

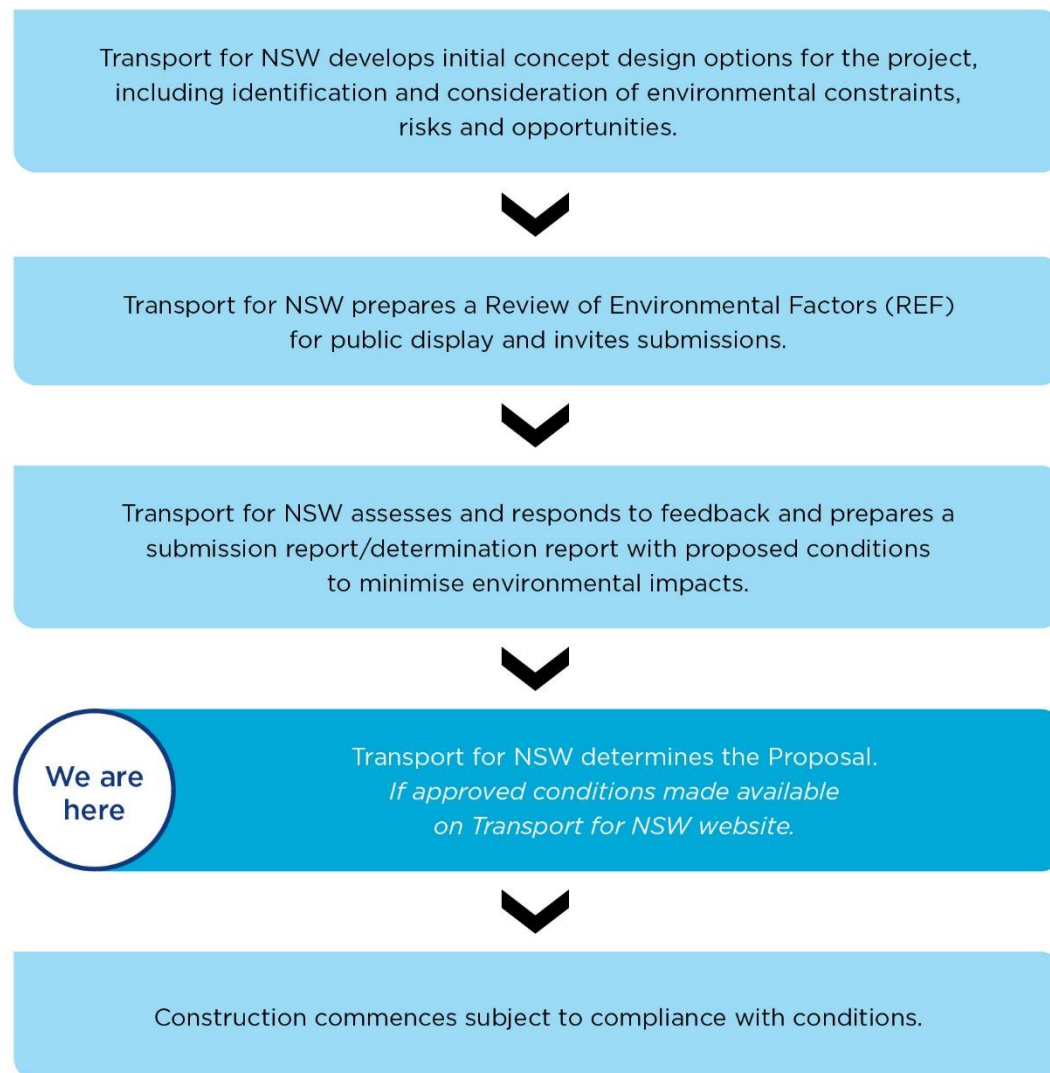
A Review of Environmental Factors (REF) has been prepared by SNC-Lavalin Atkins on behalf of TfNSW in accordance with Sections 5.5 and 5.7 of the *Environmental Planning and Assessment 1979* (EP&A Act), and clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), to 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. The REF is included at Appendix A.

The Niagara Park Station Upgrade REF was placed on public display from 20 May 2020 to 3 June 2020, with 25 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 Proposed Activity, the Secretary for TfNSW must make a determination 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:

- present a summary of the submissions received during the public display of the REF and TfNSW's response to the issues and comments raised in these submissions
- assess the environmental impacts with respect to the Proposed Activity, which 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 provide an efficient and accountable framework for the governance of the delivery of transport services
- b) to promote the integration of the transport system
- c) to enable effective planning and delivery of transport infrastructure and services
- d) to facilitate the mobilisation and prioritisation of key resources across the transport sector
- e) to co-ordinate the activities of those engaged in the delivery of transport services
- f) to maintain independent regulatory arrangements for securing the safety of transport services.

#### **1.4. Description of the Proposed Activity in the REF**

The Proposal is located in the suburb of Niagara Park, within the Central Coast Council (CCC) Local Government Area (LGA). Niagara Park Station is approximately 86 kilometres from Central Station, Sydney, and about five kilometres north of Gosford Station. Niagara Park is serviced by the Central Coast and Newcastle Line of the Intercity Trains Network.

The Proposal would provide safe and equitable access to the platforms and to the bus and pedestrian network surrounding the station. The Proposal would improve accessibility of the station in line with the requirements of the DDA and the DSAPT. The upgrades would provide an improved customer experience for existing and future users of the station.

A detailed description of the Proposed Activity is provided in Chapter 3 of the Niagara Park Station Upgrade REF, and would provide:

- installation of three new lifts (and lift landings) connecting the existing footbridge to the two commuter car parks and the platform
- introduction of an accessible parking space and a new kiss and ride space within each of the two commuter car parks
- introduction of a new accessible path through the western commuter car park to the bus stop on Railway Crescent
- installation of pedestrian crossing markings from the proposed accessible path across the western commuter car park to link with the existing path to Niagara Park Shopping Centre
- provision of five new bicycle parking hoops
- modifications to the platform including relocation and provision of additional fencing and, localised platform resurfacing works
- upgrades to stairs, nosings (non-slip angle applied to front edge of stair), and handrails
- lighting and closed-circuit television (CCTV) cameras to provide coverage to meet security standards for new infrastructure
- ancillary work including electrical upgrades to support new infrastructure, installation of platform hearing loops, service relocation, opal card reader relocation, drainage works, wayfinding signage and, relocation of bins and furniture
- freestanding canopy over Boarding Assistance Zone (BAZ).

A schematic outlining the key features of the Proposed Activity is provided in Figure 2. The need for, and benefits of the Proposed Activity are outlined in Chapter 2 of the REF.

Construction is expected to commence in late 2020 and take around 18 months to complete.



## 2. Consultation and assessment of submissions

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### 2.1. REF public display

The Niagara Park Station Upgrade REF was placed on public display from 20 May 2020 to 3 June 2020 on the TfNSW corporate website <https://www.transport.nsw.gov.au/niagarapark><sup>1</sup>

It was also advertised on the NSW Governments [Have your say website](http://www.haveyoursay.nsw.gov.au)<sup>2</sup>.

Community consultation activities undertaken for the public display included:

- approximately 740 newsletters were letterbox dropped within a one-kilometre radius of the Niagara Park Station on 20 May 2020
- installation of project signage at the station advising how to view the REF and how to make a submission
- placement of a geo-targeted online advertisement across the Digital News Limited publications with a link to the TfNSW website
- a geo-targeted social media post on the TfNSW Facebook page for the duration of the public display period, targeting the suburbs of Niagara Park, Lisarow, Narara, Ourimbah, Palmdale, Palm Grove, Fountaindale and Kangy Angy.
- a dedicated project webpage on the TfNSW website
- a briefing to Central Coast Council (CCC) on 28 May 2020
- 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 CCC as per the consultation requirements under clause 13 and 15 of the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP)
- 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 the NSW State Emergency Service (SES) as per the consultation requirements under clause 15AA of the Infrastructure SEPP.

Due to COVID-19 social distancing restrictions, newsletters were unable to be distributed at the station and a pop-up community information session was not undertaken. Additionally, due to closures of public buildings, printed copies of the REF were not displayed.

### 2.2. REF submissions

A total of 25 submissions were received via letter, email, telephone and online submissions including the posted comments on the project website. Community submissions are addressed in Table 1, while submissions received from CCC are addressed in Table 2.

Submissions included feedback on a range of issues in relation to the Proposed Activity. The key issues raised in submissions were:

- general support for the Proposed Activity
- requests for additional canopies and shelters
- provision of additional commuter car parking

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<sup>1</sup> <https://www.transport.nsw.gov.au/niagarapark>

<sup>2</sup> <http://www.haveyoursay.nsw.gov.au>

- improvements to lighting and security

There were also a number of social media comments made on the TfNSW Facebook page in response to the post regarding the public display of the Niagara Park Station Upgrade REF. Key themes in the comments included support for the Proposed Activity and suggestions for upgrades at Lisarow and Narara Stations.

## 2.3. Consideration and response to submissions

### Community submissions

**Table 1 Response to community submissions received**

No.	Submission no.	Issue/s raised	TfNSW response
<b>1 General</b>			
1.1	NIA001, NIA005, NIA014, NIA017, NIA020, NIA023, NIA025	Support for the Proposed Activity and/or for improving accessibility to the station.	Support for the Proposed Activity is noted.
1.2	NIA001, NIA004	Submissions requested an increase to the existing train services at the station.	Service frequency of trains and timetabling of trains stopping at Niagara Park Station is outside the scope of the Proposed Activity, which is focused on accessibility upgrades at the station to comply with the DDA and DSAPT requirements.
1.3	NIA003	Request for more bike hoops.	Niagara Park Station currently has no bicycle parking facilities. The Proposed Activity includes the addition of five bike hoops with capacity for 10 bikes. No other additional hoops are proposed.
<b>2 Design</b>			
2.1	NIA004, NIA006, NIA007, NIA008, NIA015, NIA017, NIA018, NIA019, NIA021, NIA025	Request for additional canopies at the station and comments regarding the inadequacy of current shelters.	The Proposed Activity is focused on accessibility upgrades at the station. Additional canopy coverage over walkways is outside of the scope of this accessibility upgrade. It is noted that the lift landings will have new canopies for weather protection at the waiting areas to comply with TfNSW standards.
2.2	NIA013	The submission suggests installing a ramp instead of the proposed lifts.	There is insufficient space onsite to accommodate a ramp. The installation of a ramp would require an extensive structure, and additional removal of parking. If a ramp was constructed to the required DSAPT grade, the length of the structure would significantly increase the distance travelled by less mobile customers.
2.3	NIA015	Request for accessible toilet at the station.	The Proposed Activity is focused on accessibility upgrades of pre-existing facilities at the station. Niagara Park Station does not have any existing toilet facilities and installation of new toilet



No.	Submission no.	Issue/s raised	TfNSW response
			facilities is outside the scope of this accessibility upgrade.
<b>3 Traffic, transport and access</b>			
3.1	NIA003	Request for replacement parking.	<p>The scope of the Proposed Activity does not include additional parking for rail customers, as the focus is to improve accessibility to meet DDA and DSAPT standards which include provision of accessible parking spaces.</p> <p>Commuter parking requirements are assessed by TfNSW on a network wide basis considering existing and future demand, proximity to other car parking spaces and the feasibility of providing parking.</p> <p>This feedback will be passed onto the relevant TfNSW department for consideration in future planning.</p>
3.2	NIA004, NIA010, NIA016	Insufficient commuter car parking at Niagara Park, Narara and Gosford Station.	<p>The upgrades are being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements. Commuter parking requirements are assessed by TfNSW on a network wide basis considering existing and future demand, proximity to other car parking spaces and the feasibility of providing parking. This feedback will be passed onto the relevant TfNSW department for consideration in future planning.</p>
3.3.	NIA007	Request for an upgrade to the eastern side of the station including pedestrian footpaths.	<p>The scope of work for the Proposed Activity does not include upgraded footpaths in the area surrounding the station.</p> <p>The request for additional upgrades along Kathleen Morreau Road will be forwarded to CCC for consideration.</p> <p>The request for additional upgrades along the Pacific Highway heading up to Morven Road and Kent Street will be forwarded to the relevant TfNSW department for consideration.</p>
3.4	NIA009	Request for more disabled car parking spaces at Gosford Station.	<p>The request for more disabled parking spaces at Gosford Station is outside the scope of the Proposed Activity.</p> <p>The Proposed Activity is being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements.</p> <p>Several commuter car parks were constructed in Gosford in 2015 to provide an additional 221 spaces including five accessible parking spaces.</p>
3.5	NIA009	The submission questioned the need for a pedestrian crossing and	<p>The pedestrian crossing across the commuter car park is subject to detailed design, including a road safety audit to confirm whether it is required.</p>

No.	Submission no.	Issue/s raised	TfNSW response
		suggested a bridge over Washington Avenue.	The scope of work for the Proposed Activity does not include the construction of a bridge over Washington Avenue.
3.6	NIA011	Request for pedestrian crossing facilities on Newling Street.	Upgrade to the pedestrian crossing facilities on Newling Street is outside the scope of the Proposed Activity. The upgrades are being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements. The request will be forwarded to CCC.
3.7	NIA015	Submission notes the increased traffic due to growth in the area.	The feedback is noted. The Proposed Activity would make the station accessible to more people, including individuals with impaired mobility who previously were not able to access the station or required assistance to do so.
3.8	NIA018	Request for line marking in the informal parking area on the western side of the station.	While these areas are utilised, it is noted that they are not formalised parking spaces. Final car parking arrangements would be confirmed in detailed design.
3.10	NIA021	Request for additional canopies for the waiting areas at the station for when buses replace trains.	The Proposed Activity is focused on accessibility upgrades at the station. Additional canopy coverage at the station for waiting areas is outside of the scope of this accessibility upgrade. Rail shutdowns are managed by NSW TrainLink. This feedback will be provided to NSW TrainLink for consideration during rail shutdowns.
3.9	NIA022	Requests for works to improve access to the eastern side of the station and exit on the western side.	The scope of work for the Proposed Activity does not include upgraded footpaths in the area surrounding the station. The request for additional upgrades to streets on the eastern side of the station (such as Kathleen Morreau Road) will be forwarded to CCC for consideration. The request for additional upgrades along the Pacific Highway will be forwarded to the relevant TfNSW department for consideration.
<b>4</b>	<b>Other</b>		
4.1	NIA009	The submission questioned the need for the Proposed Activity.	As an operator of public transport under the DDA, Transport for NSW is required to upgrade the station precinct and ensure equitable access is provided for all customers.  Niagara Park Station does not currently meet the requirements of the federal DSAPT.  Upgrading the station precinct would make Niagara Park accessible to people with additional mobility requirements, parents/carers with prams and customers with luggage.

No.	Submission no.	Issue/s raised	TfNSW response
4.2	NIA009, NIA010	Request for a completely new station to be added.	<p>An additional station is outside the scope of the Proposed Activity.</p> <p>The upgrades are being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements.</p>
4.3	NIA012	The submission noted previous security issues at the station and made a request for additional lighting and security features including 24 hour CCTV and a panic button for safety.	<p>The Proposed Activity includes the installation of additional lighting and closed-circuit television (CCTV) cameras to provide coverage to meet security standards for new infrastructure.</p> <p>The Proposed Activity would also be designed with regard to the Crime Prevention Through Environmental Design (CPTED) Principles and a security risk assessment would be undertaken as part of detailed design.</p>
4.4	NIA013	Expressed concern about vandalism and breaking of the new lifts. Suggested installing ramps to reduce vandalism and anti-social behaviour.	<p>A security risk assessment would be completed during detailed design which would address vandalism and anti-social behaviour, and materials selection would consider vandalism potential.</p>
4.5	NIA015	Drain pipes should be covered.	<p>Changes to existing drainage infrastructure within the station is outside the scope of the Proposed Activity and is not proposed as part of the accessibility upgrade. However, all new drainage infrastructure resulting from the Proposed Activity would be covered.</p> <p>The upgrades are being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements.</p> <p>The request will be forwarded to NSW Trains as the operator of the station.</p>
4.6	NIA016	Issues with incorrect announcements and the helpline at the station as well as problems with communication regarding services.	<p>The upgrades are being carried out to improve accessibility to Niagara Park Station and provide safe and equitable access to the platforms and car park, to meet DDA legislation and DSAPT requirements.</p> <p>Feedback regarding the operation of the station will be passed onto NSW TrainLink as the operator and maintainer of the station.</p>
4.7	NIA018	The submission questions if the announcements need to be so loud at the station.	<p>The feedback regarding the operation of the station will be passed onto NSW TrainLink as the operator and maintainer of the station.</p>
4.8	NIA023	Query regarding prioritisation of station upgrades, specifically	<p>Transport for NSW is continuing to upgrade all stations across the Sydney Trains and NSW Trains networks to meet the DDA legislation and</p>

No.	Submission no.	Issue/s raised	TfNSW response
		Lisarow Station and Narara Station.	<p>DSAPT requirements. Narara and Lisarow Stations will be upgraded as part of the Transport Access Program.</p> <p>To receive updates on these projects and other future projects, please refer to the current projects webpage:</p> <p><a href="https://www.transport.nsw.gov.au/projects/current-projects">https://www.transport.nsw.gov.au/projects/current-projects</a></p>

## Council submissions

**Table 2 Response to the two Central Coast Council submissions received**

Issue no.	Stakeholder	Issue/s raised	TfNSW response
<b>1</b>	<b>Design</b>		
1.1	NIA002	Request for additional canopies for the waiting areas at the station for when buses replace trains.	<p>It is noted that rail shutdowns are managed by NSW TrainLink (intercity).</p> <p>This feedback will be provided to NSW TrainLink for consideration.</p>
1.2	NIA024	Support for the Proposed Activity and/or for improving accessibility to the station.	Support for the Proposed Activity is noted.
<b>2</b>	<b>Traffic, transport and access</b>		
2.1	NIA002	The submission questions the need for the new pedestrian crossing and suggests this could be replaced with a parallel kiss and ride area.	<p>The pedestrian crossing would be subject to detailed design. A road safety audit would also be undertaken as part of detailed design to confirm whether this is required.</p> <p>A parallel kiss and ride would result in additional loss of parking and was therefore discounted. However final parking configuration would be determined during detailed design and would seek to optimise the number of parking spaces while facilitating the Proposed Activity.</p>
2.2	NIA002	Request for 15 minute car parking space/s for parents or carers.	The Proposed Activity already includes two kiss and ride spaces (one in each car park). Flexible parking restrictions for these spaces would be explored during detailed design to ascertain the practicality of implementing timed parking within the car parks.
2.3	NIA002	Request to move bus stop location to improve safety for pedestrians.	<p>The accessible path proposed would provide additional safety for pedestrians.</p> <p>The request to relocate the bus stop would be considered as part of detailed design in consultation with CCC and bus operators.</p>

Issue no.	Stakeholder	Issue/s raised	TfNSW response
<b>3</b>	<b>Other</b>		
3.1	NIA002	Submission questions if there is adequate width for an accessible path adjacent to the substation in the western commuter car park.	The design of the Proposed Activity would meet requirements including ensuring there is adequate width for the accessible path.  The detailed design process would include a road safety audit to ensure that there is adequate width for safe vehicle movements.
3.2	NIA024	Submission questions whether consideration had been given to the Federal Government's proposed High-Speed Rail project?	The Proposed Activity would be designed and constructed so to not preclude any potential future rail improvements along the line.
3.3	NIA024	Council expects that any potential adverse impacts to the environment or the community would be appropriately managed in accordance with the mitigation measures outlined in the REF and the CoA imposed in the Determination Report.	Any potential adverse impacts from the Proposed Activity would be managed in accordance with the mitigation measures outlined in section 7.2 of the REF and the Conditions of Approval (CoA) outlined in Appendix B of this report.

## 2.4. Future consultation

Should TfNSW proceed with the Proposed Activity, consultation activities would continue, including consultation with CCC (or other stakeholders) regarding design development. In addition, TfNSW would notify residents, businesses and community members before and during construction. The consultation activities would help to ensure that:

- local council and other stakeholders have an opportunity to provide feedback on the detailed design
- 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 [TfNSW email address](mailto:projects@transport.nsw.gov.au)<sup>3</sup> 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, would continue to occur. The TfNSW project website<sup>4</sup> would also include updates on the progress of construction.

<sup>3</sup> [projects@transport.nsw.gov.au](mailto:projects@transport.nsw.gov.au)

<sup>4</sup> <https://www.transport.nsw.gov.au/niagarapark>

### 3. Changes to the Proposed Activity

#### 3.1. Assessment of design changes

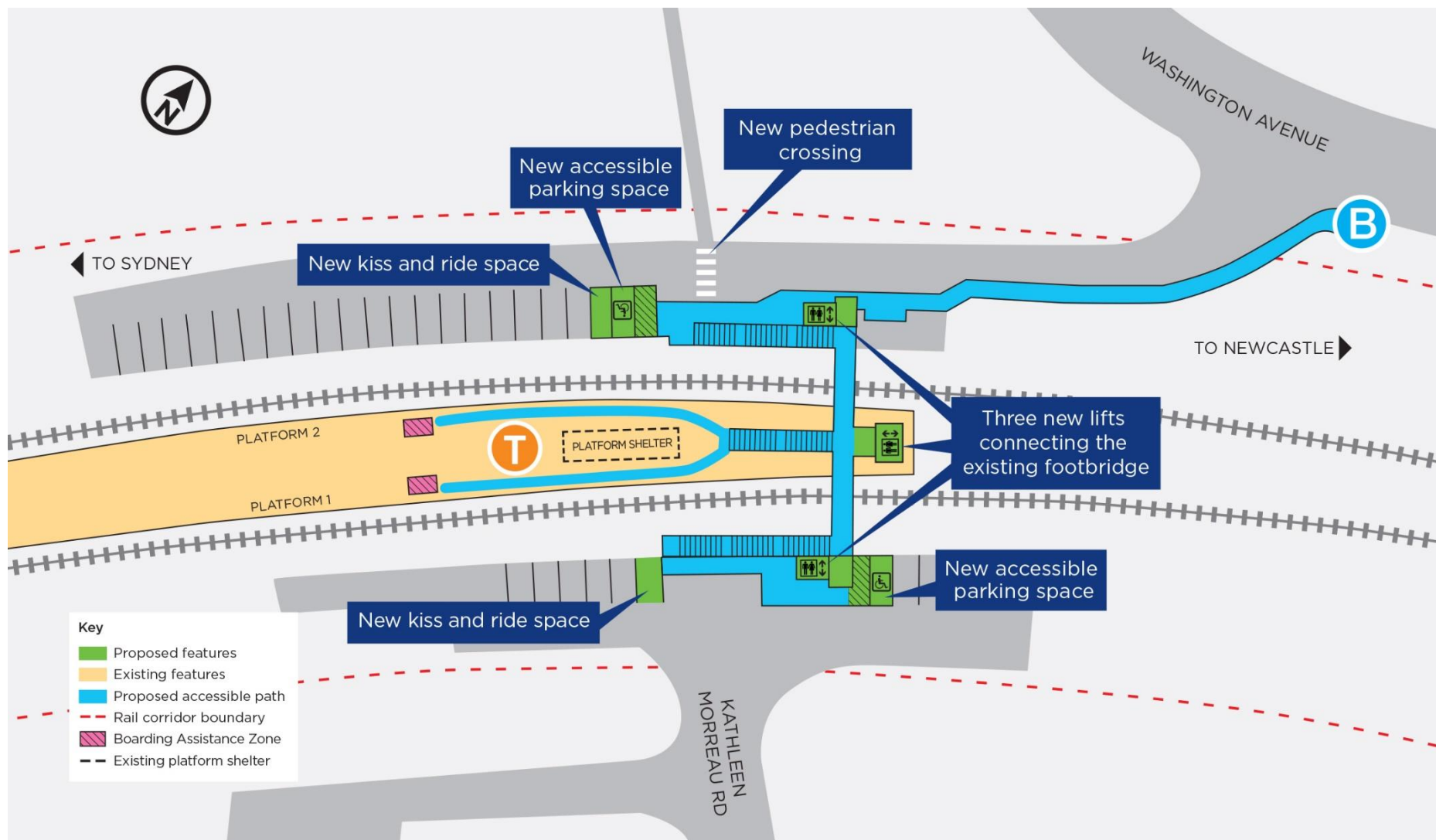
Further design development, along with consultation with the community and stakeholders, has resulted in a change to the Proposed Activity described in the Niagara Park REF. This change is outlined in Table 3, along with a discussion of the impacts, and shown in Figure 3.

Unless explicitly stated otherwise in the table below, it is considered that impacts related to other aspects are considered to be consistent with the findings of the REF with respect to clause 228 of the EP&A Regulation and impacts to matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999*). Where additional mitigation measures are required, these have been included as Conditions of Approval in Appendix B.

**Table 3 Assessment of design changes**

Aspect of the Proposed Activity	Design change	Discussion of impacts
BAZ canopy	The proposed freestanding canopy over the Boarding Assistance Zone (BAZ) has been removed from scope. The additional BAZ canopy was a desirable item but not required for DDA or DSAPT compliance and by locating the BAZ's close to the existing canopy we can meet the TfNSW directive to have a canopy within proximity to the BAZ.	The proposed removal of the BAZ canopy from scope would not introduce additional environmental impacts. The change is expected to reduce the visual impacts identified in the REF and the Landscape Character and Visual Impact Assessment (Envisage, 2020). The modification would reduce visual clutter on the Platform and would avoid the addition of a new structure into key viewpoints.





**Figure 3 Revised key features of the Proposed Activity (indicative only, subject to detailed design)**

## **4. Consideration of the environmental impacts**

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### **4.1. NSW Environmental Planning and Assessment Act 1979**

The REF addresses the requirements of Section 5.5 of the EP&A Act. In considering the Proposed Activity, all matters affecting or likely to affect the environment are addressed in the REF and the 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 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?*<sup>5</sup> 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.

### **4.2. Commonwealth 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.

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

## **5. Conditions of Approval**

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

## 6. Conclusion

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Having regard to the assessment in the REF, 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 (EIS) 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 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 to Appendix B).

# Determination

## Niagara Park Station Upgrade

### APPROVAL

I, Louise Sureda, as delegate of the Secretary, Transport for NSW:

1. Have examined and considered the Proposed Activity in the *Niagara Park Station Upgrade Review of Environmental Factors* (May 2020) and the *Niagara Park Station Upgrade Determination Report* (July 2020) in accordance with Section 5.5 of the *NSW 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 (July 2020), consistent with the Proposed Activity described in the *Niagara Park Station Upgrade Review of Environmental Factors* (May 2020).



Louise Sureda  
Director Planning and Environment  
Environment and Sustainability  
Safety, Environment and Regulation Division  
**Transport for NSW**

Date: 10.7.20

## References

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Envisage Consulting, 2020, *Niagara Park Station Upgrade Landscape Character and Visual Impact Assessment*, Sydney

TfNSW, 2020, *Transport Access Program Niagara Park Station Upgrade Review of Environmental Factors*, Sydney



# **Appendix A      Review of Environmental Factors**

Please refer to the TfNSW website to access the Niagara Park Station REF (Desksite # 6439986):

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

## **Appendix B      Conditions of Approval**

## CONDITIONS OF APPROVAL

### Niagara Park Station Upgrade

Note: these Conditions of Approval must be read in conjunction with the final mitigation measures in the Niagara Park Station Upgrade Review of Environmental Factors.

#### Schedule of acronyms and definitions used:

Acronym	Definition
ADEIA	TfNSW Associate Director Environmental Impact Assessment (or nominated delegate)
ADEM	TfNSW Associate Director Environmental Management (or nominated delegate)
ADSPD	TfNSW Associate Director Sustainability, Planning and Development (or nominated delegate)
CECR	Construction Environmental Compliance Report
CEMP	Construction Environmental Management Plan
CIR	Contamination Investigation Report
CLMP	Community Liaison Management 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> .
EMR	Environmental Management Representative
EMS	Environmental Management System
ISCA	Infrastructure Sustainability Council of Australia
ISO	International Standards Organisation
OEH	Former NSW Office of Environment and Heritage
OOHWP	Out of Hours Works Protocol
PECM	Pre-Construction Environmental Compliance Matrix
RBL	Rating Background Level
REF	Review of Environmental Factors
SMP	Sustainability Management Plan
TfNSW	Transport for NSW
TMP	Traffic Management Plan
UDLP	Urban Design and Landscaping Plan

Term	Definition
<b>Construction</b>	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).
<b>Contamination</b>	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.
<b>Designated Works</b>	Includes tunnelling, blasting, piling, excavation or bulk fill or any vibratory impact works including jack hammering and compaction, for Construction.
<b>Emergency Work</b>	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 (Aboriginal or non-Aboriginal) item.
<b>Environmental Impact Assessment (EIA)</b>	The documents listed in Condition 1 of this approval.
<b>Environmental Management Representative (EMR)</b>	An independent environmental representative appointed to the Project or a delegate nominated by Transport for NSW.
<b>Feasible</b>	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.
<b>Noise Sensitive Receiver</b>	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.
<b>Project</b>	The construction and operation of the Niagara Park Station Upgrade as described in the Environmental Impact Assessment.
<b>Proponent</b>	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.
<b>Reasonable</b>	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.

## CoA Condition

### General

#### 1. Terms of Approval

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

- a) *Niagara Park Station Upgrade – Review of Environmental Factors* (TfNSW, May 2020)
- b) *Niagara Park Station Upgrade – Determination Report* (TfNSW, July 2020).

In the event of an inconsistency between these conditions and the EIA, these conditions will prevail to the extent of the inconsistency.

#### 2. Project Modifications

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, and any additional requirements from the assessment of the Project modification must be complied with.

#### 3. Statutory Requirements

These conditions do not remove any 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 terms and conditions of such licences, permits, approvals and permissions must be complied with at all times.

#### 4. Construction Environmental Compliance Report

A Construction Environmental Compliance Report (CECR) for the Project shall be prepared which addresses the following matters:

- a) compliance with the Construction Environmental Management Plan (CEMP) and these conditions
- b) compliance with any approvals or licences issued by relevant authorities for the construction of the Project
- c) 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)
- d) environmental monitoring results, presented as a results summary and analysis
- e) details of the percentage of waste diverted from landfill and the percentage of spoil beneficially reused
- f) 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)
- g) details of any review and amendments to the CEMP resulting from construction during the reporting period
- h) any other matter as requested by the ADEM.

The CECR shall:

- (i) be submitted to the EMR for review. The EMR is to be given a minimum period of seven days to review and provide any comments to TfNSW in relation to the CECR
- (ii) be submitted to the ADEM for approval upon completion of the EMR review period.

The first CECR shall report on the first six months of construction and be submitted within six weeks 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.

The final CECR shall detail compliance with all Conditions of Approval, licences and permits required to be obtained under any other legislation for the Project.

## CoA Condition

### 5. Graffiti and Advertising

Hoardings, site sheds, fencing, acoustic walls around the perimeter of the site, and any structures built as part of the Project shall be maintained free of graffiti and advertising not authorised by TfNSW during the construction period. Graffiti and unauthorised advertising shall be removed or covered within the following timeframes:

- 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

### 6. Community Liaison Management Plan

A Community Liaison Management Plan (CLMP) shall be prepared and implemented to engage with government agencies, relevant councils, landowners, community members and other relevant stakeholders (such as utility and service providers, bus companies, Taxi Council and businesses). The CLMP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:

- a) a comprehensive, project-specific analysis of issues and proposed strategies to manage issues through the duration of the Project
- b) details of the communication tools (traditional and digital) and activities that will be used to inform and engage the community and stakeholders
- c) a program for the implementation of community liaison activities relating to key construction tasks with strategies for minimising impacts and informing the community
- d) policies and procedures for handling community complaints and enquiries, including the Contractor's nominated 24 hour contact for management of complaints and enquiries
- e) analysis of other major projects/influences in the area with the potential to result in cumulative impacts to the community and strategies for managing these.

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 the construction of the Project.

### 7. Community Notification and Liaison

The local community shall be advised of any activities related to the Project with the potential to impact upon them.

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.

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 days prior to such works being undertaken or other period as agreed to by the Director Community Engagement or as required by the Environment Protection Authority (EPA) (where an Environment Protection Licence (EPL) is in effect).

### 8. Website

Project information shall be made available to members of the public, either on dedicated pages on the TfNSW/Project website or details provided as to where hard copies of this information may be accessed. Project information to be provided includes:

- 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.



## CoA Condition

All documents uploaded to the website must be compliant with the *Web Content Accessibility Guidelines Version 2.0*.

### 9. Complaints Management

A 24 hour construction response line number shall be established and maintained for the duration of construction.

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 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 calendar days for verbal and/or written complaints.

Information on all complaints received during the previous 24 hours shall be forwarded to the Environmental Management Representative (EMR) each working day.

## Environmental Management

### 10. Construction Environmental Management Plan

A Construction Environmental Management Plan (CEMP) shall be prepared prior to the commencement of construction which addresses the following matters, as a minimum:

- 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) Aboriginal and non-Aboriginal heritage management
- f) biodiversity 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) environmental incident reporting and management procedures
- m) non-compliance and corrective/preventative action procedures
- n) details of approvals, licences and permits required to be obtained under any other legislation for the Project.

The CEMP shall:

- 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 *Guideline for Preparation of Environmental Management Plans* (Department Infrastructure, Planning and Natural Resources, 2004)
- iii. include a pre-construction environmental compliance matrix for the Project (or such stages of the Project as agreed to by the EMR) that details compliance with all relevant conditions and mitigation measures
- iv. include an Environmental Policy.

In preparing the CEMP the following shall be undertaken:

1. consultation with government agencies and relevant service/utility providers (as required)
2. a copy of the CEMP submitted to the EMR for review
3. a copy of the CEMP submitted to the Associate Director Environmental Management (ADEM) for approval upon completion of the EMR review period

CoA	Condition
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|  | <ol style="list-style-type: none"><li>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</li><li>5. ensure updates to the CEMP are made within seven 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.</li></ol> |
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The CEMP must be approved by the ADEM prior to the commencement of construction work associated with the Project.

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**11. Environment Personnel**

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).

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 such time as otherwise agreed by the ADEM).

Any adjustments to environmental resource allocations (on-site or off-site) are to be approved by the ADEM.

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**12. Environmental Management Representative**

Prior to the commencement of construction, the ADEM shall appoint an EMR for the duration of the construction period for the Project.

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:

- a) considering and advising TfNSW 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 TfNSW, or as required by the ADEM
- e) issuing a recommendation 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 TfNSW 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.

The EMR shall be available during construction activities to inspect the site(s) and be present on-site as required.

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**13. Environmental Controls Map**

An Environmental Controls Map (ECM) shall be prepared and implemented in accordance with TfNSW's *Guide to Environmental Controls Map* (SD-015) prior to the commencement of

## CoA Condition

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.

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 seven 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 by the ADEM).

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 seven days of the completion of the review or receipt of actions identified by any EMR audit of the document and submitted to the EMR for approval.

## Hours of Work

### 14. Standard Construction Hours

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:

- a) any works which do not cause noise emissions to be more than 5dBA higher than the rating background level (RBL) 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).

### 15. High Noise Generating Activities

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 three hours, without a minimum one hour respite period unless otherwise agreed to by the ADEM, or as approved by EPA (where relevant to the issuing of an EPL).

## Noise and Vibration

### 16. Construction Noise and Vibration

Construction noise and vibration mitigation measures shall be implemented through the CEMP, in accordance with TfNSW's *Construction Noise and Vibration Strategy* (ST-157) and the EPA's *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). The mitigation measures shall include, but not limited to:

- 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 and vibration 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 144 of

## CoA Condition

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 *Construction Noise and Vibration Strategy* (ST-157)

- 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.

### 17. Vibration Criteria

Vibration (other than from blasting) resulting from construction and received at any structure outside of the Project shall be limited to:

- a) for structural damage vibration British Standard BS 7385-2:1993 *Evaluation and measurement for vibration in buildings Part 2* and German Standard DIN 4150: Part 3 – 1999: *Structural Vibration in Buildings: Effects on Structures*
- b) for human exposure to vibration – the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (Department of Environment and Conservation, 2006) which includes British Standard BS 7385-2:1993 *Guide to Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)*.

These limits apply unless otherwise approved by the ADEM through the CEMP.

### 18. Non-Tonal Reversing Beepers

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.

### 19. Piling

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.

### 20. Noise Impacts on Educational Facilities

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.

## Contamination and Hazardous Materials

### 21. Unidentified Contamination (Other Than Asbestos)

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 *Guidelines for Consultants Reporting on Contaminated Sites* (Office of Environment and Heritage, 2011).

A copy of any contamination report shall be submitted to the EMR for review. The EMR is to be given a minimum period of seven days to review.

A revised copy of the report shall be submitted 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.

**Note:** *In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent*

## CoA Condition

*the preparation of a single investigation report to satisfy the requirements of both Condition 21 and Condition 22.*

### 22. Asbestos Management

If previously unidentified asbestos contamination is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and a 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, Safe Work Australia 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.

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.

**Note:** *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 21 and Condition 22.*

### 23. Storage and Use of Hazardous Materials

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 prior to construction as part of the overall CEMP, in accordance with relevant EPA guidelines, TfNSW's *Chemical Storage and Spill Response Guidelines* (SD-066) and Australian and ISO standards. These measures shall include:

- a) the storage of hazardous materials, and refuelling/maintenance of construction plant and equipment are to be undertaken in clearly marked designated areas 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 are 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 are 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.

## Erosion and Sediment Control

### 24. Erosion and Sediment Control

Soil and water management measures shall be prepared, implemented and maintained 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 *Managing Urban Stormwater: Soils and Construction Volume 1 4<sup>th</sup> Edition* (Landcom, 2004).

## Heritage Management

### 25. Aboriginal and Non-Aboriginal Heritage

If previously unidentified Aboriginal or non-Aboriginal heritage/archaeological items are uncovered during construction works, the procedures contained in the TfNSW *Unexpected Heritage Finds Guideline* (SD-115) shall be followed and all works in the vicinity of the find shall cease. The EMR shall be immediately notified to co-ordinate a response, which may include seeking appropriate advice from a suitably qualified and experienced Heritage Advisor (in consultation with Heritage NSW, and/or the Energy, Environment and Science Group of the Department of Planning, Industry and Environment, as applicable). Works in the vicinity of the find shall not re-commence until clearance has been received from TfNSW and/or the Heritage Advisor.

CoA	Condition
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	<b>Lighting</b>
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**26. 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 Lighting for Roads and Public Spaces* and *AS 4282 Control of the Obtrusive Effects 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 station/car park/other infrastructure type
- 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 proposed lighting scheme is to be submitted to TfNSW's technical (design) team for acceptance.

	<b>Sustainability</b>
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**27. Sustainability Officer**

A suitably qualified and experienced Sustainability Officer shall be appointed who is responsible for implementing the sustainability objectives for the Project.

Details of the Sustainability Officer including defined responsibilities, duration and resource allocation throughout the appointment are to be submitted to the satisfaction of the Associate Director Sustainability, Planning & Development (ADSPD) prior to the preparation of the Sustainability Management Plan.

**28. Sustainability Management Plan**

A Sustainability Management Plan (SMP) which details the approach to managing sustainability requirements and opportunities during design and construction shall be prepared. The SMP shall include the following as a minimum:

- a) a completed electronic checklist demonstrating compliance with the Infrastructure Sustainability Council of Australia (ISCA) scorecard demonstrating credits targeted to meet an Infrastructure Sustainability Rating Scheme (v1.2) of 65
- b) a statement outlining the Construction Contactor's own corporate sustainability policies, obligations, goals, targets and commitments
- c) a description of the processes and methodologies for encouraging and identifying innovative sustainability outcomes on the Project, and the areas targeted for innovative sustainable solutions to be explored and/or implemented on the Project
- d) the approach to the identification of opportunities to reduce carbon emissions, energy use and embodied lifecycle impacts of the Project. This should include a summary of initiatives proposed for implementation to meet energy and carbon management objectives and targets
- e) the approach to sustainable procurement including how procurement processes have taken in to account the principles of ISO 20400: 2017 – Sustainable Procurement in the selection of all materials, products and services
- f) a description of the processes, standards and procedures for undertaking climate change risk assessments and strategies for mitigation of risks associated with climate change and extreme weather events.



## CoA Condition

A copy of the SMP shall be submitted to the ADSPD at least 30 days prior to the commencement of construction, for approval (or such time as is otherwise agreed by the ADSPD).

### 29. Infrastructure Sustainability Council of Australia (ISCA) Ratings

The Project shall be registered with the Infrastructure Sustainability Council of Australia (ISCA), and shall aim to achieve a minimum 'Infrastructure Sustainability Rating Tool' (v1.2) 'Excellent' rating with an overall score of 65 or more 'for the 'Design' and 'As-Built' components of the Project.

## Traffic, Transport and Access

### 30. Traffic Management Plan

A construction Traffic Management Plan (TMP) shall be prepared as part of the CEMP which addresses, as a minimum, the following matters:

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

- a) maximising safety and accessibility for pedestrians and cyclists
- b) ensuring adequate sight lines to allow for safe entry and exit from the site
- c) ensuring access to railway stations, businesses, entertainment premises and residential properties (unless affected property owners have been consulted and appropriate alternative arrangements made)
- d) managing impacts and changes to on and off street parking and requirements for any temporary replacement provision
- e) parking locations for construction workers away from stations and busy residential areas and details of how this will be monitored for compliance
- f) routes to be used by heavy construction-related vehicles to minimise impacts on sensitive land uses and businesses
- g) details for relocating kiss-and-ride, taxi ranks and rail replacement bus stops if required, including appropriate signage to direct customers, in consultation with the relevant bus operator. Particular provisions should also be considered for the accessibility impaired
- h) 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.

Consultation with the relevant roads authority must be undertaken during the preparation of the TMP, as required. The performance of all Project traffic arrangements must be monitored during construction.

### 31. Road Safety Audit

A Road Safety Audit shall be undertaken as part of the detailed design process and on completion of construction. The Road Safety Audit shall include but not be limited to detailed assessment of sight distances for vehicles and new kiss and ride area and mitigation measures proposed.

The Road Safety Audit is to be submitted to and accepted by TfNSW. The findings of the Road Safety Audit shall be provided to Central Coast City Council for information.

## Urban Design and Landscaping

### 32. Urban Design and Landscaping Plan

An Urban Design Plan and Landscaping Plan is to be submitted to TfNSW and endorsed by the Precincts and Urban Design team. The Urban Design Plan is to address the fundamental design principles as outlined in *'Around the Tracks' – urban design for heavy and light rail*, TfNSW, Interim 2016. The Urban Design Plan and Landscaping Plan shall:



## CoA Condition

- a) demonstrate a robust understanding of the site through a comprehensive site analysis to inform the design direction, demonstrate connectivity with street networks, transport modes, active transport options, and pedestrian distances
- b) identify opportunities and challenges
- c) establish site specific principles to guide and test design options
- d) demonstrate how the preferred design option responds to the design principles established in 'Around the Tracks', including consideration of crime prevention through environmental design principles.

The Urban Design Plan and Landscaping Plan is to include the Public Domain Plan for the chosen option and will provide analysis of the:

- i landscape design approach including design of pedestrian and bicycle pathways, street furniture, interchange facilities, new planting and opportunities for public art
- ii materials schedule including materials and finishes for proposed built works, colour schemes, paving and lighting types for public domain, fencing and landscaping
- iii an Artist's Impression or Photomontage to communicate the proposed changes to the precinct.

The following design guidelines are available to assist and inform the Urban Design Plan and Landscaping Plan for the Proposal:

- *TAP Urban Design Plan, Guidelines, TfNSW, Draft 2018*
- *Commuter Car Parks, urban design guidelines, TfNSW, Interim 2017*
- *Managing Heritage Issues in Rail Projects Guidelines, TfNSW, Interim 2016*
- *Creativity Guidelines for Transport Systems, TfNSW, Interim 2016*
- *Water Sensitive Urban Design Guidelines for TfNSW Projects, 2016.*

The Urban Design Plan and Landscaping Plan shall be:

- I. prepared prior to concept design and finalised
- II. prepared in consultation with local council and relevant stakeholders
- III. prepared by a registered Architect and/or Landscape Architect.

## Flora and Fauna

### 33. Removal of Trees or Vegetation

Separate approval, in accordance with TfNSW's *Removal or Trimming of Vegetation Application* (FT-078), 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.

### 34. Replanting Program

All cleared vegetation shall be offset in accordance with TfNSW's *Vegetation Offset Guide* (ST-149). 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.

## Site Specific Conditions

### 35. The following components will be investigated as part of detailed design:

- selection of appropriate materials and colours for the proposed lift shafts to complement the background landscape
- timed parking within the car parks
- relocation of the bus stop on Washington Avenue in consultation with CCC and bus operators

CoA	Condition
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|  | <ul style="list-style-type: none"><li>opportunities to minimise permanent fencing and adopt a recessive dark colour for new fencing (e.g. dark grey, charcoal).</li></ul> |
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- |     |   |
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| 36. | Opportunity for low maintenance soft landscaping within the Proposal area are to be explored through the preparation of the Public Domain Plan and Urban Design Plan. |
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