

## CONDITIONS OF APPROVAL (October 2020)

### Dubbo Maintenance Facility

Note: these conditions of approval must be read in conjunction with the final mitigation measures in the Dubbo Maintenance Facility Review of Environmental Factors (August 2018).

#### Schedule of acronyms and definitions used:

Acronym	Definition
<b>ADEIA</b>	Associate Director Environmental Impact Assessment (or nominated delegate)
<b>ADEM</b>	TfNSW Associate Director Environmental Management (or nominated delegate)
<b>ADSPD</b>	TfNSW Associate Director Sustainability, Planning and Development (or nominated delegate)
<b>AS</b>	Australian Standard
<b>CCSMP</b>	Communication, Community and Stakeholder Management Plan
<b>CECR</b>	Construction Environmental Compliance Report
<b>CEMP</b>	Construction Environmental Management Plan
<b>CIR</b>	Contamination Investigation Report
<b>CMP</b>	Contamination Management Plan
<b>dBA</b>	Decibels (A-weighted scale)
<b>ECM</b>	Environmental Controls Map
<b>EIA</b>	Environmental Impact Assessment
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EMR</b>	Environmental Management Representative
<b>EMS</b>	Environmental Management System
<b>EPL</b>	Environment Protection Licence issued by the Environmental Protection Authority under the <i>Protection of the Environment Operations Act 1997</i> .
<b>ICNG</b>	<i>Interim Construction Noise Guidelines</i> (Department of Environment and Climate Change, 2009)
<b>INP</b>	<i>Noise Policy for Industry</i> (EPA, 2017)
<b>IS</b>	Infrastructure Sustainability
<b>ISO</b>	International Standards Organisation
<b>OEH</b>	NSW Office of Environment and Heritage

Acronym	Definition
<b>ONVMP</b>	Operational Noise and Vibration Management Plan
<b>OOHWP</b>	Out of Hours Works Protocol
<b>PECM</b>	Pre-Construction Environmental Compliance Matrix
<b>POCR</b>	Pre-Operational Compliance Report
<b>RAP</b>	Remedial Action Plan
<b>RBL</b>	Rating Background Level
<b>REF</b>	Review of Environmental Factors
<b>RING</b>	<i>Rail Infrastructure Noise Guideline</i> (EPA, 2013)
<b>RNP</b>	<i>NSW Road Noise Policy</i> (Department of Environmental, Climate Change and Water, 2011)
<b>Roads and Maritime</b>	NSW Roads and Maritime Service (formerly Roads and Traffic Authority)
<b>SMP</b>	Sustainability Management Plan
<b>TfNSW</b>	Transport for NSW
<b>TMP</b>	Traffic Management Plan

Term	Definition
<b>Construction</b>	Includes all work in respect of the Proposal, 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).
<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 (indigenous or non-indigenous) 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 TfNSW.
<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 Proposal 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 Dubbo Maintenance Facility 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 Proposal, TfNSW.
<b>Reasonable and feasible</b>	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and nature and extent of potential improvements.

Condition number	Type
<b>General</b>	
<b>1</b>	<p><b>Terms of approval</b></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> <ul style="list-style-type: none"> <li>a) <i>Dubbo Maintenance Facility – Review of Environmental Factors</i>, (Jacobs, August 2018)</li> <li>b) <i>Dubbo Maintenance Facility – Determination Report</i> (Jacobs, November 2018).</li> <li>c) <i>Dubbo Maintenance Facility – Modification of Planning Approval (#1) Determination Report – October 2020</i></li> </ul> <p>In the event of an inconsistency between these conditions and the EIA, these conditions will prevail to the extent of the inconsistency.</p>
<b>2</b>	<p><b>Project modifications</b></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>
<b>3</b>	<p><b>Statutory requirements</b></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>
<b>4</b>	<p><b>Pre-construction Environmental Compliance Matrix</b></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 Environmental Management Representative (EMR) for review. The EMR is to be given a minimum period of six days to review and provide any comments to the Proponent in relation to the PECM. Upon completion of the ERM review period, a copy of the PECM shall be submitted to the ADEM (or nominated delegate) for approval, at least 14 days prior to commencement of construction of the Project (or within such time as otherwise agreed to by the ADEM).</p>

Condition number	Type
5	<p><b>Construction Environmental Compliance Report</b></p> <p>A Construction Environmental Compliance Report (CECR) for the Project shall be prepared which addresses the following matters:</p> <ul style="list-style-type: none"> <li>a) compliance with the construction environmental management plan (CEMP) and these conditions</li> <li>b) compliance with any approvals or licences issued by relevant authorities for construction of the Project</li> <li>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)</li> <li>d) environmental monitoring results, presented as a results summary and analysis</li> <li>e) details of the percentage of waste diverted from landfill and the percentage of spoil beneficially reused</li> <li>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)</li> <li>g) details of any review and amendments to the CEMP resulting from construction during the reporting period</li> <li>h) any other matter as requested by the ADEM.</li> </ul> <p>A copy of each CECR shall be submitted to the EMR for review. The EMR is to be given a minimum period of six days to review and provide any comments to the Proponent in relation to the CECR. A copy of the CECR shall also be submitted to the ADEM (or nominated delegate) 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 20 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><b>Pre-operation Compliance Report</b></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>A copy of the POCR shall be submitted to the EMR for review. The EMR is to be given a minimum period of six days to review and provide any comments to the Proponent in relation to the POCR. Upon completion of the EMR review period, a copy of the POCR shall be submitted to the ADEM (or nominated delegate) for approval at least one month prior to the scheduled operation of the Project (or such time as otherwise agreed to by the ADEM).</p>
<b>Communications</b>	
7	<p><b>Communication, Community and Stakeholder Management Plan</b></p> <p>A Communication, Community and Stakeholder Management Plan (CCSMP) shall be prepared and implemented. The purpose of the CCSMP is to engage with government agencies, relevant councils, landowners, community members and other relevant stakeholders (such as utility and service providers, bus companies and businesses). The CCSMP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) details of the protocols and procedures for disseminating information and liaising with the community and other key stakeholders about construction activities</li> </ul>

Condition number	Type
	<p>(including timing and staging) and any associated impacts during the construction period</p> <ul style="list-style-type: none"> <li>c) stakeholder and issues identification and analysis</li> <li>d) procedures for dealing with complaints or disputes and response requirements, including advertising the 24 hour construction response line number</li> <li>e) details (including a program) of training for all employees, contractors and sub-contractors on the requirements of the CCSMP.</li> </ul> <p>The CCSMP 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.</p>
8	<p><b>Community notification and liaison</b></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 the Environment Protection Authority (EPA) (where an Environment Protection Licence (EPL) is in effect).</p>
9	<p><b>Website</b></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"> <li>a) a copy of the documents referred to under Condition 1 of this approval</li> <li>b) a list of environmental management reports that are publicly available</li> <li>c) 24 hour contact telephone number for information and complaints.</li> </ul> <p>All documents uploaded to the website must be compliant with the <i>Web Content Accessibility Guidelines 2.0</i>.</p>
10	<p><b>Complaints management</b></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 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, EMR and the TfNSW Environment and Planning Manager each working day.</p>

Condition number	Type
Environmental management	
11	<p><b>Construction Environmental Management Plan</b></p> <p>A Construction Environmental Management Plan (CEMP) shall be prepared prior to commencement of construction which addresses the following matters, as a minimum:</p> <ul style="list-style-type: none"> <li>a) traffic and pedestrian management (in consultation with the relevant roads authority)</li> <li>b) noise and vibration management</li> <li>c) water and soil management (including flood management)</li> <li>d) air quality management (including dust suppression)</li> <li>e) indigenous and non-indigenous heritage management</li> <li>f) flora and fauna management</li> <li>g) storage and use of hazardous materials</li> <li>h) contaminated land management (including acid sulphate soils)</li> <li>i) weed management</li> <li>j) waste management</li> <li>k) environmental incident reporting and management procedures</li> <li>l) non-compliance and corrective/preventative action procedures.</li> </ul> <p>The CEMP shall:</p> <ul style="list-style-type: none"> <li>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</li> <li>ii) comply with the relevant requirements of <i>Guideline for Preparation of Environmental Management Plans</i> (Department of Infrastructure, Planning and Natural Resources, 2004)</li> <li>iii) include an Environmental Policy.</li> </ul> <p>The Proponent shall:</p> <ul style="list-style-type: none"> <li>1. consult with government agencies and relevant service/utility providers as part of the preparation of the CEMP</li> <li>2. submit a copy of the CEMP to the EMR for review</li> <li>3. submit a copy of the CEMP to the ADEM (or nominated delegate) for approval</li> <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 six days of the completion of the review or receipt of actions identified by any audit of the document, and be submitted to the ADEM for approval.</li> </ul> <p>The CEMP must be approved by the ADEM (or nominated delegate) at least 14 days prior to the commencement of construction work associated with the Project.</p>
12	<p><b>Environment personnel</b></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</p>

Condition number	Type
	<p>spent on-site/off-site) are to be submitted for the approval of the ADEM (or nominated delegate), at least 20 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>
13	<p><b>Environmental management representative</b></p> <p>Prior to the commencement of construction, the ADEM shall appoint an Environmental Management Representative (EMR) for the duration of the construction period for the Project.</p> <p>The EMR shall provide advice to the ADEM in relation to the environmental compliance and performance of the Project. The EMR shall have responsibility for:</p> <ul style="list-style-type: none"> <li>a) considering and advising the Proponent on matters specified in these conditions and compliance with such</li> <li>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</li> <li>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</li> <li>d) reporting weekly to the Proponent, or as required by the ADEM</li> <li>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</li> <li>f) requiring reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts</li> <li>g) reviewing corrective and preventative actions to ensure the implementation of recommendations made from the audits and site inspections</li> <li>h) providing reports to the Proponent on matters relevant to the carrying out of the EMR role as necessary</li> <li>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</li> <li>j) reviewing and approving updates to the CEMP.</li> </ul> <p>The EMR shall be available during construction activities to inspect the site(s) and be present on-site as required.</p>
14	<p><b>Environmental Controls Map</b></p> <p>An Environmental Controls Map (ECM) shall be prepared in accordance with the TfNSW <i>Guide to Environmental Controls Map</i> (3TP-SD-015) prior to the commencement of construction for implementation for the duration of construction, and may be prepared in stages as set out in the CEMP.</p> <p>The ECM shall be prepared as a map – suitably enlarged (e.g. A3 size or larger) for mounting on the wall of a site office and included in site inductions, supported by relevant written information.</p> <p>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 six days to review and endorse the ECM.</p>



Condition number	Type
	<p>Updates to the ECM shall be made within six days of the completion of the review or receipt of actions identified by any audit of the document, and submitted to the ADEM (or nominated delegate) for approval.</p> <p>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 of the Project (or within such time as otherwise agreed by the ADEM).</p>
15	<p><b>Operational Environmental Management Plan</b></p> <p>An Operational Environmental Management Plan (OEMP) shall be prepared prior to commencement of operation which addresses the following matters, as a minimum:</p> <ol style="list-style-type: none"> <li>traffic and pedestrian management (in consultation with the relevant roads authority)</li> <li>noise and vibration management</li> <li>water and soil management (including flood management)</li> <li>air quality management (including dust suppression)</li> <li>indigenous and non-indigenous heritage management</li> <li>flora and fauna management</li> <li>storage and use of hazardous materials</li> <li>contaminated land management (including acid sulphate soils)</li> <li>weed management</li> <li>waste management</li> <li>sustainability</li> <li>environmental incident reporting and management procedures</li> <li>non-compliance and corrective/preventative action procedures</li> </ol> <p>The OEMP shall:</p> <ol style="list-style-type: none"> <li>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</li> <li>comply with the relevant requirements of <i>Guideline for Preparation of Environmental Management Plans</i> (Department Infrastructure, Planning and Natural Resources, 2004)</li> <li>include an Environmental Policy</li> <li>include a noise and vibration sub-plan which is to consider the environmental management measures listed in the Regional Rail Maintenance Facility Noise and Vibration Impact Assessment.</li> </ol> <p>The Proponent shall:</p> <ol style="list-style-type: none"> <li>consult with NSW Train Link, government agencies and relevant service/utility providers as part of the preparation of the OEMP</li> <li>submit a copy of the OEMP to the EMR for review</li> <li>submit a copy of the OEMP to the ADEM (or nominated delegate) at least one month prior to the commencement of operation, for approval.</li> </ol> <p>The OEMP must be approved by the ADEM (or nominated delegate) prior to the commencement of operation of the Project.</p>

Condition number	Type
Hours of work	
16	<p><b>Standard construction hours</b></p> <p>Construction activities shall be restricted to the hours of 7.00am to 6.00pm (Monday to Friday); 8.00am to 1.00pm (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"> <li>a) any works which do not cause noise emissions to be more than 5 dBA higher than the rating background level (RBL) at any nearby residential property and/or other noise sensitive receivers</li> <li>b) out of hours work identified and assessed in the EIA or the approved Out of Hours Work Protocol (OOHWP) approved by the appropriate Authority</li> <li>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</li> <li>d) Emergency Work to avoid the loss of lives, property and/or to prevent environmental harm (Emergency Work will require valid justification in writing which is to be endorsed by the ADEM)</li> <li>e) any other work as agreed by the ADEM (or nominated delegate) and considered essential to the Project, or as approved by the EPA (where an EPL is in effect)</li> <li>f) any work as approved by the EPA where an EPL is in effect.</li> </ul>
17	<p><b>High noise generating activities</b></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 three hours, without a minimum one hour respite period unless otherwise agreed to by the ADEM (or nominated delegate), or as approved by the EPA (where relevant to the issuing of an EPL).</p>

Condition number	Type
<b>Noise and vibration</b>	
<b>18</b>	<p><b>Construction noise and vibration</b></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</i> (7TP-ST-157) and the EPA's <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009). The mitigation measures shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) details of construction activities and an indicative schedule for construction works</li> <li>b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers</li> <li>c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA)</li> <li>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</li> <li>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 ADEM (or nominated delegate), or as approved by the EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with TfNSW's <i>Construction Noise and Vibration Strategy</i> (7TP-ST-157)</li> <li>f) a description of how the effectiveness of actions and measures shall be monitored during the proposed works, clearly indicating the frequency of monitoring, the locations at which monitoring shall take place, recording and reporting of monitoring results and if any exceedance is detected, the manner in which any non-compliance shall be rectified.</li> </ul>
<b>19</b>	<p><b>Vibration criteria</b></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"> <li>a) for structural damage vibration – British Standard BS 7385-2:1993 <i>Guide to Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)</i></li> <li>b) if a heritage building or structure is found to be structurally unsound (following inspection) a more conservative cosmetic damage objectives of 2.5 mm/s peak component particle velocity (from German Standard <i>DIN 4150:Part 3 – 1999: Structural Vibration in Buildings: Effects on Structures</i>) would be considered</li> <li>c) for human exposure to vibration – the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: A Technical Guideline</i> (Department of Environment and Conservation, 2006) which includes British Standard BS 7385-2:1993 <i>Guide to Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)</i>.</li> </ul> <p>These limits apply unless otherwise approved by the ADEM (or nominated delegate) through the CEMP.</p>
<b>20</b>	<p><b>Noise impacts on educational facilities</b></p> <p>Potentially affected pre-schools, schools, universities and any other 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</p>

Condition number	Type
	practicable noise intensive construction works in the vicinity of affected educational buildings are to be minimised.
21	<p><b>Piling</b></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>
22	<p><b>Non-tonal reversing beepers</b></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>
23	<p><b>Operational noise and vibration</b></p> <p>Prior to commencement of laying of rail track or the construction of physical noise mitigation structures, an Operational Noise and Vibration Management Plan (ONVMP) shall be prepared to confirm the final mitigation measures for operational noise and vibration that must be implemented.</p> <p>The ONVMP shall be prepared in consultation with NSW Trains and other relevant stakeholders. The ONVMP shall:</p> <ul style="list-style-type: none"> <li>(a) consider any changes to the predicted noise and vibration levels identification in the EIA as a result of the detailed design process and any changes to the proposed maintenance facility operations plan</li> <li>(b) examine all reasonable and feasible noise and vibration mitigation measures consistent with <i>Rail Infrastructure Noise Guideline</i> (EPA, 2013) and the <i>Noise Policy for Industry</i> (EPA, 2017)</li> <li>(c) identify specific physical and other mitigation measures for controlling noise and vibration at the source and at the receiver (if relevant) including location, type and timing of implementation of the proposed operational noise and vibration mitigation measures</li> <li>(d) seek feedback from directly affected receivers on the final mitigation measures proposed in the review.</li> </ul> <p>The Proponent shall submit a copy of the ONVMP to the EMR for review and endorsement. The EMR is to be given a minimum period of six days to review and endorse the ONVMP. Following receipt of the EMR's endorsement, the ONVMP shall be submitted to the ADEM (or nominated delegate) for approval, at least one month prior to commencement of laying of rail track or the construction of physical noise mitigation structures (or such time as is otherwise agreed to by the ADEM).</p> <p>The approved physical mitigation measures are to be installed prior to the commencement of operations, unless otherwise agreed by the ADEM (or nominated delegate).</p>
24	<p><b>Operational noise compliance monitoring</b></p> <p>In order to validate the predicted noise levels identified in the ONVMP, monitoring shall be undertaken within three months of commencement of operation. The noise and vibration monitoring shall be undertaken to confirm compliance with the predicted noise and vibration levels.</p> <p>Should the results of monitoring identify exceedances of the predicted noise and vibration levels, additional reasonable and feasible mitigation measures would be implemented in consultation with the affected property owners.</p>
25	<b>Operational noise and vibration levels</b>

Condition number	Type
	<p>Operational noise levels (<math>L_{Aeq}</math> (15 minute)) from the facility are to comply with the requirements of the <i>Noise Policy for Industry</i> (EPA, 2017) at surrounding residential receivers of the maintenance facility for daytime, evening and night-time periods.</p> <p>Operational noise levels (<math>L_{A1}</math> (60 second)) from horn testing, brake testing and the train movement warning system are not to exceed the Rating Background Level by more than 15dBA (<math>L_{A1}</math> (60 second) <math>\leq</math> RBL+15dBA) at surrounding residential receivers of the maintenance facility for evening (6pm-10pm) and night-time (10pm-7am) periods.</p>
26	<p><b>Warning sounds</b></p> <p>Warning sounds associated with the movements of rolling stock shall only occur in emergency traffic or pedestrian safety situations, but not as part of normal operations of the project. Any use of warning sounds within the maintenance facility is to comply with the requirements of Condition 25.</p>
27	<p><b>Maintenance building materials</b></p> <p>The Maintenance Building is to be designed and constructed to achieve a sound insulation performance of at least 26dB Rw (weighted sound reduction index). In the event this would not achieve compliance with the requirements of Condition 25, additional noise mitigation measures are to be provided to ensure that compliance with the requirements of Condition 25.</p>
<b>Contamination and hazardous materials</b>	
28	<p><b>Unidentified contamination (other than asbestos)</b></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 a 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 relevant EPA guidelines, including <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (OEHL, 2011).</p> <p>A copy of any contamination report shall be submitted to the EMR for review. The EMR is to be given a minimum period of six days to review and provide any comments to the Proponent in relation to the report.</p> <p>A copy of any contamination report must be submitted to the ADEM (or nominated delegate) 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><b>Note:</b> <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 28 and Condition 29.</i></p>
29	<p><b>Asbestos management</b></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 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 and SafeWork NSW guidelines and include the proposed methodology for the remediation of the asbestos contamination. Remediation activities must not take place until receipt of the investigation report.</p> <p>Works may only recommence upon receipt of a validation report from a suitably qualified contamination specialist that the remediation activities have been</p>

Condition number	Type
	<p>undertaken in accordance with the investigation report and remediation methodology.</p> <p><b>Note:</b> <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 28 and Condition 29.</i></p>
30	<p><b>Storage and use of hazardous materials</b></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 prior to construction as part of the overall CEMP, in accordance with relevant EPA guidelines, TfNSW's <i>Chemical Storage and Spill Response Guidelines</i> (9TP-SD-066) and Australian and ISO standards. These measures shall include:</p> <ul style="list-style-type: none"> <li>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</li> <li>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</li> <li>c) all hazardous materials spills and leaks to be reported to site managers and actions to be immediately taken to remedy spills and leaks</li> <li>d) training in the use of spill kits to be given to all personnel involved in the storage, distribution or use of hazardous materials.</li> </ul>
31	<p><b>Hazardous materials survey</b></p> <p>A hazardous materials survey in accordance with AS2601 (2001) <i>Demolition of Structures</i> must be undertaken by an appropriately qualified environmental scientist prior to the demolition of any relevant building, works, or other infrastructure. Subsequent removal of any hazardous material is to be undertaken in accordance with applicable EPA and WorkCover guidelines.</p>
32	<p><b>Contamination investigation</b></p> <p>If recommended by the Stage 1 Preliminary Site Investigation Report, a stage 2 detailed site investigation shall be undertaken prior to construction commencing. The assessment shall generally be undertaken in accordance with:</p> <ul style="list-style-type: none"> <li>a) <i>The National Environment Protection (Assessment of Site Contamination) Amendment Measure</i> (NEPM) 2013;</li> <li>b) <i>Contaminated Sites - Sampling Design Guidelines</i> (EPA, 1995); and</li> <li>c) <i>AS4482 (2005) Guide to investigation and sampling of site with potentially contaminated soil</i> (2005).</li> </ul> <p>The report shall be prepared in accordance with the DECCW's <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (OEH, 2011). The report shall include</p>

Condition number	Type
	<p>a preliminary waste classification in accordance with the NSW EPA <i>Waste Classification Guidelines</i> (EPA, 2014).</p> <p>Specific requirements for further investigation, remediation or management of any contamination within the identified areas recommended in the stage 2 detailed site investigation shall be included in the CEMP as appropriate.</p> <p>If contamination is identified within the Site, the Proponent is to determine whether there is a duty to report under section 60 of the <i>Contaminated Land Management Act 1997</i> (NSW) and the OEH guidelines.</p>
<b>33</b>	<p><b>Contamination Management Plan</b></p> <p>Specific requirements for further investigation, remediation and management of any potential contamination within the identified areas recommended in the Phase 2 contamination assessment shall be included in a Contamination Management Plan (CMP) as appropriate.</p>
<b>Soils and water</b>	
<b>34</b>	<p><b>Erosion and sediment control</b></p> <p>Soil and water management measures shall be prepared and implemented as part of the CEMP for the mitigation of water quality and hydrology impacts during construction of the Project. The management measures shall be prepared in accordance with <i>Managing Urban Stormwater: Soils and Construction - Volume 1</i>, 4th Edition (Landcom, 2004).</p>
<b>Heritage management</b>	
<b>35</b>	<p><b>Indigenous and non-Indigenous heritage</b></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 co-ordinate a response, which may include seeking appropriate advice from a suitably qualified and experienced heritage consultant (in consultation with the Heritage Division, OEH where appropriate). Works in the vicinity of the find shall not re-commence until clearance has been received from TfNSW and/or the heritage consultant.</p>
<b>Air quality</b>	
<b>36</b>	<p><b>Operational Air Quality Management Plan</b></p> <p>As part of the detailed design process, the Proponent shall undertake a review of operational air quality management for the Project and prepare an Operational Air Quality Management Plan. The plan shall include:</p> <ul style="list-style-type: none"> <li>a) air flow modelling to confirm proposed air quality goals, and compliance with applicable air quality parameters; and</li> <li>b) identification of reasonable and feasible mitigation measures to ensure compliance with applicable air quality parameters.</li> </ul> <p>The plan is to be submitted to the ADEM (or nominated delegate) for approval, at least 14 days prior to commencement of permanent built works (or such time as otherwise agreed to by the ADEM).</p>
<b>37</b>	<p><b>Operational air quality monitoring</b></p> <p>Monitoring of predicted air quality levels shall be undertaken within 12 months of commencement of operation of the Project. The air quality monitoring shall assess</p>



Condition number	Type
	<p>compliance with the air quality goals identified in the Operational Air Quality Management Plan.</p> <p>Where exceedance of the predicted operational air quality levels are identified, the Proponent shall investigate additional measures to mitigate the exceedance to comply with the operational air quality goals and implement these measures where reasonable and feasible to the satisfaction of the ADEM (or nominated delegate).</p>
<b>Flora and fauna</b>	
<b>38</b>	<p><b>Removal of trees or vegetation</b></p> <p>Separate approval, in accordance with TfNSW's <i>Removal or Trimming of Vegetation Application</i> (9TP-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.</p>
<b>39</b>	<p><b>Replanting program</b></p> <p>All cleared vegetation shall be offset in accordance with TfNSW's <i>Vegetation Offset Guide</i> (9TP-ST-149). All vegetation planted on-site is to consist of locally endemic native species, unless otherwise agreed by the ADEM (or nominated delegate), following consultation with the relevant council, where relevant, and/or the owner of the land upon which the vegetation is to be planted.</p>
<b>Lighting</b>	
<b>40</b>	<p><b>Lighting scheme</b></p> <p>All permanent lighting for the Project is to be developed by a suitably qualified lighting designer and prepared in accordance with the <i>Dark Sky Planning Guideline</i> (Department of Planning and Environment 2016), AS 1158 <i>Road Lighting</i> and AS 4282 <i>Control of the Obtrusive Effect of Outdoor Lighting</i>.</p> <p>In the event of an inconsistency between the guideline and Australian Standards, the <i>Dark Sky Planning Guideline</i> (Department of Planning and Environment 2016) will prevail to the extent of the inconsistency.</p> <p>The lighting scheme shall address the following as relevant:</p> <ul style="list-style-type: none"> <li>a) consideration of lighting demands of different areas</li> <li>b) strategic placement of lighting fixtures to maximise ground coverage</li> <li>c) use of LED lighting</li> <li>d) minimising light spill by directing lighting down and into the rail corridor</li> <li>e) control systems for lighting that dim or switch-off lights settings according to the amount of daylight the zone is receiving</li> <li>f) motion sensors to control low traffic areas</li> <li>g) allowing the lighting system to use low light or switch off light settings while meeting relevant lighting Standards requirements, and</li> <li>h) ensuring security and warning lighting is not directed at neighbouring properties.</li> </ul> <p>The proposed lighting scheme is to be submitted prior to the first design submission (System Definition Review) and accepted by TfNSW's Precincts and Urban Design team.</p>
<b>Property</b>	



Condition number	Type
41	<p><b>Property condition surveys</b></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> <ul style="list-style-type: none"> <li>a) all buildings/structures/roads within a plan distance of 20 metres from the edge of the Designated Works</li> <li>b) all heritage listed buildings and other sensitive structures within 50 metres from the edge of the Designated Works.</li> </ul> <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 potential property damage.</p> <p>A copy of the survey(s) shall be provided to TfNSW and 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 associated with the Proposal - both direct and indirect (i.e. including vibration and groundwater changes), shall be rectified at no cost to the owner(s).</p>
	<p><b>Sustainability</b></p>
42	<p><b>Infrastructure Sustainability Council of Australia Ratings</b></p> <p>The Project is to enter into a ratings agreement with the Infrastructure Sustainability Council of Australia (ISCA) to obtain an Infrastructure Sustainability (IS) "Design" and "As Built" rating using the IS Rating Tool v1.2 for the Maintenance Facility.</p> <p>A copy of the ISCA ratings agreement shall be submitted to the Associate Director Sustainability, Planning and Development (ADSPD) for review at least four (4) weeks prior to the commencement of construction.</p>
43	<p><b>Sustainability Manager</b></p> <p>A suitably qualified and experienced Sustainability Manager shall be appointed, who is responsible for implementing sustainability objectives for the Project.</p> <p>Details of the Sustainability Manager, including defined responsibilities, duration and resource allocation throughout the appointment, are to be submitted to the ADSPD for approval prior to preparation of the Sustainability Management Plan (or within such time as otherwise agreed to by the ADSPD. Any adjustments to sustainability resource allocations are to be approved by the ADSPD.</p>

Condition number	Type
44	<p><b>Sustainability Management Plan</b></p> <p>Prior to commencement of construction, a Sustainability Management Plan (SMP) shall be prepared to the satisfaction of the ADSPD. The SMP shall include a statement outlining the Project sustainability obligations, goals, targets, tools and strategies. The SMP shall also include an IS Scorecard which indicates the credits and levels which will be targeted for achievement for the “Design” and “As Built” IS Rating Scheme rating.</p> <p>The Proponent shall submit a copy of the PCSR to the ADSPD for approval, at least four (4) weeks prior to the commencement of construction (or within such time as otherwise agreed to by the ADSPD).</p>
45	<p><b>Solar photovoltaic and battery storage system</b></p> <p>Should a solar photovoltaic and battery storage system be implemented for the project, the system would be required to be tested and commissioned to the satisfaction of ADSPD.</p>
<b>Traffic and access</b>	
46	<p><b>Construction Traffic Management Plan</b></p> <p>A Construction Traffic Management Plan (TMP) shall be prepared as part of the CEMP which addresses, as a minimum, the following:</p> <ol style="list-style-type: none"> <li>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</li> <li>maximising safety and accessibility for pedestrians and cyclists</li> <li>ensuring adequate sight lines to allow for safe entry and exit from the site</li> <li>ensuring access to railway stations, businesses, entertainment premises and residential properties (unless affected property owners have been consulted and appropriate alternative arrangements made)</li> <li>managing impacts and changes to on and off street parking, and requirements for any temporary replacement parking</li> <li>parking locations for construction workers away from stations and busy residential areas, and details of how this will be monitored for compliance</li> <li>routes to be used by heavy construction-related vehicles to minimise impacts on sensitive land uses and businesses</li> <li>details for relocating kiss and ride, taxi ranks bus stops (and rail replacement bus stops if required), including appropriate signage to direct customers, in consultation with the relevant taxi/bus operator. Particular provisions should also be considered for the accessibility impaired</li> <li>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 construction TMP</li> <li>all construction traffic movements (both light and heavy vehicles) from White Street onto Cobbora Road (Golden Highway) are to be via a left turn only. Right turn movements from White Street onto Cobbora Road (Golden Highway) by construction vehicles are not permitted.</li> </ol> <p>The Proponent shall consult with the relevant roads authority during preparation of the TMP, as required and obtain any approvals as required under the <i>Roads Act 1993</i>. The performance of all Project traffic arrangements are to be monitored at regular intervals (no less than annually) during construction.</p>
47	<p><b>Road Condition Reports</b></p>

Condition number	Type
	<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>
48	<p><b>Road Safety Audit</b></p> <p>A Road Safety Audit shall be undertaken for relevant intersections as part of the detailed design process and on completion of construction. The Road Safety Audit would include specific assessment of:</p> <ul style="list-style-type: none"> <li>a) sight distances for vehicles and mitigation measures proposed</li> <li>b) assessment of the relevant intersections and mitigation measures proposed</li> </ul> <p>The Road Safety Audit would include an assessment of all relevant intersections as determined by a suitably qualified traffic management professional, and is to include those intersections that have been identified in the EIA as likely to perform at a Level of Service F as a result of the project.</p> <p>The Road Safety Audit is to be submitted to and accepted by TfNSW.</p>
<b>Additional conditions</b>	
49	<p><b>Graffiti and advertising</b></p> <p>Hoardings, site sheds and offices, fencing, acoustic walls around the perimeter of the site, and any structures built or installed as part of the Proposal 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> <ul style="list-style-type: none"> <li>a) offensive graffiti will be removed or concealed within 24 hours</li> <li>b) highly visible (yet inoffensive) graffiti will be removed or concealed within a week</li> <li>c) graffiti that is neither offensive or highly visible will be removed or concealed within a month</li> <li>d) any unauthorised advertising material will be removed or concealed within 24 hours.</li> </ul>
50	<p><b>Flood Impact Assessment</b></p> <p>The detailed design process shall ensure that the Project will not increase flood levels on surrounding private properties for events up to and including the 1 in 100 year ARI (+ 10% for climate change) during construction or operation unless otherwise agreed to by the ADEIA.</p> <p>As part of this process, and prior to the finalisation of detailed design, a detailed Flood Impact Assessment is to be developed in accordance with the NSW Government's <i>Floodplain Development Manual</i> (Department of Infrastructure, Planning and Natural Resources, 2005), to confirm the potential impacts of the Project on the regional flood and local drainage processes as a result of the detailed design process. The detailed Flood Impact Assessment shall identify management and mitigation measures to be implemented to ensure that flooding impacts are appropriately managed.</p> <p>The Flood Impact Assessment is to be prepared in consultation with Dubbo Regional Council.</p> <p>A copy of the detailed Flood Impact Assessment shall be submitted to the ADEM (or nominated delegate) for approval, prior to completion of the detailed design (or such time as is otherwise agreed to by the ADEM).</p>
51	<p><b>Groundwater Assessment</b></p> <p>A detailed Groundwater Assessment is to be developed as part of, but prior to the finalisation of the detailed design process undertaken to confirm the potential</p>

Condition number	Type
	<p>impacts of the Project on local and regional groundwater conditions. The Groundwater Assessment shall identify management and mitigation measures to be implemented to ensure that groundwater impacts are appropriately managed.</p> <p>The Groundwater Assessment shall be prepared in consultation with the NSW Office of Water, and Dubbo Regional Council.</p> <p>A copy of the detailed Groundwater Assessment shall be submitted to the ADEM (or nominated delegate) for approval, prior to completion of the detailed design (or such time as is otherwise agreed to by the ADEM).</p>
52	<p><b>Urban Design and Landscaping Plan</b></p> <p>The Proponent shall prepare an Urban Design and Landscaping Plan (UDLP). The UDLP will include a Final Design Report, prepared and submitted during the detailed design phase.</p> <p>The UDLP will explain how each of the urban design principles outlined in <i>Around the Tracks</i> is addressed in the Project's urban, architectural and landscape design to achieve design excellence. The essential urban design requirements of the Project will be evident in the following matters:</p> <ul style="list-style-type: none"> <li>a) the appropriateness of the proposed design with respect to the existing surrounding landscape, built form, behaviours and use-patterns</li> <li>b) the location and design of proposed areas of major earthworks such as noise bunds and on-site detention</li> <li>c) materials, finishes, colour schemes and maintenance procedures including graffiti control for new walls, barriers and fences</li> <li>d) location and design of pedestrian pathways, fencing and lighting equipment</li> <li>e) landscape treatments and tree planting to integrate with surrounding landscapes</li> <li>f) design detail that is sympathetic to the amenity and character of heritage items located within or adjacent to the Project site</li> <li>g) total water management principles to be integrated into the design where considered appropriate</li> <li>h) any other matters which the conditions require the UDLP to address.</li> </ul> <p>The UDLP shall be delivered:</p> <ul style="list-style-type: none"> <li>i. prior to the finalisation of the Projects detailed design.</li> <li>ii. prepared in consultation with councils and relevant stakeholders</li> <li>iii. prepared by a registered architect and/or landscape architect</li> <li>iv. accepted by Transport for NSW's Urban Design Team.</li> </ul>

END OF CONDITIONS