

Transport Access Program

Point Clare Station Upgrade

Determination Report



Artist's impression of the proposed Point Clare Station Upgrade, subject to detailed design

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Document control	
Status:	Final
Date of issue:	April 2021
Revision:	3
Document author:	Mia Willows
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Glossary and abbreviations

Term	Meaning
CBD	Central Business District
CCC	Central Coast Council
CEMP	Construction Environmental Management Plan
DDA	<i>Disability Discrimination Act 1992</i> (Cwlth)
Detailed design	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)
Determination Report	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
DSAPT	<i>Disability Standards for Accessible Public Transport (2002)</i>
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i> (NSW)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwlth)
LGA	Local Government Area
NES	Matters of 'National Environmental Significance' under the EPBC Act
NSW	New South Wales
Proponent	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in this instance, TfNSW
Proposed Activity	The construction and operation of the Point Clare Station Upgrade
REF	Review of Environmental Factors
TfNSW	Transport for NSW (the Proponent)

Executive summary

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 aims to provide:

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

Point Clare 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 work for the station upgrade would include:

- two new lifts to provide access to the station platforms
- two new accessible parking spaces and a kiss and ride bay within the existing commuter car park off Brisbane Water Drive
- one new accessible parking space and a kiss and ride bay within the existing commuter car park off Kurrawa Avenue
- upgrades to the existing station entrances on Brisbane Water Drive and Kurrawa Avenue including:
 - new accessible footpaths and stairs connecting the existing underpass with the station entry and car park on the western side of the station and
 - new accessible footpaths and stairs connecting the existing underpass with the station entry and car park on the eastern side of the station
- a new Family Accessible Toilet and a unisex ambulant toilet within the existing station amenities building
- upgrades to the existing bus stop
- relocation of existing high voltage electrical cables if required
- ancillary work including platform regrading (as necessary), station power supply upgrade, protection and relocation of services, new or reinstatement of Tactile Ground Surface Indicators where required, upgrades to fencing and landscaping, new ticketing facilities including additional Opal card readers, improvement to station communication systems (including closed-circuit television cameras) and wayfinding signage.

Transport for NSW (TfNSW), as the Proponent for the Proposed Activity, has undertaken a Review of Environmental Factors (REF) that details the scope of work and environmental impacts associated with the Proposed Activity (refer to Appendix A). The REF was prepared by AECOM 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).

No modifications have been made to the Proposed Activity since the REF was prepared, however modifications may be considered during the detailed design phase. Should design modifications be required as a result of the detailed design process, these modifications would be assessed to determine consistency with the Proposed Activity (as approved), 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 Point Clare 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, 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

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 aims to provide:

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

Point Clare 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).

Passenger access to the station is via separate concrete stairs entering the station roughly at the mid-point of each platform. The stairs do not provide an accessible path of travel for people including those with a disability, limited mobility, parents/carers with prams and customers with luggage.

Transport for NSW (TfNSW) is the Proponent for the Point Clare 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 AECOM 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 Point Clare Station Upgrade REF is included as Appendix A.

The Point Clare Station Upgrade REF was placed on Public Display from 17 February 2021 to Wednesday 3 March 2021, with 16 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 1-1).



Figure 1-1 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 Point Clare, within the Central Coast Council (CCC) Local Government Area (LGA). Point Clare Station is approximately 50 kilometres north of the Sydney Central Business District (CBD). Point Clare Station 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 of 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 Point Clare Station Upgrade REF, and would provide:

- two new lifts to provide access to the station platforms
- two new accessible parking spaces and a kiss and ride bay within the existing commuter car park off Brisbane Water Drive
- one new accessible parking space and a kiss and ride bay within the existing commuter car park off Kurrawa Avenue
- upgrades to the existing station entrances on Brisbane Water Drive and Kurrawa Avenue including:
 - new accessible footpaths and stairs connecting the existing underpass with the station entry and car park on the western side of the station and
 - new accessible footpaths and stairs connecting the existing underpass with the station entry and car park on the eastern side of the station

- a new Family Accessible Toilet (FAT) and a unisex ambulant toilet within the existing station amenities building
- upgrades to the existing bus stop
- relocation of existing high voltage electrical cables as required
- ancillary work including platform regrading (as necessary), station power supply upgrade, protection and relocation of services, new or reinstatement of Tactile Ground Surface Indicators (TGSIs) where required, upgrades to fencing and landscaping, new ticketing facilities including additional Opal card readers, improvement to station communication systems (including CCTV cameras) and wayfinding signage.

A schematic outlining the key features of the Proposed Activity is provided in Figure 1-2.

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

Construction is expected to commence in mid-2021 and take around 18 months to complete.

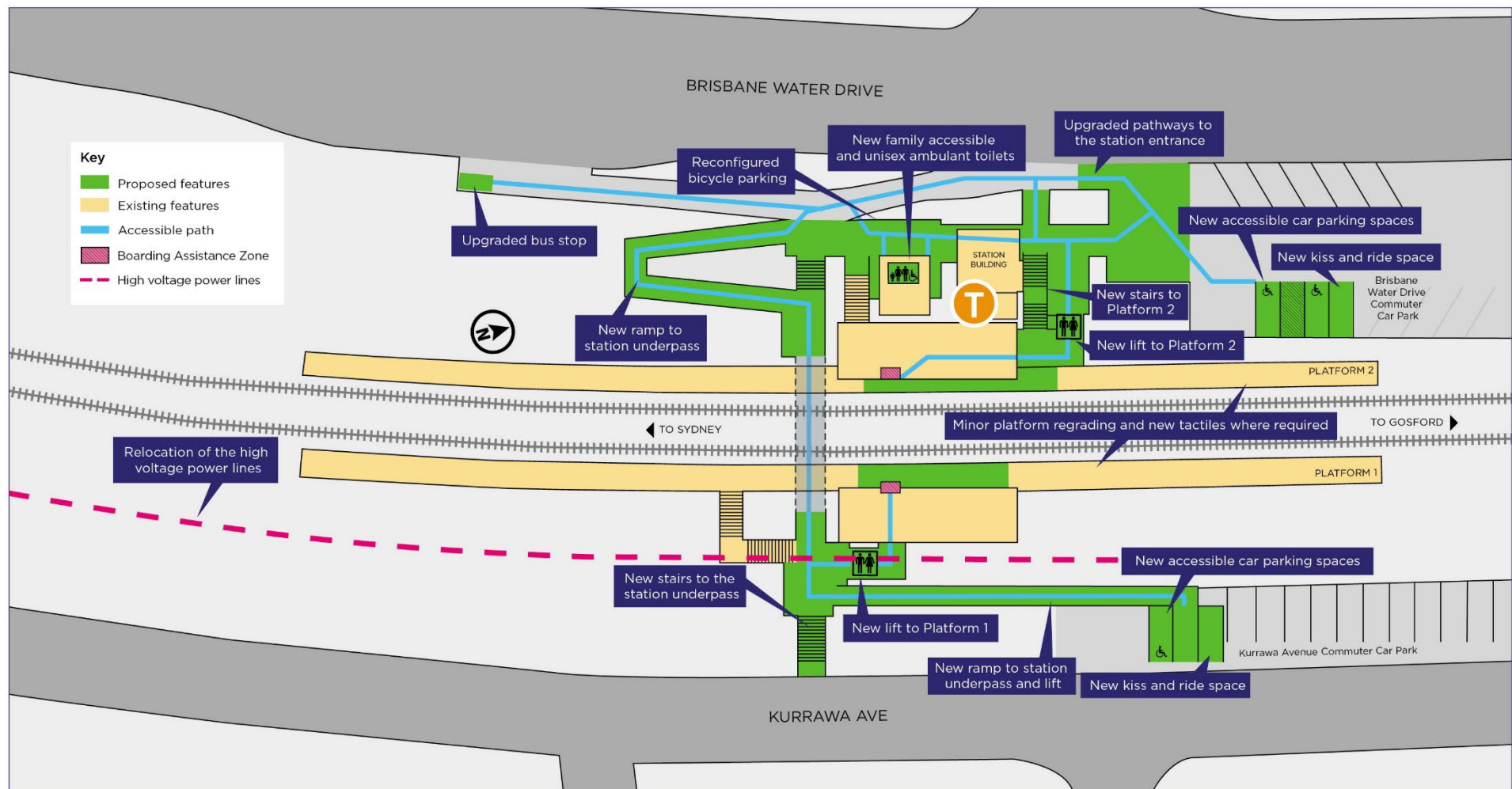


Figure 1-2 Key features of the Proposed Activity (indicative only, subject to detailed design)

2. Consultation and assessment of submissions

2.1. REF public display

The Point Clare Station REF was placed on public display from 17 February 2021 to 3 March 2021 on the TfNSW corporate website¹ and TfNSW [Your Say website](https://yoursay.transport.nsw.gov.au/)². It was also advertised on the [NSW Have our Say Website](http://www.haveyoursay.nsw.gov.au)³. Under normal circumstances, printed copies of the REF would have been available at various locations, however, due to the COVID-19 restrictions, the REF was available online in digital format only with printed copies available on request.

A range of other community consultation activities were undertaken for the public display which included:

- installation of information signage at the station with QR codes taking customers to the project webpage
- approximately 1100 flyers letterbox dropped within the suburb of Point Clare on 17 February 2021
- placement of an advertisement in the Central Coast Advocate outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the Transport for NSW website, along with details on how to make a submission
- a geo-targeted social media campaign during the public display period
- phone calls and emails to members of the community who have registered to the project contact list
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the Transport for NSW 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 Transport for NSW 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.

2.2. REF submissions

A total of 16 submissions were received via letter, email, telephone and online submissions. Community submissions are addressed in Table 2-1, while submissions received from CCC and State Emergency Services (SES) are addressed in Table 2-2.

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 Proposal
- request to consider the use of weather-protective materials in the station design
- request to consider the inclusion of a secure bike storage facility at the station entrance
- general improvements to the station and surrounds.

¹ transport.nsw.gov.au/pointclare

² <https://yoursay.transport.nsw.gov.au/>

³ <http://www.haveyoursay.nsw.gov.au>

2.3. Consideration and response to submissions

Community submissions

Table 2-1 Response to community submissions received

No.	Submission no.	Issue/s raised	TfNSW response
1	General		
1.1	PC001, PC004, PC006, PC012, PC013	Support for the Proposed Activity.	Support for the Proposed Activity is noted.
1.2	PC008	Request for 24/7 access to station toilet facilities via opal card	Operational hours and station facilities are managed by Sydney Trains. This feedback will be passed onto Sydney Trains for consideration.
1.3	PC008, PC006	Request for additional Opal card reader at the access path to the platform and the inclusion of signage indicating where Opal cards can be purchased	There is an existing Opal card reader at the end of Platform 1, which leads onto a formalised access path to Kurrawa Avenue. The Proposed Activity is for accessibility upgrades at the station to comply with the DDA and DSAPT requirements. Installation of signage for where Opal card can be purchased is outside the scope of the proposed activity. This feedback will be passed onto Sydney Trains for consideration.
1.4	PC010	Question regarding lift capacity and the ability to fit different size mobility scooters.	The lift capacity is in line with the standard lift design and includes 17 people at a time or one wheelchair at a time.
2	Design		
2.1	PC007	Support for the design of the Proposed Activity	Support for the design of the Proposed Activity is noted.
2.2	PC002, PC007	Concern regarding the materials proposed to be used for the shelter walls not providing adequate shelter for commuters	The Proposed Activity is for accessibility upgrades at the station to comply with the DDA and DSAPT requirements and would be constructed in accordance with applicable standards and guidelines. Shelter materials would be considered by an architect during detailed design.
2.3	PC006	Request for the upgrade of the informal station access path at the northern end of Platform 2	TfNSW Project team has undertaken extensive field survey of Point Clare Station and it's surrounding environment including access paths to the station. There is no informal access path at the northern end of Platform 2. There is an existing formalised pedestrian access path north of the commuter car park off Brisbane Water Drive. There is also a formalised pedestrian access path off Kurrawa Avenue that provides direct access to Platform 1.

No.	Submission no.	Issue/s raised	TfNSW response
2.4	PC006	Request for the planting of native species be included in station landscaping	Landscaping and/or offsets would be undertaken in consultation with Central Coast Council and TfNSW's <i>Vegetation Offset Guide</i> . Maintenance would be undertaken by Sydney Trains, as the landscaping is located on rail corridor land. The number and types of trees to be removed and planted would be determined during detailed design.
2.5	PC006	Request for the inclusion of photovoltaic panels on the station roof	TfNSW would implement sustainability initiatives as part of the Project to achieve an Infrastructure Sustainability Rating of 'Excellent' (refer to CoA 30). This includes the adoption of measures to reduce resource consumption, such as energy and water. Renewable energy options will be investigated during detailed design.
2.6	PC008	Request for the upgrade of the station master's office in line with the proposed station design	The focus of the Proposed Activity is for accessibility upgrades at the station. Upgrades to the exterior of the station master's office are outside the scope of the accessibility upgrade.
3	Traffic, transport and access		
3.1	PC003	Request for modifications to the Brisbane Water Drive commuter car park entrance and exit points as it currently hazardous for cars to exit and turn right on to Brisbane Water Drive	Upgrades to the Brisbane Water Drive commuter car park are outside of the scope of the Proposed Activity. The Proposal is for accessibility upgrades at the station to comply with the DDA and DSAPT requirements. It is currently illegal to turn right from the commuter car park on to Brisbane Water Drive (as there is a solid white line). It is recommended that cars would turn left when exiting the commuter car park and utilise the roundabout to the south to conduct a U-turn if they wish to travel north. A Road Safety Audit would be undertaken as part of detailed design to identify any potential hazards and possible mitigation measures.
3.2	PC009	Request for the removal of street parking on Kurrawa Avenue, south of the station as it is a busy cyclist and pedestrian area	The focus of the Proposed Activity is for accessibility upgrades at the station in accordance with the DSAPT and DDA requirements. Adjustments to street parking on local roads surrounding the station precinct are outside the focus of the Proposed Activity. The community request to remove street parking on Kurrawa Avenue shall be considered and consulted with CCC against the Proposed Activities objectives during detailed design.

No.	Submission no.	Issue/s raised	TfNSW response
3.3	PC009	Request for the inclusion of a dedicated shared cycle/pedestrian path so that commuters do not have to travel on the road	The focus of the Proposed Activity is to improve accessibility in accordance with the DSAPT and DDA requirements. The key objective of the TAP is to provide stations that are accessible to people with disabilities, limited mobility, parents/carers with prams, and customers with luggage. The inclusion of a dedicated shared cycle and pedestrian path are outside the focus of the Proposed Activity. TfNSW shall consult with CCC throughout detailed design to ensure that the Proposed Activity does not preclude any future council developments of the land surrounding the station.
3.4.	PC011	Request for the removal of stairs leading to the station underpass on Kurrawa Avenue to improve station accessibility	The Proposed Activity includes the installation of new accessible footpaths and stairs connecting the existing underpass with the station entry and car park on the eastern side of the station, i.e. off Kurrawa Avenue.
3.4	PC005, PC014	Request for the provision of a secure bike storage facility to protect bikes from the elements and enhance bike storage security	<p>There are existing bicycle parking facilities at Point Clare Station that includes bicycle parking hoops at the entrance to the station on Brisbane Water Drive and a secure bicycle locker to the north of Brisbane Water Drive commuter car park.</p> <p>The Proposed Activity would investigate relocating the existing bicycle locker closer to the station entrance.</p> <p>Opportunities for additional bicycle storage facilities would be investigated as part of detailed design.</p>
4	Other		
4.1	PC001, PC013	Request for the upgrade Tascott Station	<p>Transport for NSW is continuing to upgrade all stations across the Sydney Trains and NSW Trains networks to meet the DDA legislation and DSAPT requirements. Transport for NSW is currently delivering station upgrades across the state under Tranche 3 of the Transport Access Program.</p> <p>The upgrades to Point Clare station are being carried out under this tranche and would improve accessibility to the station and provide safe and equitable access to the platforms and carpark.</p> <p>TfNSW determines the priority of upgrades using evidence-based criteria, including:</p> <ul style="list-style-type: none"> • current and predicted future patronage • the needs and demographics of customers who use the location

No.	Submission no.	Issue/s raised	TfNSW response
			<ul style="list-style-type: none"> whether important services such as hospitals or educational facilities are nearby cumulative impacts of other construction projects the accessibility of other nearby transport interchanges and facilities. <p>The list of upgrades is regularly reviewed so the people of NSW can have confidence that upgrades are delivered where they are needed most.</p> <p>Currently, Transport for NSW is completing a DSAPT compliance audit to determine compliance at stations. Although an upgrade to Tascott station is not in development at this time, it will be considered as part of future tranches of the Transport Access Program.</p> <p>In the Central Coast area, construction is underway for Lisarow, Niagara Park, Narara and Ourimbah stations. To receive updates on planned future projects at other stations, please refer to the current projects webpage:</p> <p>https://www.transport.nsw.gov.au/projects/current-projects</p>

Other stakeholder submissions

Table 2-2 Response to other stakeholder submissions received

Issue no.	Stakeholder	Issue/s raised	TfNSW response
1	Design		
1.1	PC016 CCC	Request for more covered waiting areas for when buses replace trains to protect commuters from the elements	<p>It is noted that the rail shutdowns are managed by NSW TrainLink.</p> <p>Point Clare Station has existing bus shelters and seating for normal operations and for temporary bus services during track work.</p> <p>This feedback will be provided to NSW TrainLink for consideration.</p>
1.2	PC016 CCC	Request for the inclusion of an additional access ramp on Kurrawa Avenue that is not between two car spaces with bollards	<p>The arrangement of access ramps will be considered during the detailed design stage.</p>

Issue no.	Stakeholder	Issue/s raised	TfNSW response
2	Traffic, transport and access		
2.1	PC016 CCC	Request for clarification of the proposed bus stop upgrade on Brisbane Water Drive, including if the bus shelter will be DDA compliant and built in accordance with CCC's current style	<p>The Proposed Activity includes upgrades to the existing bus stop for DDA compliance. An accessible path connecting the bus top to the station entrance would be provided to improve the accessibility of the station precinct.</p> <p>The design of the bus stop would be investigated during the detailed design stage, and CCC's current bus stop style would be considered.</p>
2.2	PC016 CCC	Requests that the proposed accessibility footpaths are constructed in line with Council's standards	The CCC's <i>Civil Works Specifications</i> and <i>Standard Drawings</i> would be considered as part of the detailed design stage where relevant.
2.3	PC016 CCC	Concern over the location of existing bollards. Suggests the removal or relocation of these bollards, particularly on the eastern side of the station	The focus of the Proposed Activity is to improve accessibility at the station in accordance with DDA and DSAPT. The final location of bollards would be considered during the detailed design stage.
2.4	PC016 CCC	Request clarification of the zebra pedestrian crossings shown on the Proposed Activity figure	There are two existing signalised pedestrian crossings connecting the western side of Brisbane Water Drive and the station, which are not proposed to be altered as part of the proposed work. The depiction of zebra crossings in Figure 3-1 of the REF was an error.
2.5	PC016 CCC	Request clarification of the kiss and ride parking layout as they are depicted as 90 degrees in the Point Clare Station Upgrade REF despite the current car parking being at 45 degrees	<p>The new kiss and ride spaces and accessible parking spaces are indicatively shown as being perpendicular to the kerb in the REF.</p> <p>The angle, orientation and configuration of the parking arrangements would be determined as part of the detailed design process.</p>

Issue no.	Stakeholder	Issue/s raised	TfNSW response
2.6	PC016 CCC	Request for 15-minutes car parking space/s for parents or carers to assist young or elderly access the station precinct	<p>The provision of timed parking in commuter car parks has previously been problematic as the 15-minutes time limit is often not policed and therefore tends to be used by commuters. The addition of timed 15-minutes parking spaces would also lead to a loss of commuter car parking spaces. The Proposal includes the provision of a Kiss and Ride space in both the eastern and western car parks. These spaces provide five-minutes parking which could be used by parents or carers.</p> <p>The provision for 15-minutes parking would be considered during detailed design in consultation with CCC to ascertain the practicality of implementing timed parking within the car park.</p>
3	Hydrology and water quality		
3.1	PC015 State Emergency Services	The proposed work appear to have minimal risk to NSW SES response operations and do not contribute to increasing risk.	Support for the Proposed Activity is noted.
3.2	PC015 State Emergency Services	Noted the design and stormwater management should minimise any risk to the community and should ensure commuters are aware of the flood risk (i.e. through an appropriate business emergency plan).	<p>As per Section 6.9 of the Point Clare Station Upgrade REF, the station is not identified to be at risk of regional flooding. However, flood mapping shows that flooding from Brisbane Water is within 50 metres, therefore overlapping with the north-eastern section of the Proposed Activity along Kurrawa Avenue.</p> <p>The Proposed Activity is not likely to impact on the hydrology of the Brisbane Water Foreshore catchment. The upgrades to the access paths and station entrances along Kurrawa Avenue may result in a minor alteration to the surface water flow.</p> <p>The design has considered the potential impacts of flooding on the operation of the Proposed Activity. Further investigations would be undertaken during the detailed design stage to ensure potential risks to operational activities and equipment are addressed.</p>

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 in the lead up to 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 work, 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)⁴ 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](https://transport.nsw.gov.au/pointclare)⁵ would also include updates on the progress of construction.

⁴ projects@transport.nsw.gov.au

⁵ transport.nsw.gov.au/pointclare

3. Consideration of the environmental impacts

3.1. 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?*](#)⁶ 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.

3.2. 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.

⁶ Refer to the National Library of Australia's 'Trove' website
<http://trove.nla.gov.au/work/7003034?selectedversion=NBD11474648>

4. Changes to the Proposed Activity

COVID construction hours have been extended until March 2022 since the Point Clare Station Upgrade REF was prepared. These changes are outline in Table 4-1. Where additional mitigation measures are required, these have been included as Conditions of Approval in Appendix B.

Table 4-1 Assessment of design changes

Aspect of the Proposed Activity	Design change	Discussion of impacts
Construction work hours	Extended working hours during COVID-19	<p>The Minister for Planning and Public Spaces has made a number of Orders under Section 10.17 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) in response to the COVID-19 pandemic. This includes the <i>Environmental Planning and Assessment (COVID-19 Development – Infrastructure Construction Work Days No. 2) Order 2020</i> (the ‘Order’), which commenced on 24 December 2020, and is applicable to construction activities for projects which have been subject to an assessment under Division 5.1, or approval under Division 5.2 of the EP&A Act. The Order extends the standard construction hours to allow infrastructure construction work on Saturday, Sunday and Public holidays (7am to 6pm), without the need for any approval (excluding high noise generating works such as rock breaking or pile driving and the like).</p> <p>These extended working hours were due to expire on 25 March 2021. However, on Wednesday 24 March 2021, the NSW Government introduced the <i>COVID-19 Legislation Amendment (Emergency Measures) Bill 2020</i>, which was subsequently passed by parliament, and came into effect on 25 March 2021. A section of the Bill enabled the extension of the extended working hours until 31 March 2022.</p> <p>Whilst no further assessment of the environmental impacts are required for these extended working hours, in the event that Transport for NSW would seek to utilise the extended working hours permitted by the Order, advance notification would be provided to the community.</p>

5. Conditions of Approval

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

6. Conclusion

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 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

Point Clare Station Upgrade

APPROVAL

I, Sally Durham, as delegate of the Secretary, Transport for NSW:

1. Have examined and considered the Proposed Activity in the *Point Clare Station Upgrade Review of Environmental Factors* (February 2021) and the *Point Clare Station Upgrade Determination Report* (April 2021) 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 (April 2021), consistent with the Proposed Activity described in the *Point Clare Station Upgrade Review of Environmental Factors* (February 2021).



Sally Durham
Acting Director Planning, Environment & Sustainability
Environment and Sustainability
Safety, Environment and Regulation
Transport for NSW

Date: 14 April 2021

References

TfNSW, 2021, *Transport Access Program Point Clare Station Upgrade Review of Environmental Factors*, Sydney

Appendix A Review of Environmental Factors

Please refer to the TfNSW website to access the Point Clare Station Upgrade REF (Desksite 6544229):

transport.nsw.gov.au/pointclare

Appendix B Conditions of Approval

CONDITIONS OF APPROVAL

Point Clare Station Upgrade

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

Schedule of acronyms and definitions used

Acronym	Definition
ADEM	TfNSW Associate Director Environmental Management (or nominated delegate)
ASSMP	Acid Sulfate Soil Management Plan
CCC	Central Coast Council
CECR	Construction Environmental Compliance Report
CEMP	Construction Environmental Management Plan
CLMP	Community Liaison Management Plan
CoA	Condition of Approval
dBA	Decibels (A-weighted scale)
ECM	Environmental Controls Map
EIA	Environmental Impact Assessment
EPA	NSW Environment Protection Authority
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
OOHWP	Out of Hours Work Protocol
PDP	Public Domain Plan
RBL	Rating Background Level
REF	Review of Environmental Factors
TAP	Transport Access Program
TfNSW	Transport for NSW
TMP	Traffic Management Plan
UDLP	Urban Design and Landscaping Plan

Term	Definition
Construction	Includes all work in respect of the Project, other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, or other activities determined by the TfNSW ADEM to have minimal environmental impact such as minor access roads, minor adjustments to services/utilities, establishing temporary construction compounds (in accordance with this approval), or minor clearing (except where threatened species, populations or ecological communities would be affected, unless otherwise agreed by the ADEM).
Contamination	The presence in, on or under land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.
Designated Works	Includes tunnelling, blasting, piling, excavation or bulk fill or any vibratory impact work including jack hammering and compaction, for Construction.
Emergency Work	Includes work 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.
Environmental Impact Assessment (EIA)	The documents listed in Condition 1 of this approval.
Environmental Management Representative (EMR)	An independent environmental representative appointed to the Project or a delegate nominated by Transport for NSW.
Feasible	A work practice or abatement measure is feasible if it is capable of being put into practice or of being engineered and is practical to build given project constraints such as safety and maintenance requirements.
Noise Sensitive Receiver	In addition to residential dwellings, noise sensitive receivers include, but are not limited to, hotels, entertainment venues, pre-schools and day care facilities, educational institutions (e.g. schools, TAFE colleges), health care facilities (e.g. nursing homes, hospitals), recording studios, places of worship/religious facilities (e.g. churches), and other noise sensitive receivers identified in the Environmental Impact Assessment.
Project	The construction and operation of the Point Clare Station Upgrade as described in the Environmental Impact Assessment.
Proponent	A person or body proposing to carry out an activity under Division 5.1 of the <i>Environmental Planning and Assessment Act 1979</i> – in the case of the Project, Transport for NSW.
Reasonable	Selecting reasonable measures from those that are feasible involves making a judgment to determine whether the overall benefits outweigh the overall adverse social, economic and environmental effects, including the cost of the measure.

CoA	Condition
	General
1.	<p>Terms of Approval</p> <p>The Project shall be carried out generally in accordance with the environmental impact assessment (EIA) for this Project, which comprises the following documents:</p> <ul style="list-style-type: none"> a) <i>Point Clare Station Upgrade – Review of Environmental Factors</i> (TfNSW, February 2021) b) <i>Point Clare Station Upgrade – Determination Report</i> (TfNSW, April 2021) <p>In the event of an inconsistency between these conditions and the EIA, these conditions will prevail to the extent of the inconsistency.</p>
2.	<p>Project Modifications</p> <p>Any modification to the Project as approved in the EIA would be subject to further assessment. This assessment would need to demonstrate that any environmental impacts resulting from the modifications have been minimised. The assessment shall be subject to approval under delegated authority by TfNSW, and any additional requirements from the assessment of the Project modification must be complied with.</p>
3.	<p>Statutory Requirements</p> <p>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.</p>
4.	<p>Construction Environmental Compliance Report</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"> 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 TfNSW Associate Director Environmental Management (ADEM). <p>The CECR shall:</p> <ul style="list-style-type: none"> i. be submitted to the Environmental Management Representative (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. <p>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.</p>

CoA	Condition
	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.
5.	<p>Graffiti and Advertising</p> <p>Hoardings, site sheds, fencing, acoustic walls around the perimeter of the site, and any structures built as part of the Project 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 time frames</p> <ul style="list-style-type: none"> a) offensive graffiti will be removed or concealed within 24 hours b) highly visible (yet inoffensive) graffiti will be removed or concealed within a week c) graffiti that is neither offensive or highly visible will be removed or concealed within a month d) any unauthorised advertising material will be removed or concealed within 24 hours.
Communications	
6.	<p>Community Liaison Management Plan</p> <p>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:</p> <ul style="list-style-type: none"> 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 Construction 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. <p>The CLMP shall be prepared to the satisfaction of the Director Community Engagement (or nominated delegate) prior to the commencement of construction and implemented, reviewed and revised as appropriate during the construction of the Project.</p>
7.	<p>Community Notification and Liaison</p> <p>The local community shall be advised of any activities related to the Project with the potential to impact upon them.</p> <p>Prior to any site activities commencing and throughout the Project duration, the community is to be notified of works to be undertaken, the estimated hours of construction and details of how further information can be obtained (i.e. contact telephone number/email, website, newsletters etc.) including the 24 hour construction response line number.</p> <p>Construction-specific impacts including information on traffic changes, access changes, detours, services disruptions, public transport changes, high noise generating work activities and work required outside the nominated working hours shall be advised to the local community at least seven 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>

CoA	Condition
8.	<p>Website</p> <p>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:</p> <ul style="list-style-type: none"> a) a copy of the documents referred to under Condition 1 of this approval b) a list of environmental management reports that are publicly available c) 24-hour contact telephone number for information and complaints. <p>All documents uploaded to the website must be compliant with the <i>Web Content Accessibility Guidelines Version 2.0</i>.</p>
9.	<p>Complaints Management</p> <p>A 24-hour construction response line number shall be established and maintained for the duration of construction.</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 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 Environmental Management Representative (EMR) each working day.</p>
Environmental Management	
10.	<p>Construction Environmental Management Plan</p> <p>A Construction Environmental Management Plan (CEMP) shall be prepared prior to the commencement of construction which addresses the following matters, as a minimum:</p> <ul style="list-style-type: none"> a) traffic and pedestrian management (in consultation with the relevant roads authority) b) noise and vibration management c) water and soil management d) air quality management (including dust suppression) e) 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. <p>The CEMP shall:</p> <ul style="list-style-type: none"> i. comply with the Conditions of Approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant legislation and regulations, and accepted best practice management ii. comply with the relevant requirements of Environmental Management Plan Guideline – Guideline for Infrastructure Projects (NSW Department of Planning Industry and Environment, 2020)

CoA	Condition
	<ul style="list-style-type: none"> 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. <p>In preparing the CEMP the following shall be undertaken:</p> <ul style="list-style-type: none"> 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 ADEM for approval upon completion of the EMR review period 4. review and update the CEMP at regular intervals, and in response to any actions identified as part of the EMR's audit of the document 5. ensure updates to the CEMP are made within 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. <p>The CEMP must be approved by the ADEM prior to the commencement of construction work associated with the Project.</p>
11.	<p>Environment Personnel</p> <p>Suitably qualified and experienced environmental management personnel shall be available and be responsible for implementing the environmental objectives for the Project, including undertaking regular site inspections, preparation of environmental documentation and ensuring the Project meets the requirements of the Environmental Management System (EMS).</p> <p>Details of the environmental personnel, including relevant experience, defined responsibilities and resource allocation throughout the project (including time to be spent on-site/off-site) are to be submitted for the approval of the ADEM, at least 21 days prior to commencement of construction of the Project (or such time as otherwise agreed by the ADEM).</p> <p>Any adjustments to environmental resource allocations (on-site or off-site) are to be approved by the ADEM.</p>
12.	<p>Environmental Management Representative</p> <p>Prior to the commencement of construction, the ADEM shall appoint an EMR for the duration of the construction period for the Project.</p> <p>The EMR shall provide advice to the ADEM in relation to the environmental compliance and performance of the Project. The EMR shall have responsibility for:</p> <ul style="list-style-type: none"> 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

CoA	Condition
	<ul style="list-style-type: none"> 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. <p>The EMR shall be available during construction activities to inspect the site(s) and be present on-site as required.</p>
13.	<p>Environmental Controls Map</p> <p>An ECM shall be prepared and implemented in accordance with TfNSW's <i>Guide to Environmental Controls Map</i> (SD-015) prior to the commencement of construction for implementation for the duration of construction. The ECM is to be endorsed by the EMR and may be prepared in stages, as set out in the CEMP.</p> <p>A copy of the ECM shall be submitted to the EMR for review and endorsement. The EMR is to be given a minimum period of 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).</p> <p>The ECM shall be prepared as a map – suitably enlarged (e.g. A3 size or larger) for mounting on the wall of a site office and included in site inductions, supported by relevant written information.</p> <p>Updates to the ECM shall be made within 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.</p>
Hours of Work	
14.	<p>Standard Construction Hours</p> <p>Construction activities shall be restricted to the hours of 7:00 am to 6:00 pm (Monday to Friday); 8:00 am to 1:00 pm (Saturday) and at no time on Sundays and public holidays except for the following works which are permitted outside these standard hours:</p> <ul style="list-style-type: none"> a) any works which do not cause noise emissions to be more than 5dBA higher than the rating background level (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 works authorised under the Environmental Planning and Assessment (COVID-19 Development – Infrastructure Construction Work Days No. 2) Order 2020 (whilst the Order is in effect) f) 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.	<p>High Noise Generating Activities</p> <p>Rock breaking or hammering, jack hammering, pile driving, vibratory rolling, cutting of pavement, concrete or steel and any other activities which result in impulsive or tonal noise generation shall not be undertaken for more than 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).</p>

CoA	Condition
	Noise and Vibration
16.	<p>Construction Noise and Vibration</p> <p>Construction noise and vibration mitigation measures shall be implemented through the CEMP, in accordance with TfNSW's <i>Construction Noise and Vibration Strategy</i> (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 limited to:</p> <ul style="list-style-type: none"> a) details of construction activities and an indicative schedule for construction works b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA) d) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise 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 14 of this approval, including a risk assessment process which deems the out of hours activities to be of low, medium or high environmental risk, is to be developed. All out of hours works are subject to approval by the EMR and/or ADEM or as approved by EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with the TfNSW <i>Construction Noise and Vibration Strategy</i> (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.	<p>Vibration Criteria</p> <p>Vibration (other than from blasting) resulting from construction and received at any structure outside of the Project shall be limited to:</p> <ul style="list-style-type: none"> a) for structural damage vibration –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 6472-2:1992 Guide to Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz). <p>These limits apply unless otherwise approved by the ADEM through the CEMP.</p>
18.	<p>Non-Tonal Reversing Beepers</p> <p>Non-tonal reversing beepers (or an equivalent mechanism) shall be fitted and used on all construction vehicles and mobile plant regularly used on-site (i.e. greater than one day) and for any out of hours work.</p>
19.	<p>Piling</p> <p>Wherever practical, piling activities shall be completed using non-percussive piles. If percussive piles are proposed to be used, approval of the ADEM shall be obtained prior to commencement of piling activities.</p>
20.	<p>Noise Impacts on Educational Facilities</p> <p>Potentially affected pre-schools, schools, universities and any other affected permanent educational institutions shall be consulted in relation to noise mitigation measures to identify any noise sensitive periods (e.g. exam periods). As much as reasonably practicable noise intensive construction works in the vicinity of affected educational buildings are to be minimised.</p>

CoA	Condition
Contamination and Hazardous Materials	
21.	<p>Unidentified Contamination (Other Than Asbestos)</p> <p>If previously unidentified contamination (excluding asbestos) is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and report prepared to determine the nature, extent and degree of any contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA guidelines, including the <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (Office of Environment and Heritage, 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 seven days to review.</p> <p>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.</p> <p>Note: <i>In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 21 and Condition 22.</i></p>
22.	<p>Asbestos Management</p> <p>If previously unidentified asbestos contamination is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and 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.</p> <p>Works may only recommence upon receipt of a validation report from a suitably qualified contamination specialist that the remediation activities have been undertaken in accordance with the investigation report and remediation methodology.</p> <p>Note: <i>In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 21 and Condition 22.</i></p>
23.	<p>Storage and Use of Hazardous Materials</p> <p>Construction hazard and risk issues associated with the use and storage of hazardous materials shall be addressed through risk management measures, which shall be developed 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> (SD-066) and Australian and ISO standards. These measures shall include:</p> <ul style="list-style-type: none"> a) the storage of hazardous materials, and refuelling/maintenance of construction plant and equipment 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.

CoA	Condition
24.	<p>Contamination Investigation</p> <p>Prior to construction, an investigation of the Project site shall be undertaken by a suitably qualified Environmental Consultant, in accordance with the level of assessment and requirements stipulated by the <i>National Environment Protection (Assessment of Site Contamination) Amendment Measure (NEPM) 2013</i>. The assessment shall also be generally undertaken in accordance with:</p> <ul style="list-style-type: none"> a) <i>Contaminated Sites - Sampling Design Guidelines</i> (EPA, 1995) b) <i>AS 4482 (2005) Guide to the investigation and sampling of sites with potentially contaminated soil</i>. <p>The investigation report shall be prepared in accordance with the <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (Office of Environment and Heritage, 2011) and shall also include a preliminary waste classification in accordance with the <i>Waste Classification Guidelines</i> (EPA, 2014).</p> <p>Specific requirements for further investigation (including requirements for a Site Auditor), remediation or management of any contamination shall be included in the CEMP (or supporting Contamination Management Plan) as appropriate.</p> <p>Note: Nothing in this condition removes any obligation to adhere to the requirements under the <i>NSW Contaminated Land Management Act 1997</i> (or other legislation).</p>
Erosion and Sediment Control	
25.	<p>Erosion and Sediment Control</p> <p>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 <i>Managing Urban Stormwater: Soils and Construction Volume 1 4th Edition</i> (Landcom, 2004).</p>
Heritage Management	
26.	<p>Aboriginal and Non-Aboriginal Heritage</p> <p>If previously unidentified Aboriginal or non-Aboriginal heritage/archaeological items are uncovered during construction works, the procedures contained in the TfNSW <i>Unexpected Heritage Finds Guideline</i> (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.</p>
Flora and Fauna	
27.	<p>Removal of Trees or Vegetation</p> <p>Separate approval, in accordance with TfNSW's <i>Removal or Trimming of Vegetation Application</i> (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>
28.	<p>Replanting Program</p> <p>All cleared vegetation shall be offset in accordance with TfNSW's <i>Vegetation Offset Guide</i> (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.</p>

CoA	Condition
	Lighting
29.	<p>Lighting Scheme</p> <p>A lighting scheme for the construction and operation of the Project is to be developed by a suitably qualified lighting designer and prepared in accordance with <i>AS 1158 Lighting for Roads and Public Spaces</i> and <i>AS 4282 Control of the Obtrusive Effects of Outdoor Lighting</i>. The lighting scheme shall address the following as relevant:</p> <ul style="list-style-type: none"> c) consideration of lighting demands of different areas d) strategic placement of lighting fixtures to maximise ground coverage e) use of LED lighting f) minimising light spill by directing lighting into the station and car park g) control systems for lighting that dim or switch-off lights settings according to the amount of daylight the zone is receiving h) motion sensors to control low traffic areas i) allowing the lighting system to use low light or switch off light settings while meeting relevant lighting Standards requirements, and j) ensuring security and warning lighting is not directed at neighbouring properties.
	Sustainability
30.	<p>Infrastructure Sustainability Council of Australia (ISCA) Ratings</p> <p>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.</p>
	Traffic, Transport and Access
31.	<p>Traffic Management Plan</p> <p>A construction Traffic Management Plan (TMP) shall be prepared as part of the CEMP which addresses, as a minimum, the following matters:</p> <ul style="list-style-type: none"> a) ensuring adequate road signage at construction work sites to inform motorists and pedestrians of the work site ahead to ensure that the risk of road accidents and disruption to surrounding land uses is minimised b) maximising safety and accessibility for pedestrians and cyclists c) ensuring adequate sight lines to allow for safe entry and exit from the site d) ensuring access to railway stations, businesses, entertainment premises and residential properties (unless affected property owners have been consulted and appropriate alternative arrangements made) e) managing impacts and changes to on and off street parking and requirements for any temporary replacement provision f) parking locations for construction workers away from stations and busy residential areas and details of how this will be monitored for compliance g) routes to be used by heavy construction-related vehicles to minimise impacts on sensitive land uses and businesses h) 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 i) measures to manage traffic flows around the area affected by the Project, including as required regulatory and direction signposting, line marking and variable message signs and all other traffic control devices necessary for the implementation of the TMP. <p>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.</p>

CoA	Condition
32.	<p>Road Safety Audit</p> <p>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.</p> <p>The Road Safety Audit is to be submitted to and accepted by TfNSW. The findings of the Road Safety Audit shall be provided to CCC for information.</p>
Urban Design and Landscaping	
33.	<p>Urban Design and Landscaping Plan</p> <p>An Urban Design and Landscaping Plan (UDLP) for the Project shall be prepared and submitted to TfNSW for endorsement by the Precincts and Urban Design Team. The UDLP is to address the fundamental design principles as outlined in <i>'Around the Tracks' – urban design for heavy and light rail</i> (TfNSW, Interim 2016). At a minimum, the UDLP shall:</p> <ul style="list-style-type: none"> a) demonstrate a robust understanding of the Project site through a comprehensive site analysis to inform the design direction, demonstrate connectivity with street networks, transport modes, active transport options, and pedestrian distances j) identify opportunities and challenges k) establish site-specific principles to guide and test design options l) demonstrate how the preferred design option responds to the design principles established in <i>Around the Tracks</i>, including consideration of Crime Prevention through Environmental Design Principles. <p>The UDLP is to include the Public Domain Plan (PDP) for the chosen option and shall provide analysis of the:</p> <ul style="list-style-type: none"> (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. <p>The following design guidelines are available to assist and inform the UDLP for the Project:</p> <ul style="list-style-type: none"> • <i>TAP Urban Design Plan Guidelines</i> (TfNSW, Draft 2018) • <i>Commuter Car Parks Urban Design Guidelines</i> (TfNSW, Interim 2017) • <i>Managing Heritage Issues in Rail Projects Guidelines</i> (TfNSW, Interim 2016) • <i>Creativity Guidelines for Transport Systems</i> (TfNSW, Interim 2016) • <i>Water Sensitive Urban Design Guideline SD-106</i> (TfNSW, 2017). <p>Endorsement of the EDLP will demonstrate compliance with the Conditions of Approval in the REF Determination Report.</p> <p>The UDLP shall be:</p> <ul style="list-style-type: none"> 1. prepared in consultation with councils and relevant stakeholders 2. prepared by a registered Architect and/or Landscape Architect 3. finalised and submitted to TfNSW at the completion of design documentation

CoA	Condition
Site-specific Conditions	
34.	Offset Planting Offsets and/or landscaping would be undertaken in accordance with the <i>Transport for NSW Vegetation Offset Guide</i> (FT-078) and in consultation with CCC. The number of trees to be planted as offsets would be determined at the detailed design phase based upon the final footprint of the Proposal, and the specific number of trees required to be removed.
35.	Tree Protection Tree protection would be undertaken in line with <i>AS 4970-2009 Protection of Trees on Development Sites</i> . Tree protection work shall be inspected and approved by a Consulting Arborist meeting AQF Level 5 prior to construction work commencing.
36.	Climate Change Risk Assessment A climate change risk assessment is to be undertaken as identified in Section 6.13.2 of the REF.
37.	Acid Sulfate Soil Management Plan An acid sulfate soil management plan (ASSMP) would be prepared and implemented in accordance with the <i>Acid Sulfate Soil Manual</i> (Acid Sulfate Soils Management and Advisory Committee, 1995) if excavation of the Class 2 ASS located 20 metres east of the Proposal is anticipated to occur.