

# Tuggerah Station Upgrade

## Determination Report



*Artist's impression of the proposed Tuggerah Station Upgrade from the east, subject to detailed design*

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## Glossary and abbreviations

Term	Meaning
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016 (NSW)</i>
<b>BDAR</b>	Biodiversity Development Assessment Report
<b>CBD</b>	Central Business District
<b>CEMP</b>	Construction Environmental Management Plan
<b>CLP</b>	Community Liaison Plan
<b>Construction Contractor</b>	The Construction Contractor for the Proposed Activity would be appointed by Transport for NSW to undertake the detailed design and construction of the Proposed Activity.
<b>CPTED</b>	Crime Prevention Through Environmental Design
<b>DDA</b>	<i>Disability Discrimination Act 1992 (Cwlth)</i>
<b>Detailed design</b>	Detailed design broadly refers to the process that the Construction Contractor undertakes (should the Proposed Activity proceed) to refine the concept design to a design suitable for construction (subject to Transport for NSW acceptance).
<b>Determination Report</b>	This document – a report prepared by Transport for NSW to assess and address certain matters to allow for a determination of the Proposed Activity under, and in accordance with Division 5.1 of the EP&A Act.
<b>DSAPT</b>	<i>Disability Standards for Accessible Public Transport (2002)</i>
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021 (NSW)</i>
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
<b>Transport &amp; Infrastructure SEPP</b>	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (NSW)</i>
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>NES</b>	Matters of 'National Environmental Significance' under the EPBC Act
<b>NSW</b>	New South Wales
<b>Proponent</b>	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in this instance, Transport for NSW.
<b>Proposed Activity</b>	The construction and operation of the Tuggerah Station Upgrade
<b>REF</b>	Review of Environmental Factors
<b>SIS</b>	Species Impact Statement
<b>TfNSW; Transport</b>	Transport for NSW (the Proponent)

# Executive summary

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## Overview of Proposed Activity

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

- stations that are accessible to those with disabilities, are less mobile and parents/carers with prams and customers with luggage
- modern buildings and facilities that meet the needs of a growing population
- modern interchanges that support an integrated network and allow seamless transfers for all customers
- safety improvements including extra lighting, lift alarm, fences and security measures at stations.

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

- construction of a new pedestrian footbridge north of the existing footbridge with new stairs connecting the Pacific Highway, the commuter car park and the station platforms, with canopies for weather protection over the footbridge and all stairs
- installation of a two-stop lift connecting Platform 1 and the new pedestrian footbridge, and installation of a three-stop lift connecting the Pacific Highway station entrance, Platform 2 and the new pedestrian footbridge
- removal of the existing non-compliant ramps, stairs and pedestrian footbridge
- removal of the existing Station Master's office, and construction of a new Station Master's office
- widening and lengthening of Platforms 1 and 2 to achieve compliant platform widths, improve accessibility and space for station customers and allow for future rolling stock
- construction of a family accessible toilet on Platform 1 and a unisex ambulant toilet on Platform 1
- interchange upgrade work including provision of new bike parking facilities at the new station entrances, provision of 15 DDA compliant accessible parking spaces to replace 19 existing non-compliant parking spaces in the commuter car park, new accessible footpaths on both eastern and western side of the station, and upgrade to the existing Pacific Highway southbound bus stop to be DSAPT compliant
- landscaping work including public domain improvements at the station forecourt areas, new lighting, and enhancement of sightlines between Anzac Road and Bryant Drive
- ancillary work including station power supply upgrade, replacement of existing 11kV and 66kV overhead power lines with underground cables, construction of new equipment room, provision of new or reinstated tactile pavement markings where required and improvements to station communication systems including CCTV and hearing loops.

Transport for NSW (Transport), 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. The REF was prepared by Jacobs on behalf of Transport in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and section 171 of the *Environmental Planning and Assessment Regulation 2021* (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.

The impacts associated with the design changes have been considered in accordance with section 171 of the EP&A Regulation (refer to Chapter 3).

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

## **Purpose of this report**

The purpose of this Determination Report is for Transport, as the Proponent of the Tuggerah 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. Transport 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 Transport's response to the issues and comments raised in these submissions.

## **Conclusion**

Based on the assessments in the REF and 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). Transport will continue to liaise with the community and other stakeholders as the Proposed Activity progresses through detailed design and into the construction phase.

# 1. Introduction

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## 1.1. Background

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

- stations that are accessible to those with disabilities, are less mobile and parents/carers with prams and customers with luggage
- modern buildings and facilities that meet the needs of a growing population
- modern interchanges that support an integrated network and allow seamless transfers for all customers
- safety improvements including extra lighting, lift alarm, fences and security measures at stations.

Tuggerah 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 non-compliant station entrances and stairs to the platform do not facilitate access for people with reduced mobility, parents/carers with prams or customers with luggage. There are no accessible parking spaces, no lift facilities and inadequate Tactile Ground Surface Indicators (TGSIs) to stairs, platforms and interchange facilities.

Transport for NSW (Transport) is the Proponent for the Tuggerah 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.

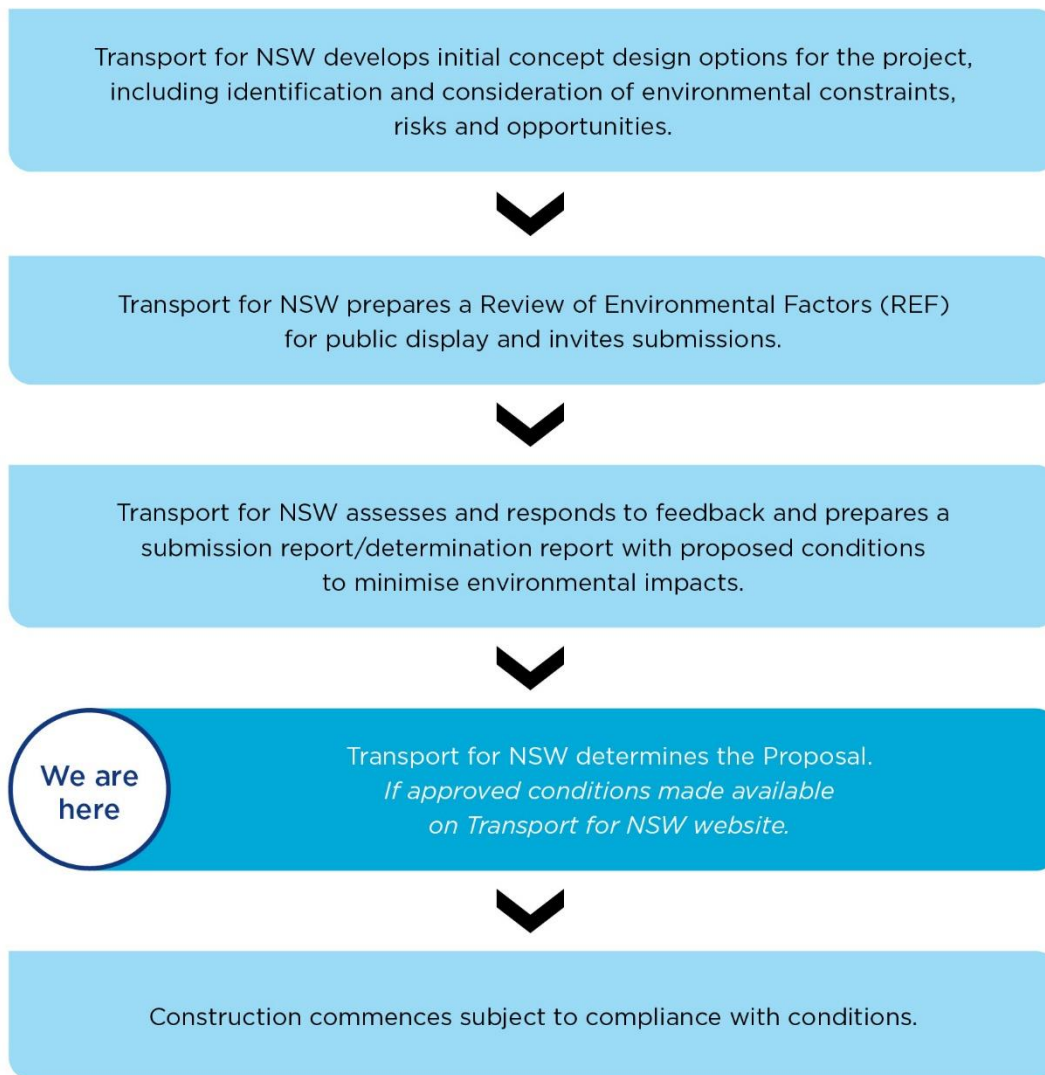
## 1.2. Review of Environmental Factors

A Review of Environmental Factors (REF) has been prepared by Jacobs on behalf of Transport in accordance with Sections 5.5 and 5.7 of the *Environmental Planning and Assessment 1979 (EP&A Act)*, and section 171 of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*, to ensure that Transport takes into account to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the Proposed Activity. The REF is included at Appendix A.

The Tuggerah Station Upgrade REF was placed on public display from Wednesday 16 March 2022 to Wednesday 6 April 2022, with 12 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 Transport must make a determination in accordance with Division 5.1 of the EP&A Act (refer to 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 Transport’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 Transport 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**

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

- construction of a new pedestrian footbridge north of the existing footbridge with new stairs connecting the Pacific Highway, the commuter car park and the station platforms, with canopies for weather protection over the footbridge and all stairs
- installation of a two-stop lift connecting Platform 1 and the new pedestrian footbridge, and installation of a three-stop lift connecting the Pacific Highway station entrance, Platform 2 and the new pedestrian footbridge
- removal of the existing non-compliant ramps, stairs and pedestrian footbridge
- removal of the existing Station Master's office, and construction of a new Station Master's office
- widening and lengthening of Platforms 1 and 2 to achieve compliant platform widths, improve accessibility and space for station customers and allow for future rolling stock
- construction of a family accessible toilet on Platform 1 and a unisex ambulant toilet on Platform 1
- interchange upgrade work including provision of new bike parking facilities at the new station entrances, provision of 15 DDA compliant accessible parking spaces to replace 19 existing non-compliant parking spaces in the commuter car park, new accessible footpaths on both eastern and western side of the station, and upgrade to the existing Pacific Highway southbound bus stop to be DSAPT compliant
- landscaping work including public domain improvements at the station forecourt areas, new lighting, and enhancement of sightlines between Anzac Road and Bryant Drive
- ancillary work including station power supply upgrade, replacement of existing 11kV and 66kV overhead power lines with underground cables, construction of new equipment room, provision of new or reinstated tactile pavement markings where required and improvements to station communication systems including CCTV and hearing loops.

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.

Early works are expected to commence in mid-2022, main works would commence from late-2022 and take around 16 months to complete.

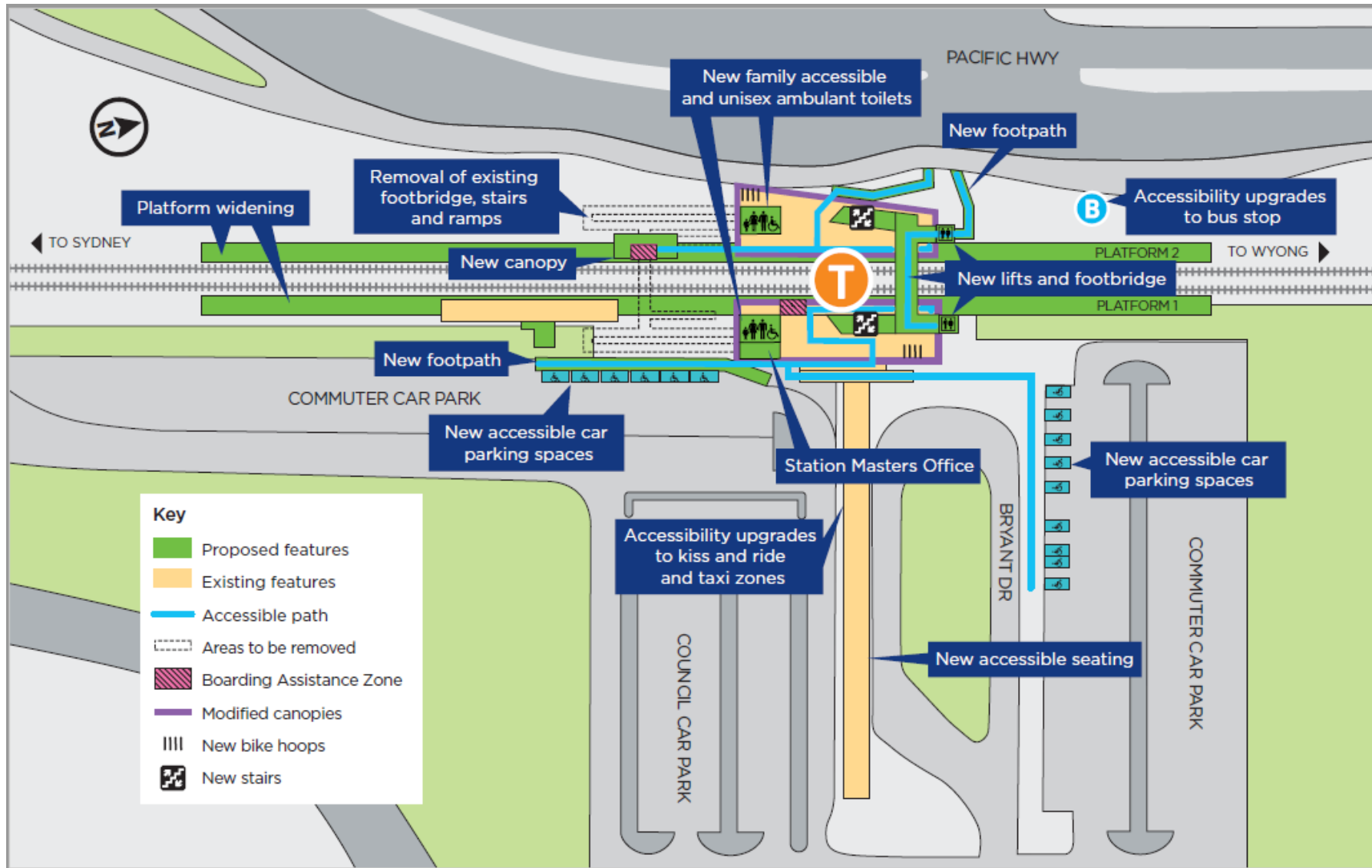


Figure 1-2 Key features of the Proposed Activity (indicative only, subject to detailed design)

## 2. Consultation and assessment of submissions

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### 2.1. REF public display

The Tuggerah Station Upgrade REF was placed on public display from Wednesday 16 March 2022 to Wednesday 6 April 2022, on the [Transport for NSW corporate website](https://transport.nsw.gov.au/tuggerah)<sup>1</sup> as well as Transport's [Have Your Say website](https://yoursay.transport.nsw.gov.au/tuggerah-station-upgrade)<sup>2</sup>. It was also advertised on the NSW Government [Have Your Say](https://nsw.gov.au/have-your-say/Tuggerah-Station-Upgrade) web page<sup>3</sup>.

Community consultation activities undertaken for the public display included:

- creation of a dedicated project webpage on the Transport corporate website
- a newsletter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the Transport website, along with details on how to make a submission was distributed to residents and businesses within 1.4 kilometres of the station
- posters with information on how to access the REF online including a QR code, along with details on how to make a submission were displayed at Tuggerah station and bus interchange during the exhibition period.
- advertisements with information on how to access the REF online were placed in local newspapers including the Coast Community Chronicle (Wednesday 23 and Wednesday 30 March), and the Coast Community News (Friday 25 March and Friday 1 April).
- a briefing was provided to Central Coast Council officers on 28 March 2022
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the Transport website, along with details on how to make a submission was sent to Central Coast Council as per consultation requirements of clause 13 and 15 of the State Environmental Planning Policy (Infrastructure) 2007. The State Environmental Planning Policy (Infrastructure) 2007 was consolidated into State Environmental Planning Policy (Transport and Infrastructure) 2021, which commenced on 1 March 2022. As the REF was prepared during this transition period, consultation with Central Coast Council was undertaken having regard for the provisions of clause 13 and 15 of the State Environmental Planning Policy (Infrastructure) 2007 and the equivalent provisions of Chapter 2 (Infrastructure) of the State Environmental Planning Policy (Transport and Infrastructure) 2021.
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the Transport website, along with details on how to make a submission was sent to the NSW State Emergency Service as per the consultation requirements of clause 15AA of the State Environmental Planning Policy (Infrastructure) 2007 and the equivalent provisions of Chapter 2 (Infrastructure) of the State Environmental Planning Policy (Transport and Infrastructure) 2021.

### 2.2. REF submissions

A total of 12 submissions were received via letter, email and online, including the posted comments on the project website. Community submissions are addressed in Table 1, while submissions received

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1 <https://transport.nsw.gov.au/tuggerah>

2 <https://yoursay.transport.nsw.gov.au/tuggerah-station-upgrade>

3 <https://nsw.gov.au/have-your-say/Tuggerah-Station-Upgrade>

from the NSW State Emergency Service, the Central Coast Council and the Member for The Entrance are addressed in Table 2.

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

- support for the Proposed Activity or wanting to see it completed as soon as possible
- concern about the removal of the existing coffee cart
- Suggestions for design changes including for the canopy, parking and pedestrian pathway
- concern about flooding or drainage issues.

## 2.3. Consideration and response to submissions

### Community submissions

Table 1 Response to community submissions received

No.	Submission no.	Issue/s raised	Transport for NSW response
<b>1</b>	<b>General</b>		
1.1	1, 3, 4, 8	Support for the Proposed Activity and the improved access and mobility at Tuggerah Station, including agreement with the removal of ramps and the new layout of the upgraded station, and recommendations for the upgrade to proceed as quickly as possible.	Noted.
1.2	1, 2	Suggestion for the existing coffee cart/news stand facility to remain at Tuggerah Station, or to provide a space for a shop.	<p>Noted. Transport would allow provisions for a similar type of facility e.g. a coffee cart at the station once construction is complete.</p> <p>Approval of retail facilities is not part of this Planning Approval. A separate assessment may be required if a retail lease is to be entered into.</p>
1.3	10	Concerned that the Proposed Activity is not necessary and a waste of money, as the Tuggerah Station is already accessible to disabled people and is working well the way it is. Noted that the station upgrade is not important to the community.	<p>The existing Tuggerah Station is not DSAPT/DDA compliant and does not cater for accessible mobility for all users.</p> <p>The Proposed Activity would provide new lifts and a new pedestrian footbridge, and remove the existing non-compliant ramps, stairs and pedestrian footbridge, to enhance accessibility and improve connectivity in the station precinct.</p>
<b>2</b>	<b>Design</b>		
2.1	1, 5, 7	Suggestion for the station platforms to be covered by canopy structure for the full length of the platforms, including to help cover the station seats in wet weather conditions.	<p>The design for the extent of canopy cover on the platforms would be reviewed during detailed design, and Transport would consider some extension of the canopy where feasible.</p> <p>However, it is noted the extent of canopy cover would not include full-length platform coverage. The proposed design would provide shade/shelter throughout all accessible movement areas and to/from lifts and Boarding Assistance Zones.</p>
2.2	5	Suggestion for some of the accessible car parking spaces on the south eastern side of the station to be moved away from station entry to improve the drop off zone.	The location of accessible car parking spaces would be further reviewed during detailed design to investigate opportunities to improve the “drop-off zone”, while also ensuring compliance of the accessible car parking spaces with DSAPT/DDA objectives.

No.	Submission no.	Issue/s raised	Transport for NSW response
2.3	5	Suggestion for additional seating to be provided on the platforms.	Noted, the extent of platform seating would be reviewed during detailed design. There would be additional seating installed on the platform from those currently installed.
2.4	5	Suggestion for the area on the western side of the station next to the Pacific Highway to be changed to a short term pick up only car parking and accessible zone, and extend this zone to the Wyong Road and Pacific Highway intersection.	<p>The western side of the station along Pacific Highway currently has a kiss and ride zone, which is considered sufficient. The main kiss and ride zone for Tuggerah Station is located on the eastern side of the station and provides additional spaces.</p> <p>The existing kiss and ride zone cannot be extended or it would compromise traffic safety on Pacific Highway on the approach to Wyong Road and Pacific Highway intersection. Further, Sydney Trains require uninterrupted access to the rail corridor for maintenance vehicles from this location.</p>
2.5	5	Concerned that the existing drop off and pick up zone on the eastern side of the station is a sharp bend and too narrow for peak travel time users.	<p>The eastern side of the station currently has a kiss and ride zone and taxi ranks. It is considered that there is sufficient space for vehicles to pass when other cars are stationary at this right turn corner. Widening of this bend would result in loss of parking spaces/kiss and ride spaces.</p> <p>During detailed design Transport would investigate reallocation of the kiss and ride parking bays and taxi rank parking bays. Parking spaces would not increase or decrease as a result of this change.</p> <p>The number of taxi bays would also be investigated and may result in being re-allocated as kiss and ride bays.</p>
2.6	5	Suggestion to add emergency egress points along the widened platform for evacuation, in addition to the existing entry/exit points.	Additional emergency egress point(s) may be required to accommodate the platform extensions. Further assessment during detailed design will determine if this is required, and if so where they would be located.

## Other stakeholder submissions

Table 2 Response to other stakeholder submissions received

Issue no.	Stakeholder	Issue/s raised	Transport for NSW response
<b>1.</b>	<b>State Emergency Service (SES)</b>		
1.1		Noted that although the existing Tuggerah Station is flood prone, the Proposed Activity will not contribute to increasing flood risk.	Noted.
1.2		Recommended for Transport to pursue site design and stormwater management that minimises any risks to the community.	<p>Transport would have provisions for appropriate stormwater management during the construction of the Proposed Activity.</p> <p>The detailed design of the Proposed Activity would take into account all flooding and drainage requirements.</p> <p>During operation, the Proposed Activity would not lead to increased stormwater runoff or increased drainage and management requirements.</p>
1.3		Recommended for Transport to ensure people using the station are aware of potential flooding risks	Transport would update the Tuggerah Station Site Evacuation Management Plan to include management of potential flood risks and how to ensure customer and staff safety during floods.
1.4		Recommended for Transport to develop an appropriate business emergency plan to assist in being prepared for, responding to and recovering from flooding	Transport would update the Tuggerah Station Site Evacuation Management Plan to include management of potential flood risks and how to ensure customer and staff safety during floods.
<b>2.</b>	<b>Member for The Entrance</b>		
2.1		Support for the Proposed Activity, specifically the installation of lifts at the Tuggerah Station.	Noted.
2.2		Suggested the ramp from the Bryant Drive car park to the proposed lifts to be reoriented to allow a more direct path from the carpark to the lifts.	<p>The accessible ramps at the station entry on the eastern side would need to conform to DSAPT/DDA and Transport design standards in regard to height, gradient and switchbacks.</p> <p>A ramp without switchbacks would be very long and would conflict with vehicle and pedestrian movements on the eastern side of the station, as well as within the Bryant Drive car park.</p> <p>The ramp design and configuration would be reviewed further during detailed design where Transport would consider ways to shorten the</p>

Issue no.	Stakeholder	Issue/s raised	Transport for NSW response
			path from the car park to the lifts, where feasible.
2.3		Suggested the existing kiosk facilities should be maintained and enhanced.	<p>Noted. Transport would allow provisions for a similar type of facility e.g. a coffee cart at the station once construction is complete.</p> <p>Approval of retail facilities is not part of this Planning Approval. A separate assessment may be required if a retail lease is to be entered into.</p>
2.4		Suggested the gardens on both sides of the station should be able to provide shade and cope with flooding events.	<p>The gardening and landscape design would be required to avoid obstacles to movement and to comply with CPTED objectives such as avoid shadowing and discourage littering and vandalism.</p> <p>The landscape design would be developed further during detailed design of the Proposed Activity and would allow ease of maintenance. This includes the planting of 28 native trees to offset the seven trees being removed.</p> <p>The existing drainage within and around the station would not be altered as part of the Proposed Activity.</p>
2.5		Suggested for drainage around pedestrian pathways to be designed to ensure amenity during wet weather events.	The reference design and further detailed design for the Proposed Activity would take into account flooding and drainage requirements. The Proposed Activity would not cause any increase in run off or change the existing stormwater hydrology.
2.6		Noted the Proposed Activity does not provide extra parking spaces at the station.	<p>The Proposed Activity aims to improve accessibility into and within the Tuggerah Station precinct. Any expansion or extension of commuter car parking is not included in the scope of this Proposed Activity.</p> <p>Transport is considering options for additional commuter car parking facilities in the vicinity of Tuggerah Station.</p>
2.7		Noted the Proposed Activity does not address benefits of extending the pedestrian footbridge across the Pacific Highway.	The extension of the pedestrian footbridge across Pacific Highway is not included in the Proposed Activity, however the detailed design for the Proposed Activity would be future-proofed so as to easily permit the addition of a footbridge in the future.
2.8		Noted the Proposed Activity does not provide extra track and does not address improvement to rail travel times.	The provision of additional tracks or additional services are not part of the scope of this Proposed Activity which aims to improve accessibility into and within the Tuggerah Station. The detailed design for the Proposed Activity would be future-proofed which includes

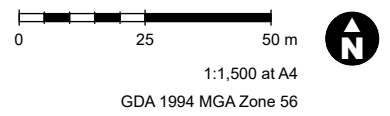


Issue no.	Stakeholder	Issue/s raised	Transport for NSW response
			the possible future provision of additional tracks at the station.
2.9		Noted the Council has poor record of maintaining Transport infrastructure such as landscaping, and that the community would prefer the maintenance to be carried out by Transport rather than Council.	All new landscaping as part of the Proposed Activity would be maintained by Sydney Trains.
<b>3</b>	<b>Central Coast Council</b>		
3.1		Recognised the Proposed Activity will improve the accessibility at Tuggerah Station and is consistent with Council's vision for Central Coast and Local Strategic Planning Statement planning priority 31.	Noted.
3.2		Noted that the REF should clearly state that the Proposed Activity will not impact on, or cause breaks in the passenger service.	Transport confirms that the Proposed Activity would not disrupt normal passenger rail services at Tuggerah Station. The Proposed Activity construction work would be carried out during standard rail shutdown periods, which occur every year, over four separate weekends. The Proposed Activity would take place over seven of these standard rail possession weekends.
3.3		Recommended that the loss of commuter parking during construction should be more clearly mitigated with alternative parking locations identified. The mitigation of relying on parking near the Tuggerah Station is insufficient.	<p>Transport has further refined the proposed loss of parking spaces to the following:</p> <ul style="list-style-type: none"> <li>• The <u>Bryant Drive South compound</u> has reduced occupancy down to ten parking spaces at the southern end of the commuter car park (refer to Figure 2-1 and Figure 2-2). This area would be used for the duration of the construction program and the ten spaces would not be open to public use.</li> <li>• For trenching and cabling works, there would be temporary and progressive loss of 10-15 spaces at a time, beginning at the northern end of Bryant Drive commuter car park and gradually progressing to the southern end. The trenching would be completed section by section, so that only 10-15 spaces are used at any one time, then the impacted area would be backfilled and re-sealed before moving onto the next section</li> <li>• The trenching and cabling works would be carried out early in the construction program prior to any major construction works on the</li> </ul>

Issue no.	Stakeholder	Issue/s raised	Transport for NSW response
			<p>station structures, in order to minimise potential impacts of the loss of parking spaces</p> <ul style="list-style-type: none"> <li>Trenching and cabling works would take around 1-2 months to complete.</li> <li>As the trenching and cabling works would begin in the <u>Bryant Drive North compound</u>, once the works are complete this northern area would only be used during rail possession periods, when train services are not running and parking demand is low.</li> </ul> <p>In accordance with CoA 35, the Contractor would investigate options for 25 replacement/ alternative car parking spaces to be provided nearby during the 1-2 months of cabling and trenching works.</p> <p>No alternative car parking provisions would be required during the occupancy of the Bryant Drive north compound as this area would only be used during rail possession periods where rail services are not running and few commuters are expected at the Station.</p>
4.1		Recommended that the 28 trees nominated for removal should be included in an Urban and Landscape Design Plan developed by a suitably qualified individual, with replacement planting identified.	<p>As provided in the REF, seven trees would be removed as part of the Proposed Activity.</p> <p>The Urban and Landscape Design Plan would be prepared during detailed design of the Proposed Activity and would identify locations for replacement planting as required.</p>
4.2		The REF has not shown any trees for trimming or pruning and should provide clearer details of such trees on a map.	<p>The figure in the REF has been updated to identify one tree (ID 45) that may require trimming as part of the Proposed Activity, as shown in Figure 2-3.</p> <p>This tree is a mature <i>Acacia floribunda</i> and the trimming would not require an offset.</p>
4.3		<p>Details of the proposed tree removal are inconsistent in the Arboricultural Impact Assessment Appendix II Tree Schedule.</p> <p>These trees are located immediately South of the Eastern (Down) platform buildings and are identified on the Tree Protection Plan (p42 and 44) as to be retained with tree protection fencing. Therefore, p.38 should list trees 45 and 46 to be retained.</p>	<p>Noted. Transport has amended the Arboricultural Impact Assessment to clearly indicate the trees that would be removed.</p> <p>Trees ID 45 and 46 would not be removed, and the Arboricultural Impact Assessment has been amended to reflect this.</p> <p>Although the Tree Protection Plan has identified Tree Protection Fencing for trees ID 45 and 46, it has been clarified that tree ID 45 would be trimmed to enable construction machinery and equipment to access the Pacific Highway South compound.</p>



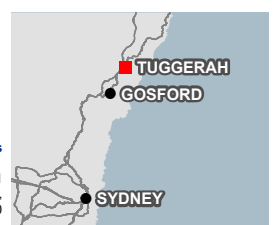
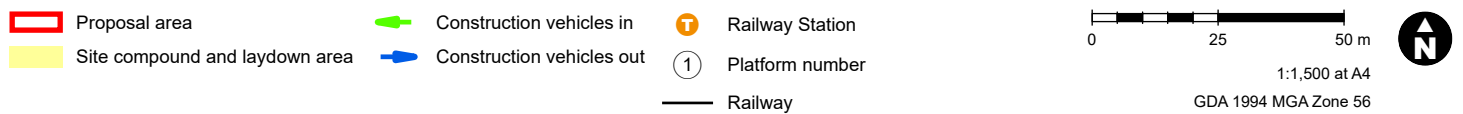
- Proposal area
- Site compound and laydown area
- T Railway Station
- 1 Platform number
- Railway



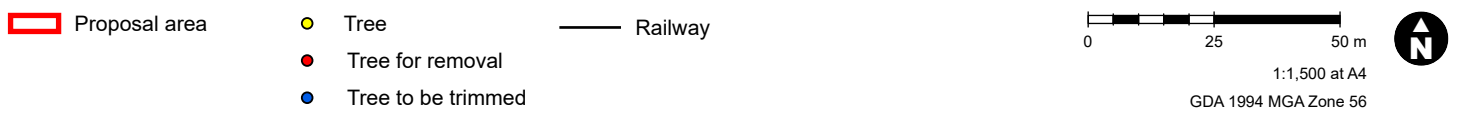
**Data sources**

Jacobs 2021  
Department Finance,  
Services and Innovation 2020

**Figure 2-1** Updated construction compound areas



**Figure 2-2** Updated proposed construction vehicle access routes



**Data sources**  
 Jacobs 2021  
 OEHL 2021, DCSSS 2021,  
 Department Finance,  
 Services and Innovation 2020  
 NSW Spatial Services 2021

**Figure 2-3** Trees for removal and trimming

## 2.4. Future consultation

Should Transport proceed with the Proposed Activity, consultation activities would continue, including consultation with Central Coast Council to develop the detailed design. In addition, Transport 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 [Transport email address](#)<sup>4</sup> and Transport Infoline (1800 684 490) would continue to be available during the construction phase. Targeted consultation methods, such as use of letters, notifications, signage and verbal communications would continue to occur. The [Transport for NSW project website](#)<sup>5</sup> would also include updates on the progress of construction.

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<sup>4</sup> [projects@transport.nsw.gov.au](mailto:projects@transport.nsw.gov.au)

<sup>5</sup> <https://www.nsw.gov.au/have-your-say/tuggerah-station-accessibility-upgrades>

### 3. Consideration of the environmental impacts

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#### 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 section 171 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 NSW Department of Planning and Environment's *Guidelines for Division 5.1 assessments*<sup>6</sup>. It is concluded that the Proposed Activity is not likely to significantly affect the environment (including critical habitat) or threatened species, populations of ecological communities, or their habitats. Accordingly, an environmental impact statement under Division 5.2 of the EP&A Act is not required.

#### 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.

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<sup>6</sup> Refer to the Department of Planning and Environment website <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/Policy-and-legislation/SSI-Guidelines/Guidelines-for-Division-51-assessments.pdf?la=en>

## **4. Conditions of Approval**

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



## 5. Conclusion

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Having regard to the assessment in the REF, consideration of the submissions received, it can be concluded that the Proposed Activity is not likely to significantly affect the environment (including critical habitat) or threatened species, populations of ecological communities, or their habitats. Consequently, an environmental impact statement (EIS) is not required to be prepared under Division 5.2 of the EP&A Act.

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

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

# Determination

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## TUGGERAH STATION UPGRADE

### APPROVAL

I, Justin Perrott, as delegate of the Secretary, Transport for NSW:

1. Have examined and considered the Proposed Activity in the *Tuggerah Station Upgrade Review of Environmental Factors* (March 2022) and the *Tuggerah Station Upgrade Determination Report* (May 2022) 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 (May 2022), consistent with the Proposed Activity described in the *Tuggerah Station Upgrade Review of Environmental Factors* (March 2022).



Justin Perrott

Director Environment and Sustainability - Rail Development and Delivery

Safety, Environment and Regulation

**Transport for NSW**

Date: 19 May 2022

## References

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Transport for NSW (2022), *Tuggerah Station Upgrade Review of Environmental Factors*, Transport for NSW, Sydney.

# Appendix A      Review of Environmental Factors

Please refer to the Transport for NSW website to access the Tuggerah Station Upgrade REF (Desksite #ref no. 6657914)

# Appendix B      Conditions of Approval

## CONDITIONS OF APPROVAL

### Tuggerah Station Upgrade

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

#### Schedule of acronyms and definitions used:

Acronym	Definition
AFC	Approved For Construction
CECR	Construction Environmental Compliance Report
CEMP	Construction Environmental Management Plan
CIR	Contamination Investigation Report
CLP	Community Liaison Plan
CMP	Contamination Management Plan
CoA	Condition of Approval
dBA	Decibels (A-weighted scale)
DES	Transport for NSW Director Environment and Sustainability (or nominated delegate)
ECM	Environmental Controls Map
EIA	Environmental Impact Assessment
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPL	Environment Protection Licence issued by the Environmental Protection Authority under the <i>Protection of the Environment Operations Act 1997</i> .
EMR	Environmental Management Representative
EMS	Environmental Management System
HIS	Heritage Interpretation Strategy
ISC	Infrastructure Sustainability Council
ISO	International Standards Organisation
OEH	Former NSW Office of Environment and Heritage
ONVMP	Operational Noise and Vibration Management Plan
OOHWP	Out of Hours Work Protocol
PECM	Pre-Construction Environmental Compliance Matrix
POCR	Pre-Operational Compliance Report
RBL	Rating Background Level
REF	Review of Environmental Factors
SMP	Sustainability Management Plan
TfNSW, Transport	Transport for NSW
TMP	Traffic Management Plan
UDLP	Urban Design and Landscaping Plan

Term	Definition
<b>Construction</b>	Includes all work in respect of the Project, other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, or other activities determined by the Transport for NSW DES 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 DES).
<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 work including jack hammering and compaction, for Construction.
<b>Emergency Work</b>	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.
<b>Environmental Impact Assessment (EIA)</b>	The documents listed in Condition 1 of this approval.
<b>Environmental Management Representative (EMR)</b>	An independent environmental representative appointed to the Project or a delegate nominated by Transport for NSW.
<b>Feasible</b>	A work practice or abatement measure is feasible if it is capable of being put into practice or of being engineered and is practical to build given project constraints such as safety and maintenance requirements.
<b>Noise Sensitive Receiver</b>	In addition to residential dwellings, noise sensitive receivers include, but are not limited to, hotels, entertainment venues, pre-schools and day care facilities, educational institutions (e.g. schools, TAFE colleges), health care facilities (e.g. nursing homes, hospitals), recording studios, places of worship/religious facilities (e.g. churches), and other noise sensitive receivers identified in the Environmental Impact Assessment.
<b>Project</b>	The construction and operation of the Tuggerah Station Upgrade as described in the Environmental Impact Assessment.
<b>Proponent</b>	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in the case of the Project, Transport for NSW.
<b>Reasonable</b>	Selecting reasonable measures from those that are feasible involves making a judgment to determine whether the overall benefits outweigh the overall adverse social, economic and environmental effects, including the cost of the measure.

**General****1. Terms of Approval**

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

- a) Tuggerah Station Upgrade – Review of Environmental Factors (Transport for NSW, March 2022)
- b) Tuggerah Station Upgrade – Determination Report (Transport for NSW, May 2022)

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

**2. Project Modifications**

Any modification to the Project as approved in the EIA would be subject to further assessment. This assessment would need to demonstrate that any environmental impacts resulting from the modifications have been minimised. The assessment shall be subject to approval under delegated authority by Transport for NSW, and any additional requirements from the assessment of the Project modification must be complied with.

**3. Statutory Requirements**

These conditions do not remove any obligation to obtain all other licences, permits, approvals and land owner consents from all relevant authorities and land owners as required under any other legislation for the Project. The terms and conditions of such licences, permits, approvals and permissions must be complied with at all times.

**4. Construction Environmental Compliance Report**

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

- a) compliance with the Construction Environmental Management Plan (CEMP) and these conditions
- b) compliance with any approvals or licences issued by relevant authorities for the construction of the Project
- c) implementation and effectiveness of environmental controls (the assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the CEMP)
- d) environmental monitoring results, presented as a results summary and analysis
- e) details of the percentage of waste diverted from landfill and the percentage of spoil beneficially reused
- f) number and details of any complaints, including summary of main areas of complaint, actions taken, responses given and intended strategies to reduce recurring complaints (subject to privacy protection)
- g) details of any review and amendments to the CEMP resulting from construction during the reporting period
- h) any other matter as requested by the DES.

The CECR shall:

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

The first CECR shall report on the first six months of construction and be submitted within six weeks of expiry of that period (or at any other time interval agreed to by the DES). 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 DES) for the duration of construction.

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



## CoA Condition

### 5. Graffiti and Advertising

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

- a) offensive graffiti will be removed or concealed within 24 hours
- b) highly visible (yet inoffensive) graffiti will be removed or concealed within a week
- c) graffiti that is neither offensive or highly visible will be removed or concealed within a month
- d) any unauthorised advertising material will be removed or concealed within 24 hours.

## Communications

### 6. Community Liaison Management Plan

Community Liaison Plan

A Community Liaison Plan (CLP) 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 CLP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:

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

The CLP shall be prepared to the satisfaction of the Director Community Engagement (or nominated delegate) prior to the commencement of construction and implemented, reviewed and revised as appropriate during the construction of the Project.

### 7. Community Notification and Liaison

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

Prior to any site activities commencing and throughout the Project duration, the community is to be notified of works to be undertaken, the estimated hours of construction and details of how further information can be obtained (i.e. contact telephone number/email, website, newsletters etc.) including the 24 hour construction response line number.

Construction-specific impacts including information on traffic changes, access changes, detours, services disruptions, public transport changes, high noise generating work activities and work required outside the nominated working hours shall be advised to the local community at least seven days prior to such works being undertaken or other period as agreed to by the Director Community Engagement or as required by the Environment Protection Authority (EPA) (where an Environment Protection Licence (EPL) is in effect).

### 8. Website

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

- a) a copy of the documents referred to under Condition 1 of this approval
- b) a list of environmental management reports that are publicly available

**CoA Condition**

- c) 24 hour contact telephone number for information and complaints.

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

**9. Complaints Management**

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

Details of all complaints received during construction are to be recorded on a complaints register. A verbal response to phone enquiries on what action is proposed to be undertaken is to be provided to the complainant within two hours during all times construction is being undertaken and within 24 hours during non-construction times (unless the complainant agrees otherwise). A verbal response to written complaints (email/letter) should be provided within 48 hours of receipt of the communication. A detailed written response is to be provided to the complainant within seven calendar days for verbal and/or written complaints.

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

**Environmental Management****10. Construction Environmental Management Plan**

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

- a) traffic and pedestrian management (in consultation with the relevant roads authority)
- b) noise and vibration management
- c) water and soil management
- d) air quality management (including dust suppression)
- e) Aboriginal and non-Aboriginal heritage management
- f) biodiversity management
- g) storage and use of hazardous materials
- h) contaminated land management (including acid sulphate soils)
- i) weed management
- j) waste management
- k) bushfire risk
- l) environmental incident reporting and management procedures
- m) non-compliance and corrective/preventative action procedures
- n) details of approvals, licences and permits required to be obtained under any other legislation for the Project.

The CEMP shall:

- i) comply with the Conditions of Approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant legislation and regulations, and accepted best practice management
- ii) comply with the relevant requirements of Environmental Management Plan Guideline – Guideline for Infrastructure Projects (NSW Department of Planning Industry and Environment, 2020)
- iii) include a pre-construction environmental compliance matrix for the Project (or such stages of the Project as agreed to by the EMR) that details compliance with all relevant conditions and mitigation measures
- iv) include an Environmental Policy.

In preparing the CEMP the following shall be undertaken:

**CoA Condition**

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 DES 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.

The CEMP must be approved by the DES prior to the commencement of construction work associated with the Project.

**11. Environment Personnel**

Suitably qualified and experienced environmental management personnel shall be available and be responsible for implementing the environmental objectives for the Project, including undertaking regular site inspections, preparation of environmental documentation and ensuring the Project meets the requirements of the Environmental Management System (EMS).

Details of the environmental personnel, including relevant experience, defined responsibilities and resource allocation throughout the project (including time to be spent on-site/off-site) are to be submitted for the approval of the DES, at least 21 days prior to commencement of construction of the Project (or such time as otherwise agreed by the DES).

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

**12. Environmental Management Representative**

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

The EMR shall provide advice to the DES in relation to the environmental compliance and performance of the Project. The EMR shall have responsibility for:

- a) considering and advising Transport for NSW on matters specified in these conditions and compliance with such
- b) reviewing and where required by the DES, 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 DES
- d) reporting weekly to Transport for NSW, or as required by the DES
- e) issuing a recommendation for work to stop immediately, if in the view of the EMR circumstances so require. The stop work recommendation may be limited to specific activities if the EMR can easily identify those activities
- f) requiring reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts
- g) reviewing corrective and preventative actions to ensure the implementation of recommendations made from the audits and site inspections
- h) providing reports to Transport for NSW on matters relevant to the carrying out of the EMR role as necessary
- i) where required by the DES, 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.

**CoA Condition**

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

**13. Environmental Controls Map**

An Environmental Controls Map (ECM) shall be prepared and implemented in accordance with Transport for NSW's *Guide to Environmental Controls Map* (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.

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 DES for approval, at least 14 days prior to commencement of construction (or such time as is otherwise agreed by the DES).

The ECM shall be prepared as a map – suitably enlarged (e.g. A3 size or larger) for mounting on the wall of a site office and included in site inductions, supported by relevant written information.

Updates to the ECM shall be made within seven days of the completion of the review or receipt of actions identified by any EMR audit of the document and submitted to the EMR for approval.

**Hours of Work****14. Standard Construction Hours**

Construction activities shall be restricted to the hours of 7:00 am to 6:00 pm (Monday to Friday); 8:00 am to 1:00 pm (Saturday) and at no time on Sundays and public holidays except for the following works which are permitted outside these standard hours:

- a) any works which do not cause noise emissions to be more than 5dBA higher than the rating background level (RBL) at any nearby residential property and/or other noise sensitive receivers
- b) out of hours work identified and assessed in the EIA or the approved Out of Hours Work Protocol (OOHWP)
- c) the delivery of plant, equipment and materials which is required outside these hours as requested by police or other authorities for safety reasons and with suitable notification to the community as agreed by the DES
- d) Emergency Work to avoid the loss of lives, property and/or to prevent environmental harm
- e) any other work as agreed by the DES and considered essential to the Project, or as approved by EPA (where an EPL is in effect).

**15. High Noise Generating Activities**

Rock breaking or hammering, jack hammering, pile driving, vibratory rolling, cutting of pavement, concrete or steel and any other activities which result in impulsive or tonal noise generation shall not be undertaken for more than three hours, without a minimum one hour respite period unless otherwise agreed to by the DES, or as approved by EPA (where relevant to the issuing of an EPL).

**Noise and Vibration****16. Construction Noise and Vibration**

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

- a) details of construction activities and an indicative schedule for construction works
- b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers
- c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA)

CoA	Condition
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|  | <ul style="list-style-type: none"><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 and vibration 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 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 DES or as approved by EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with the Transport for NSW <i>Construction Noise and Vibration Strategy</i> (ST-157)</li><li>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.</li></ul> |
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**17. Vibration Criteria**

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

- a) for structural damage vibration – British Standard BS 7385-2:1993 *Evaluation and measurement for vibration in buildings Part 2* and German Standard DIN 4150 Part 3 – 1999: *Structural Vibration in Buildings: Effects on Structures*
- b) for human exposure to vibration – the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (Department of Environment and Conservation, 2006) which includes British Standard BS 6472-2:1992 *Guide to Evaluation of Human Exposure to Vibration in Buildings* (1 Hz to 80 Hz).

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

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**18. Non-Tonal Reversing Beepers**

Non-tonal reversing beepers (or an equivalent mechanism) shall be fitted and used on all construction vehicles and mobile plant regularly used on-site (i.e. greater than one day) and for any out of hours work.

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**Contamination and Hazardous Materials**

**19. Unidentified Contamination (Other Than Asbestos)**

If previously unidentified contamination (excluding asbestos) is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and report prepared to determine the nature, extent and degree of any contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA guidelines, including *Consultants Reporting on Contaminated Land – Contaminated Land Guidelines* (NSW Environment Protection Authority, 2020).

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

A revised copy of the report shall be submitted to the DES for consideration upon completion of the EMR review period. The DES shall determine whether consultation with the relevant council and/or EPA is required prior to continuation of construction works within the affected area.

**Note:** *In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 19 and Condition 20.*

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**20. Asbestos Management**

If previously unidentified asbestos contamination is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken and a report prepared to determine the nature, extent and degree of the asbestos contamination. The level of reporting must be

## CoA Condition

appropriate for the identified contamination in accordance with relevant EPA, Safe Work Australia and SafeWork NSW guidelines and include the proposed methodology for the remediation of the asbestos contamination. Remediation activities must not take place until receipt of the investigation report.

Works may only recommence upon receipt of a validation report from a suitably qualified contamination specialist that the remediation activities have been undertaken in accordance with the investigation report and remediation methodology.

**Note:** *In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 19 and Condition 20.*

### 21. Storage and Use of Hazardous Materials

Construction hazard and risk issues associated with the use and storage of hazardous materials shall be addressed through risk management measures, which shall be developed prior to construction as part of the overall CEMP, in accordance with relevant EPA guidelines, Transport for NSW's *Chemical Storage and Spill Response Guidelines* (SD 066) and Australian and ISO standards. These measures shall include:

- a) the storage of hazardous materials, and refuelling/maintenance of construction plant and equipment are to be undertaken in clearly marked designated areas designed to contain spills and leaks
- b) spill kits, appropriate for the type and volume of hazardous materials stored or in use, to be readily available and accessible to construction workers. Kits are to be kept at hazardous materials storage locations, in site compounds and on specific construction vehicles. Where a spill to a watercourse is identified as a risk, spill kits are to be kept in close proximity to potential discharge points in support of preventative controls
- c) all hazardous materials spills and leaks to be reported to site managers and actions to be immediately taken to remedy spills and leaks
- d) training in the use of spill kits to be given to all personnel involved in the storage, distribution or use of hazardous materials.

## Erosion and Sediment Control

### 22. Erosion and Sediment Control

Soil and water management measures shall be prepared, implemented and maintained as part of the CEMP for the mitigation of water quality impacts during construction of the Project. The management measures shall be prepared in accordance with *Managing Urban Stormwater: Soils and Construction Volume 1 4th Edition* (Landcom, 2004).

## Heritage Management

### 23. Aboriginal and Non-Aboriginal Heritage

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

## Flora and Fauna

### 24. Removal of Trees or Vegetation

Separate approval, in accordance with Transport for NSW's *Removal or Trimming of Vegetation Application* (FT-078), is required for the trimming, cutting, pruning or removal of trees or vegetation where the impact has not already been identified in the EIA for the Project. The trimming, cutting,

**CoA Condition**

pruning or removal of trees or vegetation shall be undertaken in accordance with the conditions of that approval.

**25. Replanting Program**

All cleared vegetation shall be offset in accordance with Transport for NSW's *Vegetation Offset Guide* (ST-149). All vegetation planted on-site is to consist of locally endemic native species, unless otherwise agreed by the DES, following consultation with the relevant council, where relevant, and/or the owner of the land upon which the vegetation is to be planted.

**Lighting****26. Lighting Scheme**

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

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

**Property****27. Property Condition Surveys**

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:

- a) all buildings/structures/roads within a plan distance of 50 metres from the edge of the Designated Works
- b) all heritage listed buildings and other sensitive structures within 150 metres from the edge of the Designated Works.

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.

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.

All owners of assets to be surveyed, as defined above, are to be advised (at least 14 days prior to the first survey) of the scope and methodology of the survey, and the process for making a claim regarding property damage.

A copy of the survey(s) shall be given to each affected owner. A register of all properties surveyed shall be maintained.

Any damage to buildings, structures, lawns, trees, sheds, gardens, etc. as a result of construction activity direct and indirect (i.e. including vibration and groundwater changes) shall be rectified at no cost to the owner(s).

**Sustainability**

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### 28. Sustainability Officer

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

Details of the Sustainability Officer including defined responsibilities, duration and resource allocation throughout the appointment are to be submitted to the satisfaction of the Director Sustainability prior to the preparation of the Sustainability Management Plan.

### 29. Sustainability Management Plan

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

- a) a completed electronic checklist demonstrating compliance with the *Transport for NSW Sustainable Design Guidelines Version 4.0* (ST-114)
- b) a statement outlining the Construction Contactor's own corporate sustainability policies, obligations, goals, targets and commitments
- c) a description of the processes and methodologies for encouraging and identifying innovative sustainability outcomes on the Project, and the areas targeted for innovative sustainable solutions to be explored and/or implemented on the Project
- d) the approach to the identification of opportunities to reduce carbon emissions, energy use and embodied lifecycle impacts of the Project. This should include a summary of initiatives proposed for implementation to meet energy and carbon management objectives and targets
- e) the approach to sustainable procurement including how procurement processes have taken in to account the principles of ISO 20400: 2017 – Sustainable Procurement in the selection of all materials, products and services
- f) a description of the processes, standards and procedures for undertaking climate change risk assessments and strategies for mitigation of risks associated with climate change and extreme weather events.

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

### 30. Sustainable Design Guidelines

The Project shall achieve a silver rating under the *Transport for NSW Sustainable Design Guidelines Version 4.0* (ST-114).

## Traffic, Transport and Access

### 31. Traffic Management Plan

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

- 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 Tuggerah Station, businesses, 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



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- 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.

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.

**32. Road Condition Reports**

Prior to construction commencement, road condition surveys and reports on the condition of roads and footpaths to be affected by construction shall be prepared. Any damage resulting from the construction of the Project, aside from that resulting from normal wear and tear, shall be repaired at the Proponent's expense.

**33. Road Safety Audit**

A Road Safety Audit shall be undertaken as part of the detailed design process and on completion of construction. The Road Safety Audit shall include but not be limited to detailed assessment of sight distances for vehicles entering and exiting the commuter car park at Bryant Drive and mitigation measures proposed.

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

**Urban Design and Landscaping****34. Urban Design and Landscaping Plan**

An Urban Design and Landscaping Plan (UDLP) for the Project shall be prepared and submitted to Transport for NSW for endorsement by the Precincts and Urban Design Team. The UDLP is to address the fundamental design principles as outlined in 'Around the Tracks' – urban design for heavy and light rail (Transport for NSW, Interim 2016). At a minimum, the UDLP shall:

- 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
- b) identify opportunities and challenges
- c) establish site-specific principles to guide and test design options
- d) demonstrate how the preferred design option responds to the design principles established in Around the Tracks, including consideration of Crime Prevention through Environmental Design Principles.

The UDLP is to include the Public Domain Plan for the chosen option and shall provide analysis of the:

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

The following design guidelines are available to assist and inform the UDLP for the Project:

- *TAP Urban Design Plan Guidelines* (Transport for NSW, Draft 2018)
- *Commuter Car Parks Urban Design Guidelines* (Transport for NSW, Interim 2017)
- *Managing Heritage Issues in Rail Projects Guidelines* (Transport for NSW, Interim 2016)
- *Creativity Guidelines for Transport Systems* (Transport for NSW, Interim 2016)

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- *Water Sensitive Urban Design Guideline SD-106* (Transport for NSW, 2017).

The UDLP shall be:

1. prepared in consultation with councils and relevant stakeholders
2. prepared by a registered architect and/or landscape architect
3. prepared to inform/support the concept design and submitted to Transport for NSW for review at this design milestone
4. finalised and submitted to Transport for NSW at the completion of design documentation.

Site-specific Conditions
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**35. Commuter Car Parking during Construction**

Opportunities for alternate locations for commuter car parking would be investigated with nearby car parks (or similar) for as long as construction works are occupying commuter car parks (up to 25 at any one time). The investigation and justifications for the location of alternate parking would be submitted to Transport for NSW for the endorsement of the DES (or delegate).

