



# Transport Access Program

# **Blackheath Station Upgrade**

## Determination Report



*Artist's impression of the proposed Blackheath Station Upgrade, subject to detailed design.*



# **Blackheath Station Upgrade – Determination Report**

**Transport Access Program**

**Ref – 6667039**

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## Document control

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<b>Document author:</b>	Lauren Xuereb
<b>Document reviewers:</b>	Karen Yale, Jenny McKinney, Rima Exikanas, Greg Marshall, Vivian Tse, Fletcher Townsend, Steven Barry, Camila Silva, Joanna Lesak, Louise Bieler, Alistair Lunn, Nicole Taylor, Brooke Cusack, Amy Walker

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## Glossary and abbreviations

Term	Meaning
<b>CCTV</b>	Closed Circuit TV
<b>CLMP</b>	Community Liaison Management Plan
<b>CoA</b>	Condition of Approval
<b>Construction Contractor</b>	The Construction Contractor for the Proposed Activity would be appointed by TfNSW to undertake the detailed design and construction of the Proposed Activity.
<b>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 TfNSW acceptance).
<b>Determination Report</b>	This document – a report prepared by TfNSW to assess and address certain matters to allow for a determination of the Proposed Activity under, and in accordance with Division 5.1 of the EP&A Act.
<b>DSAPT</b>	<i>Disability Standards for Accessible Public Transport (2002)</i>
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979 (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>Infrastructure SEPP</b>	<i>State Environmental Planning Policy (Infrastructure) 2007 (NSW)</i>
<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, TfNSW.
<b>Proposed Activity</b>	The construction and operation of the Blackheath Station Upgrade
<b>REF</b>	Review of Environmental Factors
<b>TGSI</b>	Tactile Ground Surface Indicators
<b>TfNSW</b>	Transport for NSW (the Proponent)
<b>TMP</b>	Traffic Management Plan
<b>UDLP</b>	Urban Design and Landscaping Plan

# Executive summary

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## Overview of Proposed Activity

Transport for NSW (TfNSW) is responsible for improving the customer experience of transport services, transport policy and regulation, planning and program administration, procuring transport services, and infrastructure and freight.

TfNSW is the Proponent for the Blackheath Station Upgrade (the 'Proposed Activity'), with is part of the Transport Access Program. The program is a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure. 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.

Blackheath 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:

- provision of three new lifts, associated landings and canopies providing access to the station platforms from Station Street and the Great Western Highway entry area
- provision of an entry plaza from the Great Western Highway including a new ramp and stairs from the footpath to the lift landing and existing stairs
- upgrade of the existing informal kiss and ride area on the eastern side of the station, including line marking, installation of bike hoops, sheltered seating and an upgrade of the accessible path to the station entry
- provision of an accessible path from lift 2 to the station platforms
- upgrade of the accessible path from the commuter car park to lift 3, on the Station Street side
- provision of two accessible parking spaces and extension of the Station Street commuter car park and localised regraded areas of the existing commuter car park
- widening of the waiting room doors and the family accessible toilet door
- upgrades to the station power supply, including provision of a new main switch board
- provision of a new accessible water bubbler on the island platform by the station building.

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. The REF was prepared by GHD on behalf of TfNSW 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)*.

## **Modifications to the Proposed Activity**

Since the public display of the REF, the following design change has been made to the Proposed Activity:

- proposed utilisation of a nearby commercial building as an ancillary facility during construction.

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 TfNSW, as the Proponent of the Blackheath 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, 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). TfNSW will continue to liaise with the community and other stakeholders as the Proposed Activity progresses through detailed design and into the construction phase.

# 1. Introduction

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## 1.1. Background

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

The Transport Access Program has been established 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.

Blackheath 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.

TfNSW is the Proponent for the Blackheath 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.

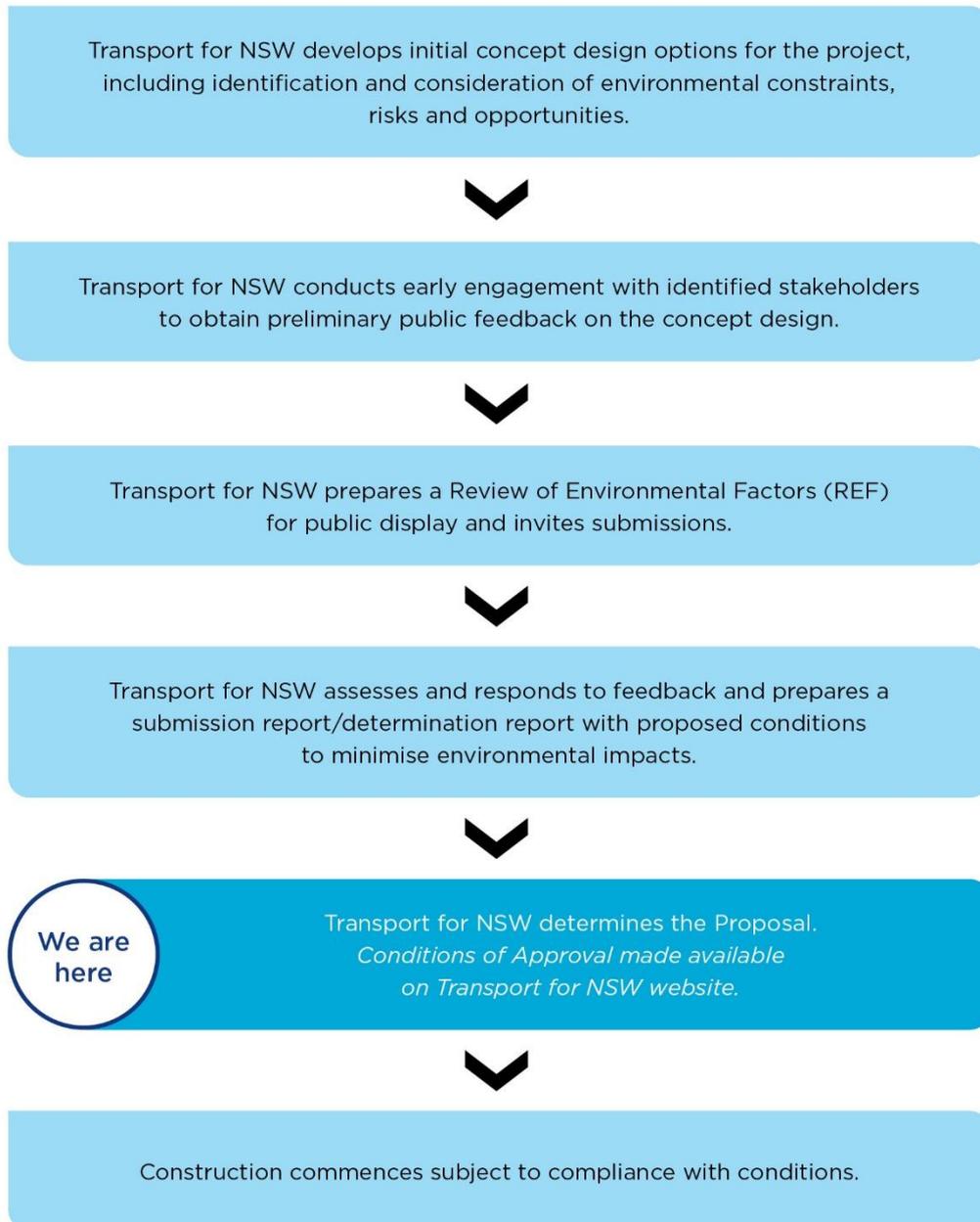
## 1.2. Review of Environmental Factors

A Review of Environmental Factors (REF) has been prepared by GHD on behalf of TfNSW 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 TfNSW takes into account to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the Proposed Activity. The REF is included at Appendix A.

The Blackheath Station Upgrade REF was placed on public display from Friday 4 March 2022 to Friday 1 April 2022, with 55 submissions received. Issues raised in these submissions are addressed in Section 2.3 of this report.

## 1.3. Determination Report

Prior to carrying out the Proposed Activity, the Secretary for TfNSW must assess and determine the Proposed Activity in accordance with Division 5.1 of the EP&A Act (refer Figure 1.1).



**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 Proposed Activity would include works to Blackheath Station and the surrounding interchange. Blackheath Station is located in the suburb of Blackheath, in the upper Blue Mountains, surrounded by the Blue Mountains National Park. It is on the Blue Mountains Line, within the Blue Mountains Local Government Area, and about 130 kilometres west of the Sydney central business district.

Blackheath Railway Station Group is listed on the State Heritage Register (Item No: 5011931) and the *Blue Mountains Local Environmental Plan 2015* (item BH029).

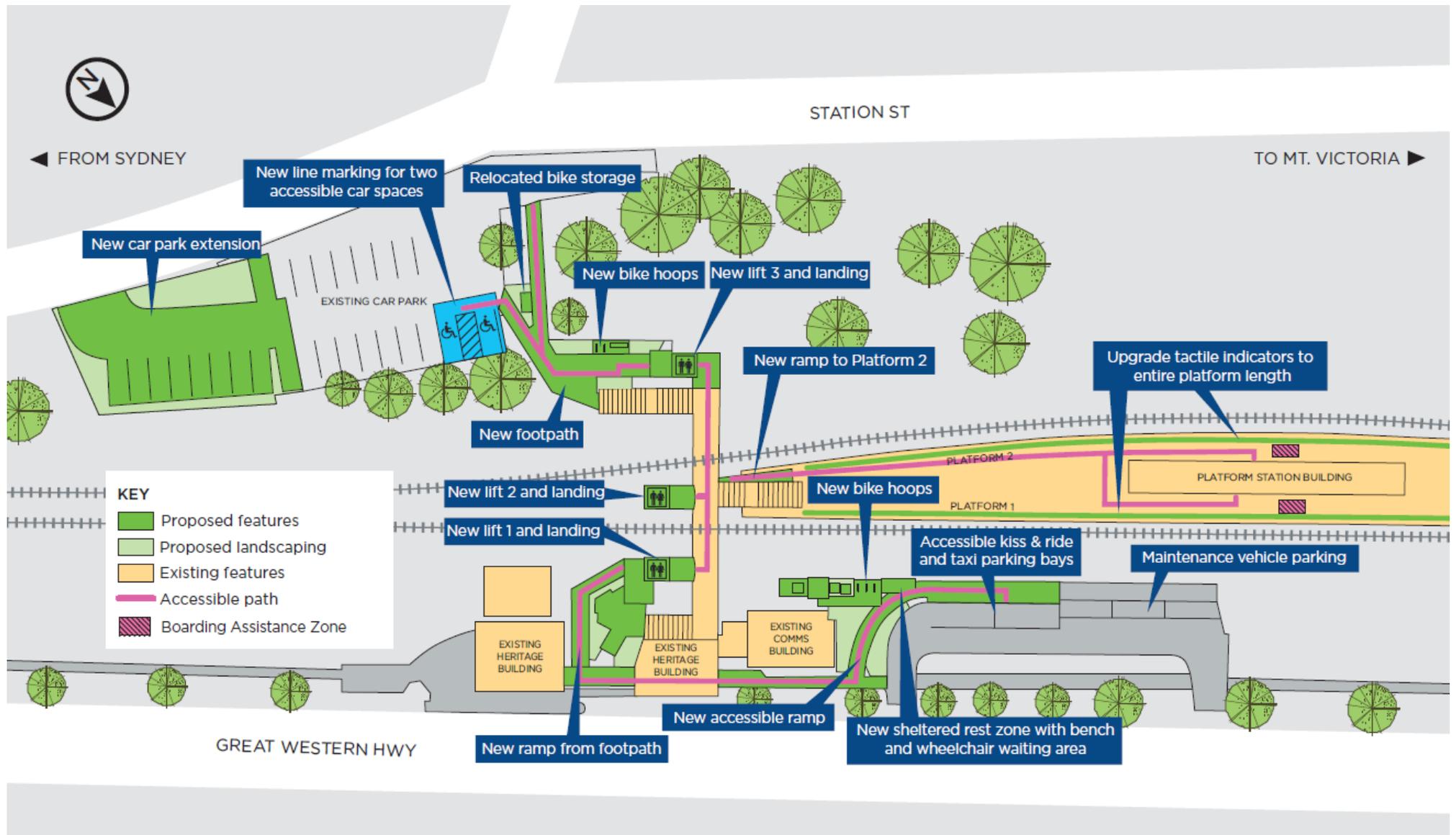
A detailed description of the Proposed Activity is provided in Chapter 3 of the Blackheath Station Upgrade REF, and would provide:

- provision of three new lifts, associated landings and canopies providing access to the station platforms from Station Street and the Great Western Highway station entry area
- provision of an entry plaza from the Great Western Highway including a new ramp and stairs from the footpath to the lift landing and existing stairs
- upgrade of the existing informal kiss and ride area on the eastern side of the station, including line marking, installation of bike hoops, sheltered seating and an upgrade of the accessible path to the station entry
- provision of an accessible path from lift 2 to the station platforms
- upgrade of the accessible path from the commuter car park to lift 3, on the Station Street side
- provision of two accessible parking spaces and extension of the Station Street commuter car park and localised regraded areas of the existing commuter car park
- widening of the waiting room doors and the family accessible toilet door
- upgrades to the station power supply, including provision of a new main switch board
- provision of a new accessible water bubbler on the island platform by the station building.

**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 the first half of 2022 and take around 12 months to complete.



**Figure 1.3 Key features of the Proposed Activity**

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## 2. Consultation and assessment of submissions

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### 2.1. REF public display

The Blackheath Station Upgrade REF was placed on public display from Friday 4 March 2022 to Friday 1 April 2022 using a range of consultation mechanisms including information signage, flyers, distribution of a Proposal update, as well as display of the REF at the Blackheath Station Waiting Room and on the TfNSW corporate website<sup>1</sup> and [TfNSW Have Your Say website](https://yoursay.transport.nsw.gov.au/)<sup>2</sup>.

Community consultation activities undertaken for the public display included:

- public display of the REF at the station waiting room
- installation of information signage at the station with QR codes taking customers to the Proposal webpage
- public display of the REF on the Proposal webpage
- distribution of a Proposal update at the station, and to local community and rail customers, outlining the Proposal and inviting feedback on the REF
- advertisement of the REF public display in three local newspapers with a link to the TfNSW website that includes a summary of the Proposal and information on how to provide feedback
- advertisement of the REF exhibition on radio and social media during the four-week consultation period
- notification via email over 2,500 stakeholders and letterbox drop to 700 properties surrounding the station of the REF public display and inviting feedback
- three online community information sessions on Wednesday 9 March at 5.30pm, Thursday 17 March 2022 at 10.30am and Wednesday 23 March 2022 at 4:00pm via Microsoft Teams
- consultation with Blue Mountains City Council (Council), Sydney Trains, NSW Trains and other non-community stakeholders
- a briefing to Council officers on 7 March 2022
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the TfNSW website, along with details on how to make a submission was sent to Council as per the consultation requirements under clause 13 and 14 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).

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<sup>1</sup> [www.transport.nsw.gov.au/projects/current-projects/blackheath-station-upgrade](http://www.transport.nsw.gov.au/projects/current-projects/blackheath-station-upgrade)

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

## 2.2. REF submissions

A total of 55 submissions were received via letter, email, telephone and online submissions. Community submissions are addressed in Table 2.1, the submission received from Blue Mountains City Council is 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 concerns around the proposed design and its consistency with existing heritage character of the station
- requests for modification of the structure, finishes and materials of the proposed design
- need for the Proposed Activity
- requests for additional project features, including but not limited to, extending the footbridge over the Great Western Highway and inclusion of a café at the station.

## 2.3. Consideration and response to submissions

### Community submissions

Issues raised in community submissions and responses are summarised in Table 2.1.

**Table 2.1 Response to community submissions received**

No.	Submission no.	Issue/s raised	TfNSW response
<b>1</b>	<b>General</b>		
1.1	BLK007, BLK008, BLK010, BLK021, BLK026, BLK027, BLK029, BLK034, BLK035, BLK037, BLK039, BLK011, BLK032, BLK046, BLK051	Support for the Proposed Activity and/or its design was noted in 15 of the submissions received.	Noted.
<b>2</b>	<b>Design</b>		
2.1	BLK005	One submission disagreed with the provision of bicycle hoops only, asserting that they leave bikes vulnerable to theft and damage and suggested including 15 to 20 electronically controlled bike lockers which can be booked via a mobile application.	The primary objective of the Transport Access Program is to ensure that Blackheath Station meets legislative requirements under the DDA and DSAPT. The existing bicycle lockers at Blackheath Station would be maintained, however they are proposed to be relocated to the Station Street commuter car park. Further information on bike sheds can be found at <a href="https://appln.transport.nsw.gov.au/bikelockers/faces/jsp/public/faqBikeShed.xhtml#a19">https://appln.transport.nsw.gov.au/bikelockers/faces/jsp/public/faqBikeShed.xhtml#a19</a>

No.	Submission no.	Issue/s raised	TfNSW response
2.2	BLK034	One submission commented on the lack of signage advertising available ramps, etc. for commuters with reduced mobility.	An objective of the Proposed Activity is to improve wayfinding signage in and around Blackheath Station. This includes improvement to station systems (including additional CCTV cameras, Public Address system and hearing loops) and wayfinding signage.
2.3	BLK036, BLK048, BLK049	Three submissions commented on the reliability of lifts during power outages, with one also seeking to understand what the alternate access to the platforms would be.	A lift management strategy would be implemented to address any potential for break downs and ensure a quick response in this situation.  The lifts contain backup batteries which are used to return the lift to a landing and open the lift doors to release occupants in the event of a power supply failure (blackout).
2.4	BLK028	One submission questioned the accessibility of proposed upgrades to the entrances at Blackheath Station.	The Proposed Activity would include a new entry plaza from the Great Western Highway. This would include a new ramp and stairs from the footpath to the lift landing and existing stairs, as well as upgrading the accessible path from the commuter car park to lift 3 on the Station Street side. For a detailed description, see Section 3.1 of the REF.
2.5	BLK014	One submission requested that the structure, finishes and materials of the new lifts are more transparent to increase a sense of safety.	Due to the close proximity of the lifts to the track use and the resulting engineering constraints, the use of glass was not feasible.  The Proposed Activity has been designed to meet legislative requirements under the DDA and DSAPT, as well as with regards to the Crime Prevention Through Environmental Design principles which aim to reduce or remove incidents of crime.  To improve safety for customers on the platform at Blackheath Station, the Proposed Activity would include additional CCTV cameras and adjustments to improve lighting.

No.	Submission no.	Issue/s raised	TfNSW response
<b>3</b>	<b>Need for the Proposal</b>		
3.1	BLK055	One submission questioned the need for the Proposed Activity on the understanding that trains travelling through Blackheath Station are infrequent and slow. The community member added that the Light Rail network in Sydney allows passengers to cross the Light Rail line at any time by foot, noting that this service is more frequent than services at the station.	<p>Train services typically run via Blackheath Station with 15–20-minute frequencies during peak weekday periods, and 60-minute frequencies during off-peak weekday periods, weekends, and public holidays.</p> <p>Freight trains which travel through Blackheath Station can travel at speeds up to 160 km/h, whereas Light Rail services travel at 40 km/h.</p>
3.2	BLK002, BLK047, BLK048	Three submissions suggested that there is no need for the Proposed Activity as the existing access to Blackheath Station is sufficient for people with reduced mobility or parents/carers with prams. One of the submissions also suggested that the Proposed Activity include more parking spaces (including accessible spaces) and an additional level pedestrian crossing only.	<p>The Proposed Activity is to provide accessibility upgrades to Blackheath Station in accordance with the key requirements of the DDA and DSAPT. Existing paths of travel from the surrounding footpath and roads are not compliant with requirements of the DDA and DSAPT.</p> <p>The upgrade would also include the provision of lifts, improved kiss and ride, taxi zone and bicycle parking facilities, and an extension of the Station Street commuter car park providing a net increase of seven parking spaces. The current provision for accessible parking spaces at Blackheath Station is compliant with requirements of the DDA and DSAPT.</p> <p>For further detail, see Section 1.1.1 of the REF.</p>
3.3	BLK036, BLK055	Two submissions queried the number of required lifts, suggesting that three lifts are excessive and unnecessary.	Three lifts are required to provide equitable access from both entrances at Blackheath Station and to the station island platform itself.

No.	Submission no.	Issue/s raised	TfNSW response
3.4	BLK002, BLK030, BLK050, BLK053, BLK016	Five submissions questioned the need for the level crossing removal or requested it to be retained. Three of these submissions are based on the understanding that there has never been a fatality or accident at the level crossing.	<p>The existing track level crossing at Blackheath Station does not provide compliant and safe access to the platforms for all customers, including people with a vision impairment or people using mobility aids.</p> <p>The existing track level crossing has non-compliant flange gaps (the gap between the rail and level crossing). Walking sticks, walking frames, prams or wheelchair tyres can get stuck in these gaps which can present a significant safety risk.</p> <p>Multiple incidents have been recorded at Blackheath Station, including near misses with an individual, individuals crossing after gate closure and objects found in the path of a train.</p> <p>The existing track level crossing It also does not provide equitable access to Blackheath Station, as access is only provided from the Great Western Highway entry. The ramp access from the level crossing to the platform is also steep and non-complaint with DDA and DSAPT requirements.</p> <p>In accordance with the TfNSW Level Crossing Closure Policy, where alternate access exists or has been created, level crossings are to be closed where possible.</p> <p>The TfNSW Level Crossing Closure Policy can be viewed at:  <a href="https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/level-crossing-closures-policy.pdf">https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/level-crossing-closures-policy.pdf</a></p>
3.5	BLK002, BLK036, BLK048, BLK053	Four submissions suggested that the existing pedestrian level crossing is extended to the western side of Blackheath Station.	<p>TfNSW's <i>Construction of New Level Crossings Policy</i> is to avoid building new level crossings wherever possible given the inherent risk attached to any level crossing, even those with modern active controls.</p> <p>The extension of the existing level crossing at Blackheath would constitute the construction of a new level crossing and is therefore undesirable.</p> <p>The TfNSW <i>Construction of New Level Crossings Policy</i> can be viewed here:  <a href="https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/construction-of-new-level-crossings-policy-0714.pdf">https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/construction-of-new-level-crossings-policy-0714.pdf</a></p>

No.	Submission no.	Issue/s raised	TfNSW response
<b>4</b>	<b>Landscape, visual amenity and heritage</b>		
4.1	BLK001, BLK003, BLK006, BLK007, BLK009, BLK010, BLK011, BLK012, BLK013, BLK016, BLK020, BLK022, BLK027, BLK031, BLK032, BLK039, BLK040, BLK041, BLK042, BLK043, BLK044, BLK047, BLK048, BLK049, BLK050, BLK052	<p>Twenty-six submissions commented on the design of the Proposed Activity and its aesthetic value. Many requested that the scale, finishes and materials of the new structures are amended to better suit the heritage feel of the locality. One submission also requested the addition of new features to the design such as green space to improve the aesthetic appearance and cooling within the lifts. Another submission also queried if glass could be used on the new lift structures to soften their appearance, similar to the finishes used at Gordon Station.</p>	<p>A key consideration of the Proposed Activity is to ensure that the design of the new elements minimises visual and heritage impacts to Blackheath Station and is sympathetic to the surrounding context. This is achieved by respectfully adapting the existing heritage elements and colour palette of the proposal site whilst improving the station access.</p> <p>The design includes measures to minimise impacts and provide consistency in design with the local heritage character. This includes:</p> <ul style="list-style-type: none"> <li>retaining and upgrading existing station infrastructure including the footbridge and station buildings, rather than replacement</li> <li>locating the lifts to rear face of the existing footbridge to minimise the impacts to the footbridge, station building and station group.</li> <li>considered treatment of the lift shafts to relate to the station context and reduce the perceived height of the new lift structures.</li> </ul> <p>The new lifts have been designed with consideration of reducing the visual impacts to only what is necessary to provide compliant access. It should be noted that engineering constraints differ between stations, with the location of the proposed lifts at Blackheath Station preventing an increased use of glass.</p> <p>The design of the Proposed Activity is the result of independent design review, extensive design workshops and consultation with Heritage NSW. Additionally, materials have been selected to be sympathetic to the heritage character of the precinct. The design intent is that the new work is complementary, whilst protecting the existing heritage character and fabric of Blackheath Station.</p>

No.	Submission no.	Issue/s raised	TfNSW response
4.2	BLK025	One submission recommended that further improvements to Blackheath Station are incorporated into the project design including redesigning the footbridge to accommodate a second storey café.	The primary objective of the Transport Access Program is to ensure that Blackheath Station meets legislative requirements under the DDA and DSAPT. Redesigning the footbridge would require extensive modification of the heritage structure and would have the potential to impact the existing heritage building on the Great Western Highway. The design of the Proposed Activity as presented in the REF includes a variety of measures to minimise impacts and ensure consistency in design to Blackheath Railway Station Group (No: 5011931) and the surrounding heritage precincts.
4.3	BLK026	One submission suggested murals are added to the new lift structures.	The Proposed Activity does not consider the inclusion of murals on the new lift structures.  The new upgraded Great Western Highway entrance and the kiss and ride shelter would include heritage interpretation artwork.
<b>5. Other</b>			
5.1	BLK045, BLK051	Two submissions requested that the Proposed Activity is completed as soon as possible.	Noted. Construction of the Proposed Activity is expected to be completed in late 2023.
5.3	BLK017	One submission recommended TfNSW increase the scope of the Proposed Activity to include the level crossing between the Great Western Highway and Bundarra Street.	The scope of work for the Proposed Activity is limited to upgrading the facilities at Blackheath Station to meet DDA and DSAPT requirements. Changes to the level crossing between the Great Western Highway and Bundarra Street are therefore beyond the scope of the Proposed Activity.
5.4	BLK002, BLK033	Two submissions commented on the limited time available to review the REF and requested additional time to prepare a submission.	The standard consultation period for projects under the Transport Access Program is two weeks. For this project, an additional two weeks were added to the display period, along with a third consultation session to provide sufficient time for submissions to be received.

No.	Submission no.	Issue/s raised	TfNSW response
5.5	BLK004	One submission requested consideration of closing the existing level crossing and building a traffic and pedestrian tunnel from the Great Western Highway to Shipley Road.	<p>The construction of an underpass, while maintaining operations at the station, would result in greater customer disruption, significant impact to local roads, businesses and residents, and require a much longer construction timeline.</p> <p>Underpasses are usually located where the rail is naturally positioned above the surrounding area to reduce the depth of tunnelling and length of entry ramps. At Blackheath Station, the surrounding area is flat and would require long ramps and significant tunnelling, which are not viable due to space restrictions and extent of community impact.</p> <p>An underpass at Blackheath would likely require the removal of the heritage listed footbridge and potentially impact on the heritage listed buildings near the Great Western Highway, as there would be insufficient space to provide compliant ramps to the new underpass without these impacts.</p> <p>A new underpass would also introduce more security risks in comparison to the existing, footbridge which allows for passive surveillance (e.g. an incident on the footbridge can easily be seen from the platform and station entries which would not be possible in an underpass tunnel).</p>
5.6	BLK014	One submission requested that covered waiting areas at the collection areas on both the eastern and western sides of Blackheath Station are included within the design and recommended removal of additional trees to allow inclusion of more vegetation.	<p>The Proposed Activity would provide an upgrade of the existing informal kiss and ride areas on the eastern side of Blackheath Station, including sheltered seating.</p> <p>The Proposed Activity does not consider removing additional trees.</p>
5.7	BLK037	One submission also suggested the removal of the pedestrian level crossings at both Medlow Bath and Linden Stations.	This feedback will be passed on to the relevant work group for future TAP upgrades.

No.	Submission no.	Issue/s raised	TfNSW response
5.8	BLK048	One submission noted that lifts can become unsafe for members of the community, especially during COVID-19, as well as providing increased opportunities for crime and vandalism.	<p>The Proposed Activity has been designed to meet legislative requirements under the DDA and DSAPT, as well as with regards to the Crime Prevention Through Environmental Design principles which aim to reduce or remove incidents of crime.</p> <p>The design of the proposed new lifts would ensure adequate ventilation and CCTV cameras.</p>
5.9	BLK023	One submission suggested that the indoor waiting spaces at Blackheath Station are improved, with specific concerns relating to cold conditions in winter.	The primary objective of the Transport Access Program is to ensure that Blackheath Station meets legislative requirements under the DDA and the DSAPT. Heating and/or cooling is beyond the scope of the Proposed Activity.
5.10	BLK034	One submission noted that trains moving prior to passengers having a chance to sit down is also a safety issue at stations.	<p>The primary objective of the Transport Access Program is to ensure that Blackheath Station meets legislative requirements under the DDA and the DSAPT.</p> <p>This concern has been noted and passed onto Sydney Trains.</p>
5.11	BLK008, BLK015, BLK016, BLK018, BLK019, BLK024, BLK037, BLK038, BLK046	Nine submissions recommended that the footbridge should be extended over the Great Western Highway.	<p>The focus of the Proposed Activity is to provide accessibility upgrades to Blackheath Station in accordance with the key requirements of the DDA and DSAPT.</p> <p>Extending the footbridge would require extensive modification of the structure and would have the potential to impact the existing heritage building on the Great Western Highway. The design of the Proposed Activity as presented in the REF includes a variety of measures to minimise impacts and ensure consistency in design to Blackheath Railway Station Group (No: 5011931) and the surrounding heritage precincts.</p>

## Other stakeholder submissions

A response to the public display of the REF was provided by Blue Mountains City Council on 30 March 2022.

A summary of the submission and the response from TfNSW is provided in Table 2.2.

**Table 2.2 Response to Blue Mountains City Council submission**

Issue no.	Issue/s raised	TfNSW response
<b>1</b>	<b>General</b>	
1.1	Council requested that lift numbers are added to the lift labelling on the Key Features figure.	Lift numbers have been added to the Key Features figure in this report (see Figure 1.3).
1.2	Council noted that a Road Occupancy Licence and Lease Agreements are required for the occupation of Council land during construction of the Proposed Activity.	All relevant licences and agreements would be obtained from Council and other stakeholders as required to perform the proposed works.
1.3	Council stressed the importance of ensuring additional hardstand areas are appropriately designed to ensure the Station Street commuter car park does not collect surface water.	<p>The Proposed Activity would not involve a substantial increase in impervious surfaces which would generate additional runoff or require additional drainage requirements. Modelling undertaken by TfNSW identified that the existing stormwater system would continue to satisfactorily manage surface water around the station during construction and operation of the Proposed Activity.</p> <p>As there is no existing pit and pipe system on Station Street currently, the stormwater runoff sheet flows in a southward direction. An infiltration trench will be provided as part of the Proposed Activity that will also perform a water quality treatment function. The size of the infiltration trench and reduction in the peak flow rates will be determined by the actual ground permeability rate to be confirmed at detailed design.</p> <p>For further detail, see Section 6.9 in the REF.</p>
<b>2</b>	<b>Proposal design</b>	
2.1	Council supports the incorporation of new custom trough planters to conceal the step in new footpath which would have the potential to deter pedestrians from incorrectly crossing the Great Western Highway.	Support for this design element is noted.

Issue no.	Issue/s raised	TfNSW response
<b>3</b>	<b>Traffic, transport and access</b>	
3.1	Council requests that there are no adverse impacts on local businesses, taxi services and private property during construction of the Proposed Activity.	<p>Should TfNSW determine to proceed with the Proposed Activity, the project team would keep the community, Council and other key stakeholders informed of the process, identify any further issues as they arise, and develop additional mitigation measures to minimise the impacts. The interaction with the community would be undertaken in accordance with a Community Liaison Management Plan to be developed prior to the commencement of construction.</p> <p>A construction Traffic Management Plan (TMP) would also be prepared by the Construction Contractor in consultation with TfNSW and provided to Council. The TMP would consider and aim to minimise impacts on access to local business, taxi services and private property.</p>
3.2	Council requests that parking exclusion zones for construction workers are detailed in the Traffic Management Plan to reduce impact to commuters in the area immediately surrounding the station. Council encourages construction personnel to carpool and use public transport when travelling to the site.	<p>A construction Traffic Management Plan (TMP) would be prepared as part of the Construction Environmental Management Plan. Part of the TMP would address the management of parking by construction workers away from the station and busy residential/commercial areas, as well as requirements for any temporary replacement parking during construction. TfNSW would also investigate initiatives with the Construction Contractor to reduce impacts on parking during construction, such as:</p> <ul style="list-style-type: none"> <li>• encouraging the use of public transport</li> <li>• car-pooling</li> <li>• use of small shuttle buses to transport workers from a designated meeting point nearby to the worksite</li> <li>• reinforcement of appropriate parking behaviour at toolbox talks.</li> </ul> <p>For further detail, see Section 7.2 in the REF.</p>
3.3	Council would like the opportunity to review the CTMP prior to its finalisation.	<p>The TMP would be prepared by the Construction Contractor in consultation with TfNSW and provided to Council. Consultation with Council would continue throughout construction of the Proposed Activity in accordance with the CLMP.</p>
3.4	<p>Council queried how many additional vehicles would park on local streets as a result of construction workers during the construction phase of the Proposed Activity.</p> <p>Council recommended that the REF considers where construction personnel will park to further minimise impacts.</p>	<p>During development of the TMP, TfNSW would also investigate initiatives with the Construction Contractor to reduce impacts on parking during construction. This would include encouraging the use of public transport, where possible. For further detail, see Section 7.2 in the REF.</p>

Issue no.	Issue/s raised	TfNSW response
<b>4</b>	<b>Landscape, visual amenity and heritage</b>	
4.1	<p>Council made the following recommendations in relation to the planting schedule for the Proposed Activity:</p> <ul style="list-style-type: none"> <li>• additional tree planting should be considered as part of the Proposed Activity, within areas of available deep soil. Council suggested three new trees of fastigate/columnar form be incorporated in the landscape bed east of the proposed extension of the commuter car. Additionally, Council recommended the incorporation of the following deciduous species adjacent to the rail fence: <i>Fagus Sylvatica</i> 'Dawyck Purple', <i>Liriodendron tulipifera</i> 'Fastigiata' and <i>Carpinus betulus</i> 'Fastigiata'.</li> <li>• the substitution of <i>Chosysia Ternata</i> which is a shrub uncharacteristic to cold climate regions. Council recommended <i>Daphne Odora</i> 'Sweet Daphne' as an alternative evergreen shrub.</li> <li>• increasing the use of selected <i>Hydrangea Quercifolia</i> as much as possible.</li> </ul>	<p>An Urban Design and Landscaping Plan (UDLP) would be prepared prior to finalisation of the detailed design and submitted to TfNSW for endorsement. The UDPL shall be prepared by a registered Architect and/or Landscape Architect, and in consultation with Council and other relevant stakeholders. It would include a materials schedule which outlines the proposed materials and finishes for all elements of the Proposed Activity including landscaping and species selection.</p> <p>Council's comments will be considered in the development of the UDLP.</p> <p>For further detail, see Section 7.2 in the REF.</p>
4.2	<p>Council requests that if the footpath design is not in either of Council's preferred treatments, then a new concrete footpath, preferably with a header course and banding detail, is provided for this location. Additionally, this header course brick detailing would assist to highlight the location for the new level change as a result of the compliant crossfall.</p>	<p>The design of the new concrete path would be undertaken during the detailed design phase in consultation with Council. Council's request will be considered during this phase.</p>
4.3	<p>Council suggests that the visual impacts associated with the new lift structures could be avoided by locating some, or all of the proposed new lift structures on the northern side of the pedestrian footbridge. Council notes that this would however locate the new lift structures closer to the station building.</p>	<p>This was considered as an early option but was not progressed due to constructability and heritage considerations.</p>

Issue no.	Issue/s raised	TfNSW response
4.4	<p>Council noted that the three options for the arrangement of the new elements are too similar to be considered as different options. Most notably:</p> <ul style="list-style-type: none"> <li>the external lift materials for each of the three options are similar and should consider a wider variety of material options, such as sandstone bases, full timber weatherboard cladding and pitched roofs.</li> <li>restoring the two heritage buildings should also be included in the scope of works.</li> <li>the proposed materials for the new lift structures and other details do not appear to be heritage sympathetic. Further, details of which heritage requirements these materials have been selected in accordance with are not included.</li> </ul>	<p>A key consideration of the Proposed Activity is to ensure that the design of the new elements minimises visual and heritage impacts to the station and surrounding context, by respectfully adapting the existing heritage elements and colour palette of the proposal site whilst improving the station access. Lift materials and design are also influenced by site specific engineering constraints such as proximity to the track, structural loads and snow loads.</p> <p>Lift design options for the Proposal (Option 1 described in the REF), are discussed in section 8.3.1 of the Statement of Heritage Impact (Extent Heritage, 2022). These options considered a range of materials including cladding, weathered iron and fibre cement, as well as options for flat and pitched roofs.</p> <p>The design is the result of an independent design review, extensive design workshops, consultation with Council and Heritage NSW. The design would continue to be developed in consultation with a Heritage Architect (see Condition of Approval 31 of this Determination Report).</p> <p>The scope of work for the Proposed Activity is limited to upgrading the station facilities to meet DDA and DSAPT requirements. Restoration of the two privately owned heritage buildings is therefore beyond the scope of the Proposed Activity.</p>
4.5	<p>Council noted that it does not agree with the overall assessment of impacts to the heritage significance of the Proposed Activity being 'negligible to minor'.</p>	<p>It is noted that the summary of impacts in the SOHI does not conclude a 'negligible to minor' impact overall. Certain aspects of the proposed works have been assigned that impact level, however moderate adverse impacts have been identified for visual impacts and archaeology.</p> <p>The assessment of heritage impacts was undertaken by a suitably qualified heritage specialist in accordance with the principles and definitions as set out in the guidelines to <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (the Burra Charter)</i> (Australia ICOMOS, 2013) and the latest version of the <i>Statement of Heritage Impact Guidelines</i> (Heritage Office and Department of Urban Affairs and Planning 2002), produced by the former NSW Office of Environment and Heritage (now the Department of Planning and Environment).</p> <p>As part of the approval process, TfNSW has obtained a Section 60 Approval from Heritage NSW (Appendix C). The conditions stipulated in the Section 60 Approval would be implemented as per Condition of Approval 28 of this Determination Report.</p>

Issue no.	Issue/s raised	TfNSW response
4.6	Council noted that it does not agree with the assessment of impacts associated with the introduction of the new lift structures and widening of the station doors as being 'minor'. It adds that these amendments would result in a major impact upon the station fabric and setting.	Further consideration of the design of the Proposed Activity would be undertaken through ongoing detailed design development to ensure minimal impacts to the station fabric and setting.  As part of the approval process, TfNSW has obtained a Section 60 Approval from Heritage NSW (Appendix C). The conditions stipulated in the Section 60 Approval would be implemented as per Condition of Approval 28 of this Determination Report, including a specific condition for TfNSW to provide further design detail on door widening.
4.7	Council questioned why preliminary consultation with Heritage NSW was not detailed in the REF.	Details of correspondence with Heritage NSW will be provided to Council. Heritage NSW Section 60 Condition of Approval are annexed to the determination report (see Appendix C).
<b>5 Request for additional information</b>		
5.1	Council recommends that a detailed drawing of the rendered walls is included in the final design, along with information related to the specification for render type and proposed method of application, to ensure the nominated finish is achieved to a high quality.	An UDLP would be prepared prior to finalisation of the detailed design and submitted to TfNSW for endorsement. The UDLP will be prepared by a registered Architect and/or Landscape Architect, and in consultation with Council and other relevant stakeholders. It would include a materials schedule, which outlines the proposed materials and finishes for all built elements, of the Proposed Activity, including the rendered walls.  For further detail, see Section 7.2 in the REF.
5.2	Council requested preliminary comments from Heritage NSW as part of the Section 60 application, including any consultation undertaken to date. Council noted that this information would have the potential to inform its approach to ensure consistency of heritage comments across the two agencies.	Details of correspondence with Heritage NSW will be provided to Council.
5.3	Council noted that the REF states that the Proposed Activity would assist in responding to forecast growth in the region and questioned where this data came from. Council added that it does not agree that there is significant forecasted growth for the village of Blackheath.	Data which informed the forecast growth will be provided to Council.

Issue no.	Issue/s raised	TfNSW response
5.4	Council noted that the summary of impacts in both the Executive Summary and Conclusion is not a comprehensive list of impacts, excluding potential impacts on local heritage items and request that this is added.	Noted. Impacts to heritage items were assessed in Section 6.5 of the REF and detailed in the Statement of Heritage Impact . These impacts include: <ul style="list-style-type: none"> <li>introduction of new visual elements associated with the three new lifts and provisions of accessible paths and ramps from the entrances of the station to the lifts</li> <li>potential moderate indirect (visual) impacts on the views and setting of Blackheath Station from the Great Western Highway.</li> </ul>
5.5	Council noted that it is unclear whether aspects of the Blue Mountains Local Environmental Plan have been taken into consideration and if so, details relating to what standards have been considered relevant should be included.	The Landscape and Visual Impact Assessment includes consideration of both the Blue Mountains Local Environmental Plan and the Blue Mountains Development Control Plan. For further detail, see Section 4.3 of the Landscape and Visual Impact Assessment.
5.6	Council requested that inclusion of considerations relating to the NSW Government's "Better Placed" series is added to the REF, as well as consideration of earlier publications from NSW Heritage Council and Institute of Architects "Design in Context".	The "Better Placed" design guide informed the mitigation measures identified in the assessment. For further detail, see Section 4.2.4 of the Landscape and Visual Impact Assessment.
5.7	Council noted that the reference list does not include the Statement of Heritage Impact prepared by Extent Heritage.	Reference to the Statement of Heritage Impact is provided in Section 6.5 of the REF.
5.8	Council noted that it would be useful if one image in the REF includes the full view of the station buildings to assist with understanding the overall potential visual and heritage impacts.	A number of illustrations from different perspectives have been provided in Section 3 of the REF.
5.9	Council suggests that an image of the accessible toilet and family room door is included within the Statement of Heritage Impact.	The Statement of Heritage Impact has been finalised and no further internal works are proposed.
5.10	Council requests more information related to design inputs from Heritage NSW during the preliminary stages of the Proposed Activity.	Details of correspondence with Heritage NSW will be provided to Council.
<b>6</b>	<b>Other</b>	
6.1	Council commented that the evening peak period included in the REF would not be representative of the actual peak period when considering travel times from Central Station.	The peak period data utilised information available from Opal data at Blackheath Station.

## 2.4. Section 60 Approval from Heritage NSW

TfNSW obtained a Section 60 Approval from Heritage NSW on 22 April 2022 (Appendix C). The conditions stipulated in the Section 60 Approval would be implemented as per Condition of Approval 28 of this Determination Report.

## 2.5. Future consultation

Should TfNSW proceed with the Proposed Activity, consultation activities would continue, including consultation with Blue Mountains City Council 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)<sup>3</sup> and TfNSW Infoline (1800 684 490) would continue to be available during the construction phase. Targeted consultation methods, such as use of letters, notifications, signage and verbal communications, would continue to occur. The [TfNSW project website](http://www.transport.nsw.gov.au/projects/current-projects/blackheath-station-upgrade)<sup>4</sup> would also include updates on the progress of construction.

Ongoing consultation would be undertaken with Sydney Trains when construction activities commence.

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

<sup>4</sup> [www.transport.nsw.gov.au/projects/current-projects/blackheath-station-upgrade](http://www.transport.nsw.gov.au/projects/current-projects/blackheath-station-upgrade)

### 3. Changes to the Proposed Activity

#### 3.1. Assessment of design changes

A minor change to construction activities has been proposed since the Blackheath Station Upgrade REF was displayed. This change is outlined in Table 3.1, along with a discussion of the impacts provided in Table 3.1 (unless explicitly stated in the tables below, it is considered that impacts related to other aspects are considered to be consistent with the findings of the REF including with respect to Section 171 of the EP&A Regulation and impacts to matters of NES). Where additional mitigation measures are required, these have been included as Conditions of Approval in Appendix B.

**Table 3.1 Description of proposed change**

Aspect of the Proposed Activity	Proposed change	Description
Ancillary facility	<p>An alternative site on the Great Western Highway has been identified as a temporary site office for the duration of the construction period.</p> <p>The proposed site office is an existing vacant commercial property with a rear garage and two-bedroom unit upstairs.</p> <p>The additional area is shown on Figure 3.1. The property is neighboured by Wattle Café and The Little Piggy Deli and is located about 210 metres south-east of the Proposal site.</p>	<p>The property would be utilised for the duration of the construction period as a site office for construction personnel and to store minor equipment such as personal protective equipment and excess First Aid supplies. The upstairs two-bedroom unit would be utilised by the Construction Contractor in the event of requiring an overnight stay due to extended travel. Construction plant, chemicals, large/bulky construction materials, etc would not be stored at this location.</p> <p>It is proposed that the site office would be accessed during standard construction hours, and outside of standard work hours during possession periods.</p> <p>Utilising this alternative site would reduce the reliance on the construction site sheds during the establishment and demobilisation phases, as well as make better use of existing hardstand areas.</p>

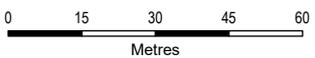
**Table 3.2 Assessment of environment impacts associated with the proposed change**

Issue	Discussion of potential impacts	Is this consistent with the assessment of impacts presented in the REF?
Traffic and transport	It is not proposed that any heavy vehicles would access the new site office.	Yes
Urban design, landscape and visual amenity	The new site office would utilise an existing building and would not result in any changes to the current landscape and/or visual amenity of the locality and no vegetation would be impacted.	Yes
Noise and vibration	The new site office would be utilised daily by about 20 construction personnel for the duration of the construction period. Use of the new site office is not proposed during operation of the Proposal. No construction work will be undertaken at the site office. Administrative type activities will be carried out only. It is not expected that any significant noise impacts would arise as a result.	Yes
Non-Aboriginal and Aboriginal heritage	The new site office would not result in any impacts to the significance of any heritage items/areas or items of Aboriginal cultural significance within vicinity of the study area.	Yes
Socio-economic	The new site office would result in the short-term leasing of a currently vacant commercial space within the Blackheath Town Centre.	Yes
Biodiversity	Use of the new site office would not result in any impacts to biodiversity within the locality. No vegetation would require removal.	Yes
Contamination, landform, geology and soils	The new site office would not result in any impacts to contamination, landform, geology and soils within the locality.	Yes
Hydrology and water quality	The new site office would not result in any impacts to hydrology and water quality within the locality.	Yes
Air quality	The new site office would not result in any impacts to air quality within the locality and therefore this change to the Proposed Activity is consistent with the assessment of impacts presented in the REF.	Yes



**Legend**

- Train stations
- Proposed site office
- Proposal site
- Cadastre
- Railway



**Figure 3.1 - Location of proposed site office**

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

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

The REF addresses the requirements of Section 5.5 of the EP&A Act. In considering the Proposed Activity, all matters affecting or likely to affect the environment are addressed in the REF and the Determination Report and associated documentation.

In accordance with the checklist of matters pursuant to Section 171 of the EP&A Regulation, an assessment is provided in Chapter 6 and Appendix B of the REF and Chapter 3 of this Determination Report.

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. This is provided in Chapter 6 and Appendix A of the REF and Chapter 3 of this Determination Report.

The likely significance of the environmental impacts of the Proposed Activity has been assessed in accordance with the then NSW Department of Planning's 1995 best practice guideline *Is an EIS Required?*<sup>5</sup> It is concluded that the Proposed Activity is not likely to significantly affect the environment (including critical habitat) or threatened species, populations of ecological communities, or their habitats. Accordingly, an environmental impact statement under Division 5.2 of the EP&A Act is not required.

### **4.2. NSW Heritage Act 1977**

The Proposed Activity would be undertaken within the curtilage of the Blackheath Railway Station Group, which is listed on the State Heritage Register (Item No: 5011931) and the *Blue Mountains Local Environmental Plan 2015* (item BH029).

The potential heritage impacts of the Proposed Activity have been assessed in Section 6.5 of the REF and Statement of Heritage Impact (Extent Heritage, 2022) and Chapter 3 of this determination report. The Proposed Activity would be undertaken in accordance with the approval and associated conditions issued by the Heritage NSW (Department of Premier and Cabinet) under Section 60 of the NSW *Heritage Act 1977* (refer Appendix C).

### **4.3. 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 and Chapter 3 of this Determination Report.

It is considered that the Proposed Activity described in the REF is not likely to have a significant impact on any Commonwealth land and is not likely to have a significant impact on any matters of NES.

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

## **5. Conditions of Approval**

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

## 6. Conclusion

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Having regard to the assessment in the REF, consideration of the submissions received and the design changes subsequent to the public display of the REF, 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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## Blackheath Station Upgrade

### APPROVAL

I, Alistair Lunn, as delegate of the Secretary, Transport for NSW:

1. Have examined and considered the Proposed Activity in the *Blackheath Station Upgrade Review of Environmental Factors* (March, 2022) and the *Blackheath 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 *Blackheath Station Upgrade Review of Environmental Factors* (March, 2022).



Alistair Lunn,  
Regional Director West  
Regional and Outer Metropolitan

**Transport for NSW**

Date: 04/05/2022

OFFICIAL

## References

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DesignInc, 2021, *Urban Design and Public Domain Plan: Blackheath Station*, Sydney

Extent Heritage, 2022, *Statement of Heritage Impact*, Sydney

GHD, 2021, *Blackheath Station System Definition Review Traffic and Access Impact Assessment*, Sydney

GHD, 2022, *Blackheath Station Upgrade Review of Environmental Factors*, Sydney

# Appendix A      Review of Environmental Factors

Please refer to the TfNSW website to access the Blackheath Station Upgrade REF (Desksite 6650556):

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

## **Appendix B      Conditions of Approval**

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

## CONDITIONS OF APPROVAL

### Blackheath Station Upgrade

Note: these Conditions of Approval must be read in conjunction with the final mitigation measures in the Blackheath 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
CLMP	Community Liaison Management Plan
CoA	Condition of Approval
dBA	Decibels (A-weighted scale)
DES	TfNSW Director Environment and Sustainability (or nominated delegate)
DS	Director Sustainability TfNSW
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
ISC	Infrastructure Sustainability Council
ISO	International Standards Organisation
OOHWP	Out of Hours Work Protocol
RBL	Rating Background Level
REF	Review of Environmental Factors
SMP	Sustainability Management Plan
TfNSW	Transport for NSW
TMP	Traffic Management Plan

<b>Term</b>	<b>Definition</b>
<b>Construction</b>	Includes all work in respect of the Project, other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, or other activities determined by the TfNSW 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 Blackheath 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) *Blackheath Station Upgrade – Review of Environmental Factors* (GHD, March 2022)
- b) *Blackheath Station Upgrade – Determination Report* (GHD, April 2022).

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

**2. Project Modifications**

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

**3. Statutory Requirements**

These conditions do not remove any obligation to obtain all other licences, permits, approvals and landowner consents from all relevant authorities and landowners 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 TfNSW 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.

**5. Graffiti and Advertising**

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

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

**Communications****6. Community Liaison Management Plan**

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

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

The CLMP shall be prepared to the satisfaction of the TfNSW Regional Director West – Regional and Outer Metropolitan (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 TfNSW Regional Director West – Regional and Outer Metropolitan or as required by the Environment Protection Authority (EPA) (where an Environment Protection Licence (EPL) is in effect).

**8. Website**

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

- a) a copy of the documents referred to under Condition 1 of this approval
- b) a list of environmental management reports that are publicly available
- c) 24 hour contact telephone number for information and complaints.

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)

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- iii. include a pre-construction environmental compliance matrix for the Project (or such stages of the Project as agreed to by the EMR) that details compliance with all relevant conditions and mitigation measures
- iv. include an Environmental Policy.

In preparing the CEMP the following shall be undertaken:

1. consultation with government agencies and relevant service/utility providers (as required)
2. a copy of the CEMP submitted to the DES
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 DES'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.

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**11. Environment Personnel**

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

Details of the environmental personnel, including relevant experience, defined responsibilities and resource allocation throughout the project (including time to be spent on-site/off-site) are to be submitted for the approval of the 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.

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**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 TfNSW 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 TfNSW, 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

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- h) providing reports to TfNSW 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.

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

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**13. Environmental Controls Map**

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

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**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).
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## Noise and Vibration

**15. Construction Noise and Vibration**

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

- a) details of construction activities and an indicative schedule for construction works
- b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers
- c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA)
- d) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise and vibration complaints
- e) an Out of Hours Work Protocol (OOHWP) for the assessment, management and approval of works outside the standard construction hours identified in Condition 142 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 TfNSW *Construction Noise and Vibration Strategy* (ST-157)
- f) a description of how the effectiveness of actions and measures shall be monitored during the proposed works, identification of the frequency of monitoring, the locations at which monitoring shall take place, recording and reporting of monitoring results and if any exceedance is detected, the manner in which any non-compliance shall be rectified.

**16. 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) to effectively mitigate potential impacts of vibration on heritage structures within the station, activities that cause vibration would be managed in accordance with British Standard BS 7385-2:1993. If a heritage building or structure is found to be structurally unsound (following inspection) a more conservative cosmetic damage objective of 2.5 mm/s peak component particle velocity (from DIN 4150) would be considered. Real time vibration monitoring would be conducted at commencement of relevant work to confirm compliance with the adopted standard. If vibration levels approach the determined trigger level, then the construction activity would cease and the heritage structure would be assessed and alternative construction methodologies developed, where practicable, before construction.
- c) for human exposure to vibration – the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (Department of Environment and Conservation, 2006) which includes British Standard BS 7385-2:1993 *Guide to Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)*.

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

**17. 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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18.	<b>Piling</b>
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Wherever practical, piling activities shall be completed using non-percussive piles. If percussive piles are proposed to be used, approval of the DES shall be obtained prior to commencement of piling activities.

19.	<b>Noise Impacts on Educational Facilities</b>
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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.

20.	<b>High Noise Generating Activities</b>
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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).

Contamination and Hazardous Materials	
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21.	<b>Unidentified Contamination (Other Than Asbestos)</b>
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If previously unidentified contamination (excluding asbestos) is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken, and report prepared to determine the nature, extent and degree of any contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA guidelines, including the *Guidelines for Consultants Reporting on Contaminated Sites* (Office of Environment and Heritage, 2011).

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

A revised copy of the report shall be submitted to the 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 21 and Condition 22.*

22.	<b>Asbestos Management</b>
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If previously unidentified asbestos contamination is discovered during construction, work in the affected area must cease immediately, and an investigation must be undertaken, and a report prepared to determine the nature, extent and degree of the asbestos contamination. The level of reporting must be appropriate for the identified contamination in accordance with relevant EPA, Safe Work Australia and SafeWork NSW guidelines and include the proposed methodology for the remediation of the asbestos contamination. Remediation activities must not take place until receipt of the investigation report.

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

**Note:** *In circumstances where both previously unidentified asbestos contamination and other contamination are discovered within a common area, nothing in these conditions shall prevent the preparation of a single investigation report to satisfy the requirements of both Condition 21 and Condition 22.*

CoA	Condition
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**23. Storage and Use of Hazardous Materials**

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

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

**Erosion and Sediment Control**

**24. Erosion and Sediment Control**

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

**Flora and Fauna**

**25. Removal of Trees or Vegetation**

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

**26. Replanting Program**

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

**Heritage Management**

**27. Aboriginal and Non-Aboriginal Heritage**

If previously unidentified Aboriginal or non-Aboriginal heritage/archaeological items are uncovered during construction works, the procedures contained in the TfNSW *Unexpected Heritage Finds Guideline (SD-115)* shall be followed and all works in the vicinity of the find shall cease. The EMR shall be immediately notified to co-ordinate a response, which may include seeking appropriate advice from a suitably qualified and experienced Heritage Advisor (in consultation with Heritage NSW, and/or the Energy, Environment and Science Group of the Department of Planning 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.

**28. Protection of State Heritage Items**

Design and construction of the Project within the State Heritage Register curtilage of Blackheath Railway Station Group (Item No: 5011931) must be undertaken in accordance with the conditions of the approval granted under the Section 60 Approval of the NSW *Heritage Act 1977* (issued 22/04/2022) and recommendations made in the *Statement of Heritage Impact* (Extent Heritage, 2022).

In the event of any inconsistency between the conditions of the Section 60 Approval and the Statement of Heritage Impact, the Section 60 Approval will prevail to the extent of the inconsistency.

**29. Heritage Architect**

A suitably qualified and experienced Heritage Architect who is independent of the design and construction team's personnel shall be engaged to the satisfaction of the DES. The Heritage Architect shall provide ongoing heritage, design and conservation advice throughout detailed design and any subsequent relevant design modifications to ensure that the final design adheres to the recommendations of the heritage assessments provided in the EIA, and the approval issued by NSW Heritage under Section 60 of the NSW *Heritage Act 1977*.

The Heritage Architect involvement and reporting shall include, but not be limited to:

- a) attendance at design meetings and/or heritage meetings to provide iterative heritage advice to actively inform design development
- b) targeted historical research to inform the iterative advice as required (to be documented as part of the below summary)
- c) summary of the iterative heritage advice provided which should capture (as a minimum):
  - o the optioneering process undertaken as part of the design development, including heritage pros & cons
  - o discussion on why particular heritage sensitive solutions might be discounted
  - o discussion of the relevant detailed design stage
  - o recommendations for next steps to further mitigate heritage impacts

A progress draft of the above is to be provided at each detailed design stage. A final copy of the summary report is to be provided to TfNSW no later than 1 week after final submission. The summary report is to also include:

- a) confirmation of the extent of involvement of the Heritage Architect in the detailed design process at the completion of Approved for Construction (AFC) design stage
- b) identification and assessment of any changes to, and/or additional scope of work from those identified in the EIA which would affect heritage significance
- c) a description of the impacts, and recommended mitigation measures relating to any new or amended scope of work identified in (ii) above including the requirement for additional heritage approvals for consultation
- d) confirmation that the detailed design is compliant with the requirements of the EIA and the approval issued by Heritage NSW under Section 60 of the *NSW Heritage Act 1977* (22/04/2022).

**30. Heritage Interpretation Plan**

If required by the recommendations of the SoHI (Extent, 2022) heritage interpretation shall be planned and integrated into the detailed design of the Project. The heritage interpretation planning shall be prepared by the Heritage Architect (and sub-consultants as required i.e. graphics) with reference to *Sydney Trains Heritage Interpretation Guidelines*. The heritage interpretation planning shall be captured in a Heritage Interpretation Plan (HIP) that is to be issued as a progress report at each stage of detailed design.

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

**CoA Condition****31. Photographic Archival Recording**

Archival recording of the Blackheath Railway Station Group (Item No: 5011931) shall be undertaken in accordance with the Heritage NSW guidelines prior to works commencing. The archival recording shall be reviewed and endorsed by the EMR prior to submission to Heritage NSW or other government body.

Digital copies of the archival recording are to be provided to Blue Mountains City Council and TfNSW Heritage Specialist Team for future reference.

**32. Illustrated Services Plan**

The contractor in collaboration with the Heritage Architect/Consultant must prepare and submit an illustrated services plan to detail all services routes in order to demonstrate compliance with the *Heritage Technical Note: Installation of New Electrical and Data Services at Heritage Sites* (2017). The illustrated services plan should include, but not be limited to; high voltage (HV), low voltage, communications, PA and CCTV. The illustrated services plan must be submitted and approved by the TfNSW Heritage Specialist prior to the commencement of permanent works.

**Lighting****33. 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.

The proposed lighting scheme is to be submitted to TfNSW's technical (design) team for acceptance.

**Property****34. 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****35. 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 DS prior to the preparation of the Sustainability Management Plan.

**36. 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) the applicability test workbook identifying the requirements for TfNSW Sustainable Design Guidelines Version 4.0 (ST-114) rating and a section in the SMP identifying the activities and initiatives that will be implemented to achieve the rating. OR the Infrastructure Sustainability Council (ISC) scorecard demonstrating credits targeted to meet an Infrastructure Sustainability Rating Scheme (v1.2/2.0) of 'Excellent' rating for the 'Design' and 'As-Built' phases of the Project
- 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) summary of strategies and initiatives to reduce carbon emissions, energy use, water use and embodied lifecycle impacts of the Project. A description of the initiatives to meet the energy and carbon management objectives and targets for the Project.

**CoA Condition**

- e) summary of sustainable procurement processes and alignment to the principles of practices of sustainable procurement in the selection of all materials, products and services (e.g. ISO 20400 or UN SDG 12)
- f) summary of 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 within 30 days from contract award and approved by Senior Manager Sustainability (SMS) prior to construction (or such time as is otherwise agreed by the SMS).

**37. Sustainable Design Guidelines**

The project shall pursue a minimum 'Silver' rating under the TfNSW Sustainable Design Guidelines v 4.0 for the 'Design' and 'As Built' phases of the Project.

**Traffic, Transport and Access****38. 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 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.

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.

**39. 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.

**40. 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 along Station Street and mitigation measures proposed.

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

**Urban Design and Landscaping****41. Urban Design and Landscaping Plan**

The following mitigation measures shall be implemented to reduce the visual impacts of the Proposal:

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

- a) Demonstrate a robust understanding of the site through a comprehensive site analysis to inform the design direction, demonstrate connectivity with street networks, transport modes, active transport options, and pedestrian distances
- b) Identify opportunities and challenges
- c) Establish site specific principles to guide and test design options
- d) Demonstrate how the preferred design option responds to the design principles established in 'Around the Tracks', including consideration of Crime Prevention through Environmental Design Principles

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

- a) Landscape design approach including design of pedestrian and bicycle pathways, street furniture, interchange facilities, new planting and opportunities for public art
- b) Materials Schedule including materials and finishes for proposed built works, colour schemes, paving and lighting types for public domain, fencing and landscaping
- c) An Artist's Impression or Photomontage to communicate the proposed changes to the precinct

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

- a) TAP Urban Design Plan, Guidelines, TfNSW, Draft 2018
- b) Commuter Car Parks, urban design guidelines, TfNSW, Interim 2017
- c) Managing Heritage Issues in Rail Projects Guidelines, TfNSW, Interim 2016
- d) Creativity Guidelines for Transport Systems, TfNSW, Interim 2016
- e) Water Sensitive Urban Design Guidelines for TfNSW Projects, 2016

Endorsement of the Urban Design Plan and Landscaping Plan will demonstrate compliance with the Conditions of Approval in the Review of Environmental Factors (REF) Determination Report.

The Urban Design Plan and Landscaping Plan shall be:

- I. Prepared prior to concept design and finalised
- II. Prepared in consultation with Local Council and relevant stakeholders
- III. Prepared by a registered Architect and/or Landscape Architect

# **Appendix C      Heritage Act Section 60 Approval**



Mr Justin Perrott  
Transport for NSW  
7 HARVEST ST  
MACQUARIE PARK NSW 2113

By email: [steven.barry@transport.nsw.gov.au](mailto:steven.barry@transport.nsw.gov.au)

Dear Mr Perrott

**APPLICATION UNDER SECTION 60 OF THE HERITAGE ACT 1977**

**Blackheath Railway Station Group  
STATE HERITAGE REGISTER N ° 01088**

**Address:** Main Western railway, BLACKHEATH NSW 2785  
**Proposal:** TfNSW are proposing to undertake a TAP upgrade at Blackheath Station. This broadly includes removal of the level crossing, installation of 3 new lifts and associated modifications to the footbridge and landings, minor internal works and precinct works.  
**Section 60 application no:** HMS ID 889, received 7/03/2022

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the Heritage Act 1977, approval is granted subject to the following conditions:

**EXCEPT AS AMENDED** by the conditions of this approval.

**APPROVED DEVELOPMENT**

1. All work shall comply with the information contained within.

a) Architectural/landscaping drawings prepared for Transport for NSW, as listed in the table below:

Dwg No	Dwg Title	Date	Rev
Project Name: Blackheath Railway Station Group TAP Upgrade			
150333-BHT-AR-DRG-19000	COVER SHEET	16.12.21	B
150333-BHT-AR-DRG-19003	GWH FORECOURT VIEW	16.12.21	B
150333-BHT-AR-DRG-19004	AERIAL VIEW	16.12.21	B
150333-BHT-AR-DRG-19005	PLATFORM VIEW	16.12.21	B
150333-BHT-AR-DRG-19102	SITE PLAN	16.12.21	B
150333-BHT-AR-DRG-19110	EXISTING & DEMOLITION SITE PLAN	16.12.21	B
150333-BHT-AR-DRG-19111	SITE PHOTOS	16.12.21	B
150333-BHT-AR-DRG-19112	HERITAGE CURTILAGE PLAN	16.12.21	B
150333-BHT-AR-DRG-19200	CARPARK LEVEL PLAN	16.12.21	B
150333-BHT-AR-DRG-19201	PLATFORM/STREET PLAN ZONE 1	16.12.21	B
150333-BHT-AR-DRG-19202	PLATFORM/STREET PLAN ZONE 2	16.12.21	B
150333-BHT-AR-DRG-19203	FOOTBRIDGE PLAN	16.12.21	B
150333-BHT-AR-DRG-19204	ROOF PLAN ZONE 1	16.12.21	B

150333-BHT-AR-DRG-19205	GWH FORECOURT	16.12.21	B
150333-BHT-AR-DRG-19206	INTERCHANGE	16.12.21	B
150333-BHT-AR-DRG-19207	STATION STREET FORECOURT	16.12.21	B
150333-BHT-AR-DRG-19208	PLATFORM 1/2 - ZONE 3 & 4	16.12.21	B
150333-BHT-AR-DRG-19300	ELEVATIONS - SHEET 01	16.12.21	B
150333-BHT-AR-DRG-19301	ELEVATIONS - SHEET 02	16.12.21	B
150333-BHT-AR-DRG-19310	SECTIONS - SHEET 01	16.12.21	B
150333-BHT-AR-DRG-19311	SECTIONS - SHEET 02	16.12.21	B
150333-BHT-AR-DRG-19500	LIFT 1 PLANS	16.12.21	B
150333-BHT-AR-DRG-19501	LIFT 1 ELEVATIONS	16.12.21	B
150333-BHT-AR-DRG-19502	LIFT 1 SECTIONS	16.12.21	B
150333-BHT-AR-DRG-19520	LIFT 2 PLANS	16.12.21	B
150333-BHT-AR-DRG-19521	LIFT 2 ELEVATIONS	16.12.21	B
150333-BHT-AR-DRG-19522	LIFT 2 SECTIONS	16.12.21	B
150333-BHT-AR-DRG-19540	LIFT 3 PLANS	16.12.21	B
150333-BHT-AR-DRG-19541	LIFT 3 ELEVATIONS	16.12.21	B
150333-BHT-AR-DRG-19542	LIFT 3 SECTIONS	16.12.21	B
150333-BHT-AR-DRG-19600	STAIR 1 PLAN & SECTION	16.12.21	B
150333-BHT-AR-DRG-19601	STAIR 2 PLAN & SECTION	16.12.21	B
150333-BHT-AR-DRG-19602	STAIR 3 PLAN & SECTION	16.12.21	B
150333-BHT-AR-DRG-19650	RAMP 1 PLAN & SECTION	16.12.21	B
150333-BHT-AR-DRG-19651	RAMP 2 PLAN & SECTION	16.12.21	B
150333-BHT-AR-DRG-19652	WALKWAY TO K&R SHELTER	16.12.21	A
150333-BHT-AR-DRG-19653	RAMP 3 PLAN & SECTION	16.12.21	A
150333-BHT-AR-DRG-19700	PLATFORM BUILDING DETAIL PLAN	13.01.21	C
150333-BHT-AR-DRG-19701	PLATFORM BUILDING DETAIL ELEVATION	13.01.21	C
150333-BHT-AR-DRG-19720	PLATFORM 1/2 - SHEET 1	16.12.21	A
150333-BHT-AR-DRG-19721	PLATFORM 1/2 - SHEET 2	16.12.21	A
150333-BHT-AR-DRG-19750	IMSB PLAN, ELEVATION & SECTION	13.01.21	C
150333-BHT-AR-DRG-19900	DOOR SCHEDULE	13.01.21	C
150333-BHT-AR-DRG-19901	PLATFORM BUILDING DETAILS	13.01.21	B
150333-BHT-AR-DRG-19902	PLATFORM BUILDING DETAILS	16.12.21	A

Landscape drawings, prepared by DesignInc. as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Blackheath Railway Station Group TAP Upgrade			
150333-BHT-LA-DRG-19001	COVER SHEET & DRAWING LIST	16.12.21	B
150333-BHT-LA-DRG-19100	SITE PLAN	16.12.21	B
150333-BHT-LA-DRG-19101	TREE OFFSET PLAN 1	16.12.21	B
150333-BHT-LA-DRG-19102	TREE OFFSET PLAN 2	13.12.21	A
150333-BHT-LA-DRG-19201	GENERAL ARRANGEMENT PLAN 1	16.12.21	B
150333-BHT-LA-DRG-19202	GENERAL ARRANGEMENT PLAN 2	16.12.21	B
150333-BHT-LA-DRG-19203	GENERAL ARRANGEMENT PLAN 3	16.12.21	B

150333-BHT-LA-DRG-19401	TYPICAL DETAILS	16.12.21	B
150333-BHT-LA-DRG-19601	LANDSCAPE SCHEDULES	16.12.21	B

Transport Access Program - Blackheath Station Upgrade - Materials & Finishes Schedule, prepared by DesignInc, 31 March 2022.

Blackheath Station Upgrade - Statement of Heritage Impact, prepared by Extent Heritage, 28 February 2022.

Including all Recommendations provided within Statement of Heritage Impact

Memorandum Of Heritage Advice: Blackheath Railway Station, Blackheath, prepared by Purcell, 13 January 2022

#### **DETAILS TO BE SUBMITTED FOR APPROVAL**

2. The following information is to be submitted for approval by the Heritage Council or delegate prior to the commencement of each component of the work:
  - a. Provide detailed design drawings and methodology prepared by heritage architect for proposed waiting room door widening.
  - b. Provide details of proposed additional strengthening of existing footbridge and structural connections between footbridge and proposed landings.

Reason: To protect significant fabric and ensure the design is appropriate to the heritage character and landmark values of the place.

#### **STATEMENT OF HERITAGE IMPACT RECOMMENDATIONS**

3. All recommendations within the project Statement of Heritage Impact (SOHI) must be implemented. The nominated project heritage consultant must provide Heritage NSW with written confirmation that the works have been carried out in accordance with these recommendations within 4 weeks of the completion of the project.

Reason: The submitted SOHI provides appropriate mitigation strategies for the proposed works. This condition ensures the nominated mitigation measures are implemented throughout all stages of the project.

#### **LEVEL CROSSING**

4. The existing paving elements of the existing level crossing should be retained where possible to allow the location and former usage of this element to remain legible.

Reason: To protect significant elements and allow the site's layered history to remain readable.

#### **PLATFORM BUILDING VENTS**

5. Re-grading works must not cover any existing wall vents on the station/precinct buildings.

Reason: To ensure no long-term damage to the platform building caused by changes in ventilation to the substructure.

#### **ARCHAEOLOGICAL MONITORING**

6. An excavation director approved by Heritage NSW is to monitor excavation to determine the optimal approach for works in that area.

Reason: To confirm presence of potential historical archaeology within works area and ensure appropriate management of the potential resource.

#### **HERITAGE CONSULTANT**

7. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

#### **SPECIALIST TRADESPERSONS**

8. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

#### **SITE PROTECTION**

9. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

#### **HERITAGE INTERPRETATION**

10. An interpretation plan must be prepared in accordance with Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) within 12 months of this approval.

The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.

Reason: Interpretation is an important part of every proposal for works at heritage places.

#### **PHOTOGRAPHIC ARCHIVAL RECORDING**

11. A photographic archival recording must be prepared prior to the commencement of works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

#### **Advice**

Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

#### **Right of Appeal**

If you are dissatisfied with this determination appeal may be made to the Minister for Heritage under section 70 of the Act.

#### **Other Approvals**

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

### Stamped documents

Any stamped documents (e.g. approved plans) for this application are available for the Applicant to download from the Heritage Management System at <https://hms.heritage.nsw.gov.au> under 'My Completed Applications.' (HMS 889).

If you have any questions about this correspondence, please contact Steven Nix, Senior Heritage Officer, Major Projects at Heritage NSW on 02 9873 8553 or [steven.nix@environment.nsw.gov.au](mailto:steven.nix@environment.nsw.gov.au).

Yours sincerely

## Rochelle Johnston

Rochelle Johnston  
Senior Manager, Major Projects  
Heritage NSW  
Department of Planning and Environment  
**As Delegate of the Heritage Council of NSW**

22 April 2022

cc: Blue Mountains Council