



Transport Access Program **Canley Vale Station Upgrade** Determination Report



Artist's impression of the proposed Canley Vale Station Upgrade, subject to detailed design



Canley Vale Station Upgrade – Determination Report

Transport Access Program

Ref – 6458341

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Document control

Status:	Approved
Date of issue:	July 2020
Revision:	2.0
Document author:	Rosemary Snowdon
Document reviewers:	Louise Sureda, Ben Groth, Ben Grogan, George Panagakakis, Natalie Moore, Trent Middleton, Tracey Leotta, Silvia Austin, Michelle Quinn

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Glossary and abbreviations

Term	Meaning
BC Act	<i>Biodiversity Conservation Act 2016 (NSW)</i>
BDAR	Biodiversity Development Assessment Report
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CLMP	Community Liaison Management Plan
Construction Contractor	The Construction Contractor for the Proposed Activity would be appointed by TfNSW to undertake the detailed design and construction of the Proposed Activity.
CPTED	Crime Prevention Through Environmental Design
DDA	<i>Disability Discrimination Act 1992 (Cwlth)</i>
Detailed design	Detailed design broadly refers to the process that the Construction Contractor undertakes (should the Proposed Activity proceed) to refine the concept design to a design suitable for construction (subject to TfNSW acceptance).
Determination Report	This document – a report prepared by TfNSW to assess and address certain matters to allow for a determination of the Proposed Activity under, and in accordance with Division 5.1 of the EP&A Act.
DSAPT	<i>Disability Standards for Accessible Public Transport (2002)</i>
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
Infrastructure SEPP	<i>State Environmental Planning Policy (Infrastructure) 2007 (NSW)</i>
LEP	Local Environmental Plan
NES	Matters of 'National Environmental Significance' under the EPBC Act
NSW	New South Wales
Proponent	A person or body proposing to carry out an activity under Division 5.1 of the EP&A Act – in this instance, TfNSW.
Proposed Activity	The construction and operation of the Canley Vale Station Upgrade
REF	Review of Environmental Factors
SIS	Species Impact Statement
TfNSW	Transport for NSW (the Proponent)

Executive summary

Overview of Proposed Activity

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

- stations that are accessible to people with disabilities, are less mobile, 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.

Canley Vale 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 works would provide the following:

- installation of a three stop lift on the Railway Parade (western) side of station, connecting street level, Platform 1 and the footbridge
- installation of a lift on the First Avenue (eastern) side of station, connecting Platform 2 to the footbridge
- extension of the existing footbridge at both ends to connect to the new lift lobbies
- new handrails along existing footbridge and stairs
- upgrade the station entry from Railway Parade to Platform 1 including widened entry stairs
- widened footpath on Railway Parade
- new accessible parking space to be provided within the First Avenue commuter car park
- new accessible kiss and ride bay to be provided on First Avenue
- provision of DSAPT compliant accessible paths from First Avenue to the station entry
- improved amenities, including new female and male ambulant toilets and family accessible toilet provisions
- localised platform regrading to allow for accessible paths of travel
- ancillary work including upgrades to lighting Opal card readers, CCTV cameras, hearing loops, and installation of tactile ground surface indicators (TGSIs).

TfNSW, as the Proponent for the Proposed Activity, has undertaken a Review of Environmental Factors (REF) that details the scope of works and environmental impacts associated with the Proposed Activity. The REF was prepared by TfNSW in accordance with the requirements of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and clause 228 of the *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*.

Modifications to the Proposed Activity

Since the public display of the REF, the following design changes have been made to the Proposed Activity:

- the location of the lifts to Platform 1 and 2 have been moved about one to two metres to the north (ie toward the Station Building)
- the Railway Parade footpath would not be widened as initially proposed in the REF, as the new location of the lift would allow for compliant pedestrian clearance from the kerb
- the new accessible parking space to be provided within the First Avenue commuter car park would now be provided next to the kiss and ride bay on First Avenue.

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

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

Purpose of this report

The purpose of this Determination Report is for TfNSW, as the Proponent of the Canley Vale 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

1.1. Background

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

- stations that are accessible to people with disabilities, are less mobile, 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.

Canley Vale 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 Canley Vale 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 TfNSW in accordance with Sections 5.5 and 5.7 of the *Environmental Planning and Assessment 1979 (EP&A Act)*, and clause 228 of the *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*, to ensure that TfNSW takes into account to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the Proposed Activity. The REF is included at Appendix A.

The Canley Vale Station Upgrade REF was placed on public display from 29 April to 13 May 2020, with 28 submissions received. Issues raised in these submissions are addressed in Section 2.3 of this report.

1.3. Determination Report

Prior to proceeding with the Proposed Activity, the Secretary for TfNSW must make a determination in accordance with Division 5.1 of the EP&A Act (refer Figure 1).

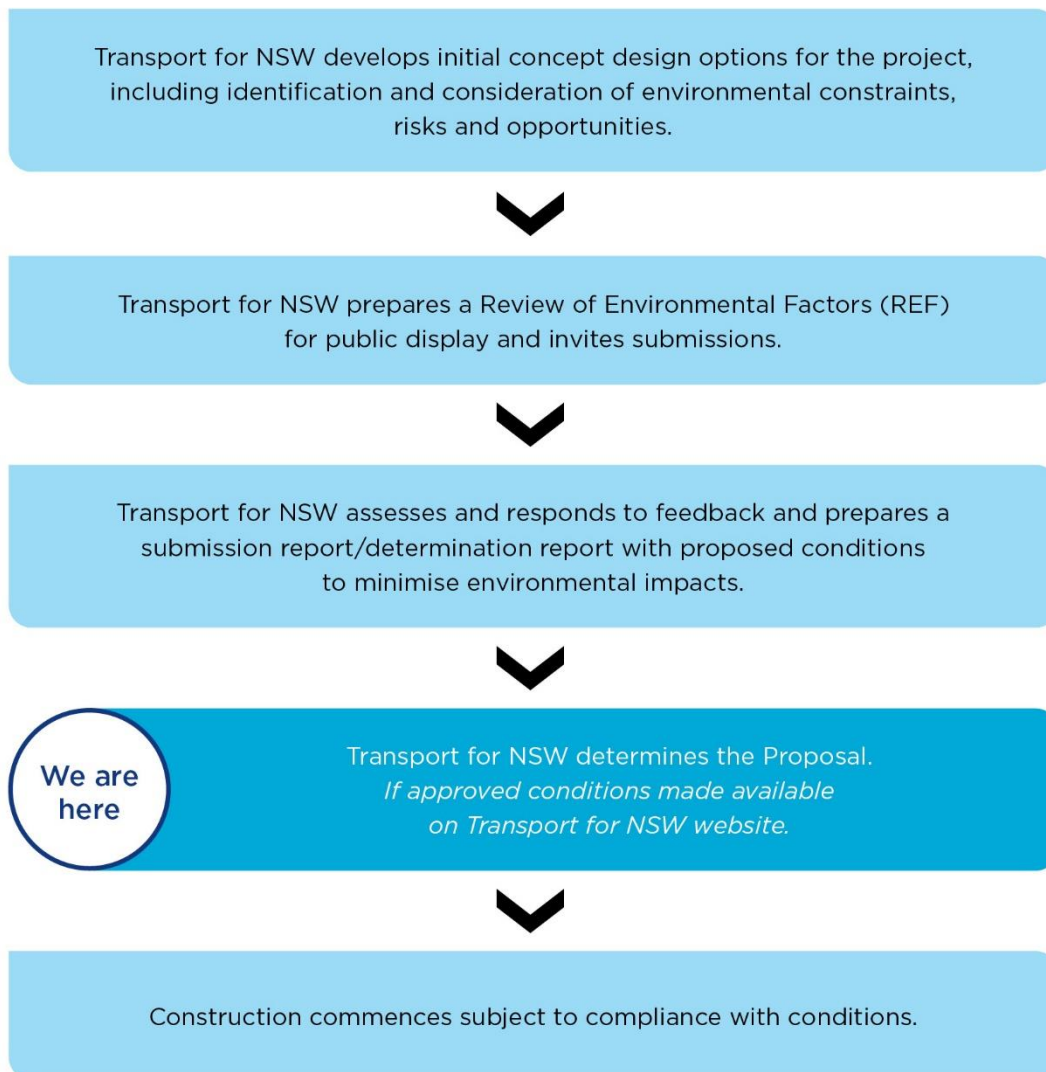


Figure 1 Planning approval process

The purpose of this Determination Report is to address the following to allow for a determination of the Proposed Activity:

- present a summary of the submissions received during the public display of the REF and TfNSW’s response to the issues and comments raised in these submissions
- assess the environmental impacts with respect to the Proposed Activity, which are detailed in the environmental impact assessment (and any proposed modifications, as detailed and assessed in this Determination Report)
- identify mitigation measures to minimise potential environmental impacts
- determine whether potential environmental impacts are likely to be significant
- address whether the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) apply to the Proposed Activity.

This report has been prepared having regard to, among other things, the objectives of TfNSW under the *Transport Administration Act 1988*:

- a) to provide an efficient and accountable framework for the governance of the delivery of transport services
- b) to promote the integration of the transport system
- c) to enable effective planning and delivery of transport infrastructure and services
- d) to facilitate the mobilisation and prioritisation of key resources across the transport sector
- e) to co-ordinate the activities of those engaged in the delivery of transport services
- f) to maintain independent regulatory arrangements for securing the safety of transport services.

1.4. Description of the Proposed Activity in the REF

The Proposed Activity would include works to Canley Vale Station situated in the Fairfield Local Government Area. The station is located in the suburb of Canley Vale about 30 kilometres south-west of the Sydney Central Business District (CBD).

The Proposed Activity would provide safe and equitable access to the platforms and to the pedestrian network surrounding the station. Customer facilities and amenities would also be improved. The upgrade would also assist in supporting growth in public transport use and would provide an improved customer experience for existing and future users of the station.

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

- installation of a three stop lift on the Railway Parade (western) side of station, connecting street level, Platform 1 and the footbridge
- installation of a lift on the First Avenue (eastern) side of station, connecting Platform 2 to the footbridge
- extension of the existing footbridge at both ends to connect to the new lift lobbies
- new handrails along existing footbridge and stairs
- upgrade the station entry from Railway Parade to Platform 1 including widened entry stairs
- widened footpath on Railway Parade
- new accessible parking space to be provided within the First Avenue commuter car park
- new accessible kiss and ride bay to be provided on First Avenue
- provision of DSAPT compliant accessible paths from First Avenue to the station entry
- improved amenities, including new female and male ambulant toilets and family accessible toilet provisions
- localised platform regrading to allow for accessible paths of travel
- ancillary work including upgrades to lighting, Opal card readers, CCTV cameras, hearing loops, and installation of tactile ground surface indicators (TGSIs).

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

The need for, and benefits of the Proposed Activity are outlined in Chapter 2 of the REF.
Construction is expected to commence in late 2020 and take around 18 months to complete.

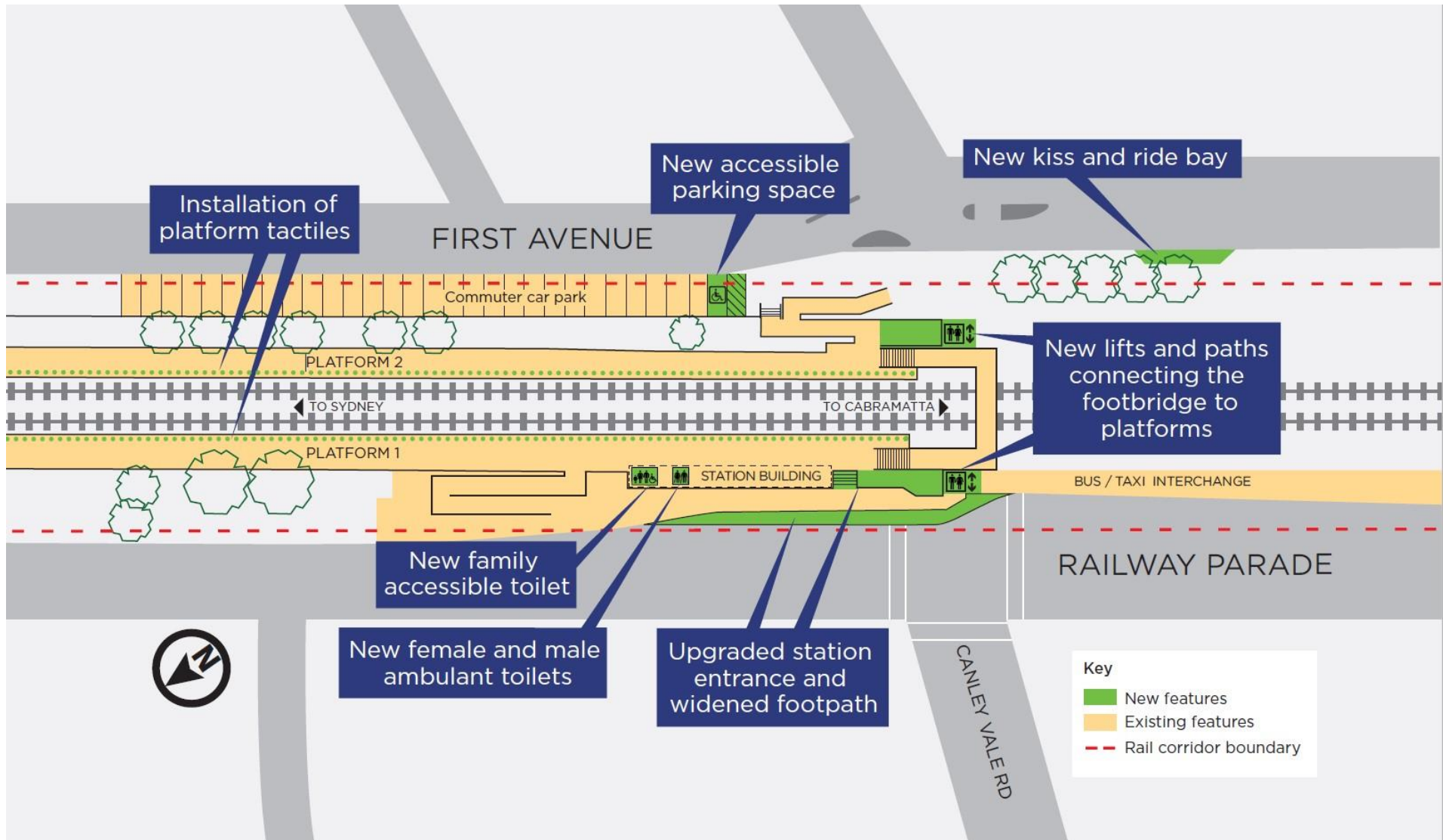


Figure 2 Key features of the Proposed Activity (indicative only, subject to detailed design)

2. Consultation and assessment of submissions

2.1. REF public display

The Canley Vale Station Upgrade REF was placed on public display from 29 April 2020 to 13 May 2020 on the [TfNSW corporate website](http://www.transport.nsw.gov.au)¹ and the [NSW Have our Say Website](http://www.haveyoursay.nsw.gov.au)².

Key themes from the feedback provided by the community during this consultation phase have been addressed and summarised within this Determination Report.

In response to the evolving COVID-19 situation, Transport for NSW followed NSW Health advice and altered the community consultation approach for the Canley Vale Upgrade project.

It is important for the community to have their say on all transport infrastructure projects, and Transport for NSW is ensuring all appropriate community consultation is carried out.

Community consultation adopted a range of online and non-face-to-face consultation mechanisms to ensure social distancing was practiced to limit the spread of COVID-19. Community consultation activities undertaken included:

- public display of the REF online
- targeted consultation with local businesses, schools and other community groups through phone calls, emails and online briefings
- distribution of a community notification to both the local community via letterbox drop and rail customers at the station to inform the community about the Proposed Activity
- installation of project signage at the station and in the existing commuter car parks
- consultation with key stakeholders such as Fairfield City Council and Sydney Trains
- geographically targeted social media advertising via Facebook to inform locals of the Proposed Activity and invite their feedback online
- development of a dedicated web page for the project on the [TfNSW corporate website](http://www.transport.nsw.gov.au)¹
- placement of an advertisement in the Fairfield City Champion linking readers to the TfNSW website
- a briefing to Fairfield City Council officers on 25 June 2020
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the TfNSW website, along with details on how to make a submission was sent to Fairfield City Council as per the consultation requirements under clause 13, 15 and 15A of the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP)
- a letter outlining the scope of the Proposed Activity, information on where to view the REF and specialist studies on the TfNSW website, along with details on how to make a submission was sent to the NSW State Emergency Service

¹ <http://www.transport.nsw.gov.au/canleyvale/>

² <http://www.haveyoursay.nsw.gov.au>

as per the consultation requirements under clause 15AA of the Infrastructure SEPP.

2.2. REF submissions

A total of 28 submissions were received via, email and online submissions including the posted comments on the project website. Community submissions are addressed in Table 1, while submissions received from Fairfield City Council are addressed in Table 2.

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

- support for the Proposed Activity and requests that the work be undertaken in a timely manner
- request for an upgrade at Carramar Station
- request for more parking at the station

2.3. Consideration and response to submissions

Community submissions

Table 1 Response to community submissions received

No.	Submission no.	Issue/s raised	TfNSW response
1	General		
1.1	CAN001, CAN002, CAN003, CAN004, CAN008, CAN009, CAN010, CAN011, CAN012, CAN016, CAN017, CAN018, CAN024, CAN026.	Support for the Proposed Activity.	Support for the Proposed Activity is noted.
1.2	CAN004, CAN005, CAN008, CAN012, CAN017, CAN018	Hopes that the Proposed Activity is completed in a timely manner.	Early construction work is expected to start in late 2020 and take around 18 months to complete.

No.	Submission no.	Issue/s raised	TfNSW response
1.3	CAN020	Request for TfNSW to concentrate on one project at a time and to complete works (bridge and lift) at Dulwich Hill Station.	<p>The Canley Vale Station Upgrade is being delivered as part of the Transport Access Program which is an initiative to provide stations that are accessible to people with disabilities, are less mobile and parents/carers with prams and customers with luggage.</p> <p>As part of Sydney Metro's City and Southwest project, Dulwich Hill Station will be upgraded with lift access and a new concourse connecting customers with the Dulwich Hill Light Rail Station. For more information on this project, please visit https://www.sydneymetro.info/citysouthwest/project-overview</p>
1.4	CAN016, CAN017, CAN018	Request for an upgrade at Carramar Station.	<p>Transport for NSW determines the priority of upgrades using evidence-based criteria, including:</p> <ul style="list-style-type: none"> • Current and future patronage • The needs and demographics of customers who use the location • Whether important services such as hospitals or educational facilities are nearby • Cumulative impacts of other construction projects • The accessibility of other nearby transport interchanges and facilities <p>Canley Vale was identified as a higher priority than Carramar because of its considerably higher customer patronage numbers.</p> <p>To receive updates on any future projects at other stations, please refer to https://www.transport.nsw.gov.au/projects/transport-access-program</p>
1.5	CAN015	Request for video and photographic records be collected prior to commencement of works.	Photographic records would be taken at Canley Vale Station before, during and post construction.
2	Design		
2.1	CAN023	Question about whether the lifts give individuals direct access to the platforms or will they go straight to the street level and individuals will need to use the ramp.	<p>The lifts would provide direct access to platform level.</p> <p>The Proposed Activity includes the installation of a three stop through lift on the Railway Parade (western) side of station, connecting street level, Platform 1 and the footbridge.</p> <p>The lift to be installed on the First Avenue (eastern) side of station would have two stops connecting Platform 2 to the footbridge</p>

No.	Submission no.	Issue/s raised	TfNSW response
3	Traffic, transport and access		
3.1	CAN006 CAN022	Request for more parking spaces to be provided around the station.	<p>The purpose of the Canley Vale Station Upgrade is to provide a station that is accessible to people with disabilities, are less mobile and parents/carers with prams and customers with luggage. There are 51 commuter car spaces on First Avenue plus on street parking. A multi storey commuter car park is also located off Railway Parade on the other side of the station.</p> <p>In 2015, TfNSW constructed a multi storey commuter car park on Fornasier Lane. The multistorey carpark provides 122 free commuter parking spaces and 59 timed parking spaces.</p>
3.2	CAN006	Request for two tree stumps to be removed from First Avenue to create an additional parking space.	TfNSW has inspected the two tree stumps located in proximity to the commuter car spaces on First Avenue and has determined that they would be removed to create at least one additional parking space.
3.3	CAN006	Request for better lighting on the streets surrounding the station.	<p>Improvements to existing station systems including installing additional CCTV cameras and installing new LED lighting would be undertaken at the station as part of the Proposed Activity.</p> <p>The footpaths around Canley Vale Station are currently maintained by Fairfield City Council. TfNSW will pass on this feedback to Fairfield City Council for consideration.</p>
3.4.	CAN007	Request for a second entrance and exit to the station on First Avenue.	<p>Creating a secondary entrance from the end of First Avenue was not considered feasible or consistent with the objectives of the Proposed Activity for the following reasons:</p> <ul style="list-style-type: none"> the street level adjacent to the station at the end of First Avenue is at a lower grade than the platform and would therefore require a ramp to achieve equitable access. The construction of the ramp would require removal of trees and the loss of parking spaces the Proposed Activity has been designed having regard to Crime Prevention through Environmental Design (CPTED) principles to enable casual surveillance of public areas. The end of First Avenue is isolated and remote from the main entrance of the station and does not provide a clear line of sight from the station. Providing a second entrance at this location may pose security and safety issues.

No.	Submission no.	Issue/s raised	TfNSW response
3.4	CAN013 CAN021	Request for a kiss and ride on Railway Parade.	An option to install a formalised kiss and ride along Railway Parade was not pursued due to safety concerns associated with the close proximity of traffic lights and the potential queuing on Railway Parade. This would result in unsafe conditions and increased congestion along Railway Parade.
3.5	CAN019	Request for a roundabout at the intersection of Caroola Street and First Avenue to ease congestion at peak times.	The objective of the Proposed Activity is to provide equitable access in accordance with key requirements of the DDA and DSAPT. Modifications to the local road network to relieve traffic congestion is not within the scope of the Proposed Activity and is the responsibility of Fairfield City Council. TfNSW will pass on this feedback to Fairfield City Council for consideration.
3.6	CAN014	Request for signs at shared cycleways at all stations especially Carramar.	Shared paths are provided for the use of both cyclists and pedestrians and are maintained by Fairfield City Council. TfNSW will pass on this feedback to Fairfield City Council for consideration.
4	Landscape and visual amenity		
4.1	CAN025	Concerned about the night time environment and the lack of lighting at the station.	The Proposed Activity has been designed in line with Crime Prevention Through Environmental Design (CPTED) principles which aim to minimise the opportunity for crime. The upgrade at Canley Vale Station would provide improved safety for customers through the installation of new lighting, CCTV and lift alarms.

Other stakeholder submissions

Table 2 Response to other stakeholder submissions received

Issue no.	Stakeholder	Issue/s raised	TfNSW response
1	Design		
1.1	Fairfield City Council	<p>Information supplied regarding the location of a Council CCTV asset on the western side of the train line.</p> <p>The asset has fibre cables running towards Cabramatta (southern direction) and could be in the area of the new lift construction.</p> <p>The cables were run in 1996 as part of an all government approach to crime at that time. These cameras are crucial for the Police Local Area Command.</p>	<p>This information and relevant Council contact details have been passed onto the Project team to ensure impacts to the functionality of the CCTV asset would be avoided during detailed design.</p>
2	Traffic, transport and access		
2.1	Fairfield City Council	<p>Does not support the removal of two parking spaces to provide the kiss and ride bay on First Avenue considering the availability of kiss and ride areas on Carcoola Street and First Avenue.</p>	<p>The existing kiss and ride areas on First Avenue and Carcoola Street are on the other side of the road to the station and are not DDA or DSAPT compliant. In addition, the location of one kiss and ride space in front of the Pal Buddhist School driveway presents safety issues for students, commuters and pedestrians. The provision of a kiss and ride bay on the same side of the road as the station would allow customers with limited mobility to safely access the station via a DDA compliant path of travel. It is considered that the positive impacts arising from improved accessibility and upgraded facilities at Canley Vale Station would outweigh the impacts associated with the loss of two parking spaces within the precinct.</p>

2.4. Future consultation

Should TfNSW proceed with the Proposed Activity, consultation activities would continue, including consultation with Fairfield 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 works, including changes to pedestrian or traffic access arrangements and out of hours construction activities
- accurate and accessible information is made available
- a timely response is given to issues and concerns raised by the community
- feedback from the community is encouraged.

The [TfNSW email address](#)³ 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 in line with Transport for NSW's approach to consultation during the evolving COVID-19 situation. The [TfNSW project website](#)⁴ would also include updates on the progress of construction.

³ projects@transport.nsw.gov.au

⁴ <http://www.transport.nsw.gov.au/canleyvale>

3. Changes to the Proposed Activity

3.1. Assessment of design changes

Further design development has resulted in a change to the design of the Proposed Activity since the Canley Vale REF was prepared. These changes are outlined in Table 3, along with a discussion of the impacts (and unless explicitly stated otherwise in the table below, it is considered that impacts related to other aspects are considered to be consistent with the findings of the REF including with respect to clause 228 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 Assessment of design changes

Aspect of the Proposed Activity	Design change	Discussion of impacts
Lift to Platform 1	The location of Lift 1 has been moved about one to two metres north in the direction of the Station Building.	The proposed new lift location would not introduce additional environmental impacts to what has been assessed in the REF. The visual impacts of the new lift location are considered to be consistent with those identified in the <i>Landscape Character and Visual Impact Assessment</i> (Envisage, 2020). The design change would create more space between the lift and the footpath kerb on Railway Parade.
Lift to Platform 2	The location of Lift 2 has been moved about one to two metres north in line with Lift 1.	The proposed new lift location would not introduce additional environmental impacts to what has been assessed in the REF. The visual impacts of the new lift location are considered to be consistent with those identified in the <i>Landscape Character and Visual Impact Assessment</i> (Envisage, 2020). The design change to the location of Lift 2 is required to reduce extensive service relocations.
Railway Parade footpath	The footpath would not be widened as initially proposed in the REF.	The footpath would no longer need to be widened as the new location for Lift 1 would ensure pedestrian passing widths on the existing footpath are maintained.
First Avenue Carpark and the proposed kiss and ride	The new accessible parking space to be provided within the First Avenue commuter car park would now be provided next to the kiss and ride bay on First Avenue.	It has been identified that the original location within the First Avenue car park would not provide sufficient space on the road side to achieve a compliant accessible car space. This is due to the hazardous location of an open dish drain adjacent to the existing car space and the close proximity of First Avenue roadway

Aspect of the Proposed Activity	Design change	Discussion of impacts
		which the required space would encroach into. Moving the proposed accessible car space next to the kiss and ride results in no car park spaces lost within the commuter car park.

The key features of the Revised Proposed Activity are shown in Figure 3.

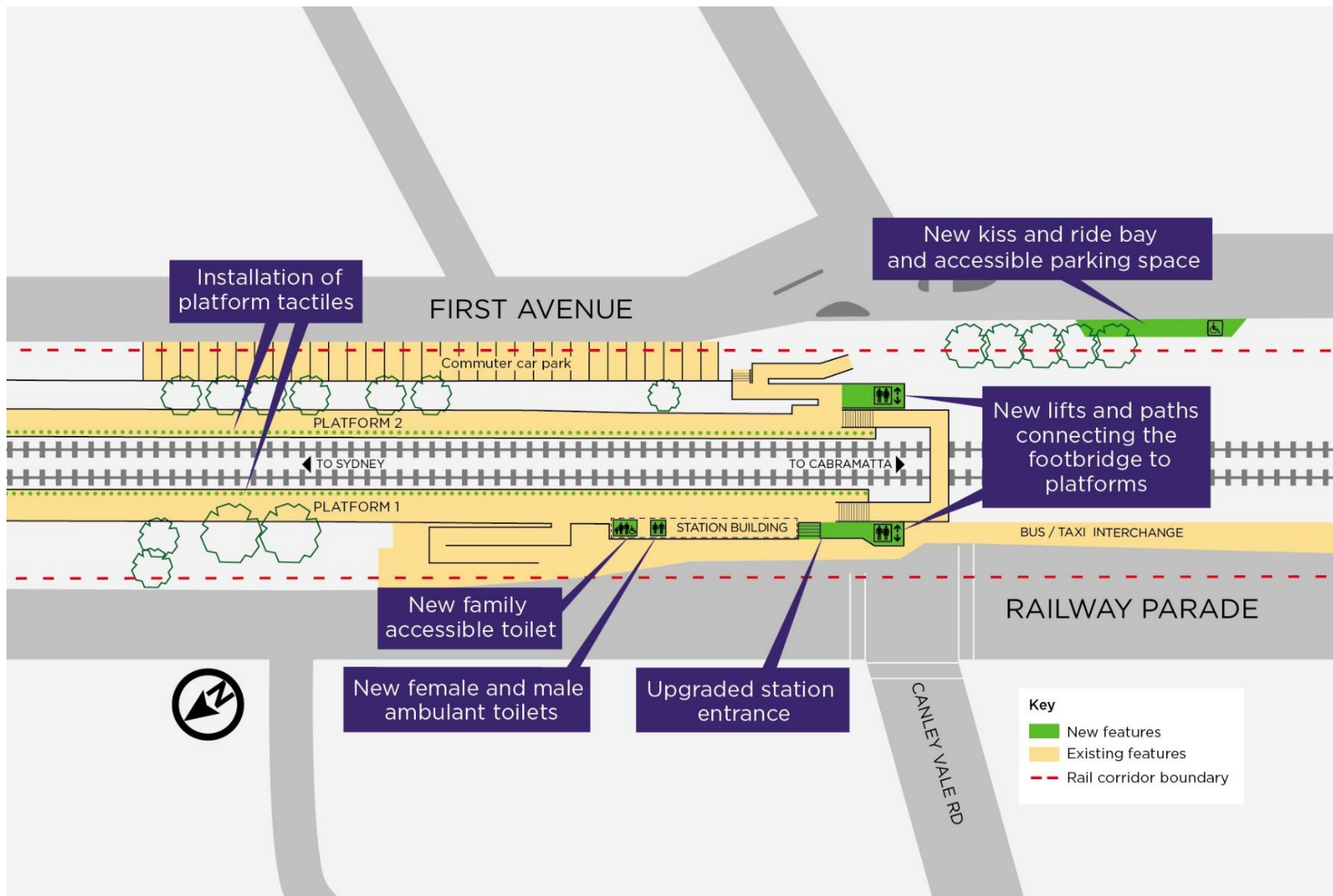


Figure 3 Revised key features of the Proposed Activity (indicative only, subject to detailed design)

4. Consideration of the environmental impacts

4.1. NSW Environmental Planning and Assessment Act 1979

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

In accordance with the checklist of matters pursuant to clause 228(3) of the EP&A Regulation, an assessment is provided in Chapter 6 and Appendix B of the REF.

In respect of the Proposed Activity an assessment has been carried out regarding potential impacts on critical habitat, threatened species, populations or ecological communities or their habitats, under Section 5.7 of the EP&A Act.

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

4.2. Commonwealth Environment Protection and Biodiversity Conservation Act 1999

As part of the consideration of the Proposed Activity, all matters of national environmental significance (NES) and any impacts on Commonwealth land for the purposes of the EPBC Act have been assessed. In relation to NES matters, this evaluation has been undertaken in accordance with Commonwealth Administrative Guidelines on determining whether an action has, will have, or is likely to have a significant impact. A summary of the evaluation is provided in Chapter 6 and Appendix A of the REF.

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

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

5. Conditions of Approval

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

6. Conclusion

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

Canley Vale Station Upgrade

APPROVAL

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

1. Have examined and considered the Proposed Activity in the *Canley Vale Station Upgrade Review of Environmental Factors* (April 2020) and the *Canley Vale Station Upgrade Determination Report* (July 2020) in accordance with Section 5.5 of the NSW *Environmental Planning and Assessment Act 1979*.
2. Determine on behalf of Transport for NSW (the Proponent) that the Proposed Activity may be carried out in accordance with the Conditions of Approval in this Determination Report (July 2020), consistent with the Proposed Activity described in the *Canley Vale Station Upgrade Review of Environmental Factors* (April 2020).



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

Date: 8 July 2020

References

TfNSW, April 2020, *Canley Vale Station Upgrade Review of Environmental Factors*, Sydney

Envisage, February 2020, *Canley Vale Station Upgrade Landscape Character and Visual Impact Assessment*, Sydney

Appendix A Review of Environmental Factors

Please refer to the TfNSW website to access the Canley Vale Station Upgrade REF:

- Canley Vale Station Upgrade Review of Environmental Factors – Transport Access Program (Desksite reference 6427989), April 2020

- Link to Transport for NSW website:

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

Appendix B Conditions of Approval

CONDITIONS OF APPROVAL

Canley Vale Station Upgrade

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

Schedule of acronyms and definitions used:

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

Acronym	Definition
SMP	Sustainability Management Plan
TfNSW	Transport for NSW
TMP	Traffic Management Plan
UDLP	Urban Design and Landscaping Plan

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

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) *Canley Vale Station Upgrade – Review of Environmental Factors* (TfNSW, April 2020)
- b) *Canley Vale Station Upgrade – Determination Report* (TfNSW, July 2020).

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

2. Project Modifications

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

3. Statutory Requirements

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

4. Construction Environmental Compliance Report

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

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

The CECR shall:

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

The first CECR shall report on the first six months of construction and be submitted within six weeks of expiry of that period (or at any other time interval agreed to by the ADEM). CECRs shall be submitted no later than six months after the date of submission of the preceding CECR (or at other such periods as requested by the ADEM) for the duration of construction.

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

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5. Graffiti and Advertising

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

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

Communications

6. Community Liaison Management Plan

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

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

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

7. Community Notification and Liaison

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

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

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

8. Website

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

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

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

9. Complaints Management

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

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

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

Environmental Management

10. Construction Environmental Management Plan

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

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

The CEMP shall:

- i. comply with the Conditions of Approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant legislation and regulations, and accepted best practice management
- ii. comply with the relevant requirements of *Guideline for Preparation of Environmental Management Plans* (Department Infrastructure, Planning and Natural Resources, 2004)
- iii. include a pre-construction environmental compliance matrix for the Project (or such stages of the Project as agreed to by the EMR) that details compliance with all relevant conditions and mitigation measures
- iv. include an Environmental Policy.

In preparing the CEMP the following shall be undertaken:

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

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4. review and update the CEMP at regular intervals, and in response to any actions identified as part of the EMR's audit of the document
5. ensure updates to the CEMP are made within seven days of the completion of the review or receipt of actions identified by any EMR audit of the document, and be submitted to the EMR for approval.

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

11. Environment Personnel

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

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

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

12. Environmental Management Representative

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

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

- a) considering and advising TfNSW on matters specified in these conditions and compliance with such
- b) reviewing and where required by the ADEM, providing advice on the Project's induction and training program for all persons involved in the construction activities and monitoring implementation
- c) periodically auditing the Project's environmental activities to evaluate the implementation, effectiveness and level of compliance of on-site construction activities with authority approvals and licences, the CEMP and associated plans and procedures, including carrying out site inspections weekly, or as required by the ADEM
- d) reporting weekly to TfNSW, or as required by the ADEM
- e) issuing a recommendation for work to stop immediately, if in the view of the EMR circumstances so require. The stop work recommendation may be limited to specific activities if the EMR can easily identify those activities
- f) requiring reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts
- g) reviewing corrective and preventative actions to ensure the implementation of recommendations made from the audits and site inspections
- h) providing reports to TfNSW on matters relevant to the carrying out of the EMR role as necessary
- i) where required by the ADEM, providing advice on the content and implementation of the CEMP and Environmental Controls Map (ECM) in accordance with the conditions
- j) reviewing and approving updates to the CEMP.

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

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

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construction for implementation for the duration of construction. The ECM is to be endorsed by the EMR and may be prepared in stages, as set out in the CEMP.

A copy of the ECM shall be submitted to the EMR for review and endorsement. The EMR is to be given a minimum period of seven days to review and endorse the ECM. Following receipt of the EMR's endorsement, the ECM shall be submitted to the ADEM for approval, at least 14 days prior to commencement of construction (or such time as is otherwise agreed by the ADEM).

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

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

Hours of Work

14. Standard Construction Hours

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

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

15. High Noise Generating Activities

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

Noise and Vibration

16. Construction Noise and Vibration

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

- a) details of construction activities and an indicative schedule for construction works
- b) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers
- c) detail what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the EIA)
- d) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise and vibration complaints
- e) an Out of Hours Work Protocol (OOHWP) for the assessment, management and approval of works outside the standard construction hours identified in Condition 14 of

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this approval, including a risk assessment process which deems the out of hours activities to be of low, medium or high environmental risk, is to be developed. All out of hours works are subject to approval by the EMR and/or ADEM or as approved by EPA (where relevant to the issuing of an EPL). The OOHWP should be consistent with the TfNSW *Construction Noise and Vibration Strategy* (ST-157)

a description of how the effectiveness of actions and measures shall be monitored during the proposed works, identification of the frequency of monitoring, the locations at which monitoring shall take place, recording and reporting of monitoring results and if any exceedance is detected, the manner in which any non-compliance shall be rectified.

17. Vibration Criteria

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

- a) for structural damage vibration - German Standard *DIN 4150: Part 3 – 1999: Structural Vibration in Buildings: Effects on Structures*
- b) if a heritage building or structure has potential for being structurally sensitive to vibration (following assessment by a suitably qualified and experienced structural engineer) a more conservative cosmetic damage objective of 2.5 mm/s peak component particle velocity (from German Standard *DIN 4150:Part 3 – 1999: Structural Vibration in Buildings: Effects on Structures*) shall be considered
- 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 ADEM through the CEMP.

18. Piling

Wherever practical, piling activities shall be completed using non-percussive piles. If percussive piles are proposed to be used, approval of the ADEM shall be obtained prior to commencement of piling activities.

19. 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.

20. Noise Impacts on Educational Facilities

Potentially affected pre-schools, schools, universities and any other affected permanent educational institutions shall be consulted in relation to noise mitigation measures to identify any noise sensitive periods (e.g. exam periods). As much as reasonably practicable noise intensive construction works in the vicinity of affected educational buildings are to be minimised.

Contamination and Hazardous Materials

21. Unidentified Contamination (Other Than Asbestos)

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

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

A revised copy of the report shall be submitted to the ADEM for consideration upon completion of the EMR review period. The ADEM shall determine whether consultation with the relevant

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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. Asbestos Management

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

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

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

23. Storage and Use of Hazardous Materials

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

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

Erosion and Sediment Control

24. Erosion and Sediment Control

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

Flora and Fauna

25. Removal of Trees or Vegetation

With the exception of the two tree stumps within the commuter car park, 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

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trees or vegetation shall be undertaken in accordance with the conditions of that approval. The two tree stumps within the commuter car park

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 ADEM, 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, Industry and Environment, as applicable). Works in the vicinity of the find shall not re-commence until clearance has been received from TfNSW and/or the Heritage Advisor.

Sustainability

28. Sustainability Officer

A suitably qualified and experienced Sustainability Officer shall be appointed who is responsible for implementing the sustainability objectives for the Project, in line with the Program's/Project's overarching Sustainability Strategic Management Plan.

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

29. Sustainability Management Plan

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

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

A copy of the SMP shall be submitted to the ADSPD for review and approval, within 30 days of the date of contract award (or such time as is otherwise agreed by the ADSPD).

Traffic, Transport and Access**30. Traffic Management Plan**

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

- 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.

31. 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.

32. Road Safety Audit

A Road Safety Audit shall be undertaken as part of the detailed design process and on completion of construction. The Road Safety Audit shall include but not be limited to detailed assessment of sight distances for vehicles and the new kiss and ride area, accessible parking 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 Fairfield City Council for information.

Urban Design and Landscaping**33. Urban Design and Landscaping Plan**

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

- a) demonstrate a robust understanding of the Project site through a comprehensive site analysis to inform the design direction, demonstrate connectivity with street networks, transport modes, active transport options, and pedestrian distances

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

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

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

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

- *TAP Urban Design Plan Guidelines* (TfNSW, Draft 2018)
- *Commuter Car Parks Urban Design Guidelines* (TfNSW, Interim 2017)
- *Managing Heritage Issues in Rail Projects Guidelines* (TfNSW, Interim 2016)
- *Creativity Guidelines for Transport Systems* (TfNSW, Interim 2016)
- *Water Sensitive Urban Design Guideline SD-106* (TfNSW, 2017).

The UDLP shall be:

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

Site Specific Conditions

34. Tree stumps in the First Avenue Commuter Car Park

The two tree stumps located in proximity to the commuter car spaces on First Avenue shall be removed and appropriate surfacing and line marking will be applied to create at least one additional car parking space.