

CONDITIONS OF APPROVAL

Lindfield Substation

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General

1. Terms of Approval

- a) The Project shall be carried out generally in accordance with the:
 - i) Environmental Impact Assessment;
 - ii) Conditions of Approval;
 - iii) The Construction Environmental Management Framework v1.3; and
 - iv) The Overarching Stakeholder and Community Involvement Plan.
- b) In the event of an inconsistency between the Conditions of Approval (CoA) and the Environmental Impact Assessment, the CoA will prevail to the extent of the inconsistency. The Environmental Impact Assessment for this Project comprises the following documents:
 - *Review of Environmental Factors (Parsons Brinkerhoff, 22 July 2014)*
 - *Submissions Report (Parsons Brinkerhoff, 9 September 2014)*

2. Statutory Requirements

These CoA do not relieve the Proponent of the obligation to obtain all other licences, permits, approvals and landowner permissions from all relevant authorities or landowners as required under any other Act for the Project. The Proponent shall comply with the terms and conditions of such licences, permits, approvals and permissions.

Stakeholder and Community Liaison

3. Community Liaison Implementation Plan

- a) The Proponent will apply the existing *Overarching Stakeholder and Community Involvement Plan OSCIP* and accordingly a Community Liaison Implementation Plan (CLIP) will be produced for the Project.
- b) The CLIP shall aim to provide a single, consistent consultation framework, for proactive communications management for the duration of the construction period. The CLIP shall comply with the obligations of these conditions and should include, but not necessarily be limited to:
 - i) details of the protocols and procedures for disseminating information and liaising with the community and key stakeholders about construction activities (including timing and staging) and any associated impacts during the construction period;
 - ii) details of the community liaison team appointed to manage and implement the plan;
 - iii) procedures for identifying the local community likely to be affected by the Project, including identification of residences, businesses and other sensitive land uses and the specific communication needs of this community;
 - iv) procedures for dealing with complaints or disputes and response requirements, including advertising the 24 hour construction response line number; and
 - v) the provision of training for all employees, contractors and sub-contractors on the requirements of the CLIP.
- c) The CLIP shall be prepared to the satisfaction of the Deputy Project Director, Stakeholder and Community Liaison at least 14 days prior to the commencement of construction and implemented during construction of the Project, or as agreed with the Deputy Project Director, Stakeholder and Community Liaison.

4. Community Notification and Liaison

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

- b) Prior to any site activities commencing and throughout the project duration, the local 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, website, newsletters etc) including the 24 hour construction response line number.
- c) 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 must be advised to the local community at least 7 days prior to such works being undertaken or other period as required by EPA (where relevant to the issuing of an Environmental Protection Licence EPL).

5. Website

- a) The Proponent shall provide electronic information (or details of where hard copies of this information may be accessed by members of the public) related to the Project, on dedicated pages within its existing website, including:
 - i) a copy of the documents referred to under Condition 1 of this approval and any documentation supporting modifications to the Approval or related approvals that may be granted in the future;
 - ii) a copy of each relevant licence or permit required and obtained in relation to the Project;
 - iii) Construction Compliance Reports;
 - iv) details of construction information; and
 - v) 24 hour contact telephone number for information and complaints.
- b) Detailed updates of work progress and construction activities shall be regularly provided on the website.

6. Complaints Management

- a) The Proponent shall implement the existing Complaints Management System and 24 hour construction response line number.
- b) Details of all complaints received during construction are to be recorded on a complaints register.
- c) For complaints received via phone or in person, a verbal response is to be provided to the complainant within 2 hours during construction times and within 24 hours during non-construction times (unless the complainant agrees otherwise).
- d) For complaints received via email, an acknowledgement email should be sent as soon as possible but within 48 hours of receipt.
- e) Information on all complaints received during the previous 24 hours and response times shall be forwarded to the ER each working day and the EPA as required by any applicable EPL.

Environmental Management

7. Environmental Representative

- a) Prior to the commencement of construction, Transport for NSW (TfNSW) shall make available an Environmental Representative (ER) independent of the design and construction personnel of the Project, for the duration of the construction period for the Project.
- b) The ER shall provide advice to TfNSW in relation to the environmental compliance and performance of the Project. The ER shall have responsibility for:
 - i) considering and advising the Proponent on matters specified in these conditions and compliance with such;
 - ii) reviewing and where required by TfNSW, providing advice on the Project's induction and training program for all persons involved in the construction activities and monitoring implementation;

- iii) undertaking quarterly reviews of 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 TfNSW;
- iv) reporting monthly to TfNSW;
- v) issuing a recommendation to the Proponent for work to stop immediately, if in the view of the ER circumstances so require;
- vi) require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts;
- vii) reviewing corrective and preventative actions to ensure the implementation of recommendations made from the audits and site inspections;
- viii) providing reports to the Proponent on matters relevant to the carrying out of the ER role as necessary;
- ix) review and approve updates to the CEMP and other applicable management plans identified in the conditions of this approval; and
- x) undertaking frequent inspections of site activities as required by TfNSW.

8. Environmental Reporting

- a) The Proponent shall prepare an Environmental Report which addresses the following matters:
 - i) compliance with the CEMP and these CoA;
 - ii) compliance with any approvals or licences issued by relevant authorities for construction of the Project;
 - iii) updates to the existing Compliance Tracking Program including documentation of evidence of compliance;
 - iv) 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;
 - v) environmental monitoring results, presented as a results summary and analysis;
 - vi) details of any review and amendments to the CEMP resulting from construction during the reporting period; and
 - vii) any other matter as requested by TfNSW.
- b) The Proponent shall:
 - i) submit a copy of the Environmental Report to the ER and TfNSW for review; and
 - ii) as a minimum submit the report Quarterly in line with existing Compliance Tracking Program reports; and
 - iii) provide 6 monthly summaries of the Environmental Report on the existing website.

9. Environmental Induction

Prior to the commencement of construction, all contractors shall be inducted by the Proponent on the key project interfaces and associated environmental risks and procedures.

10. Construction Environmental Management Plan

- a) The Proponent shall prepare and implement a CEMP prior to commencement of construction which addresses the following matters:
 - i) traffic and pedestrian management;
 - ii) noise and vibration management,
 - iii) air quality management (including dust suppression);
 - iv) Indigenous and non-Indigenous heritage management;
 - v) surface water and soil management ;
 - vi) groundwater management
 - vii) storage and use of hazardous materials;

- viii) contaminated land;
 - ix) flora and fauna management; and
 - x) waste management.
- b) The CEMP shall:
- i) comply with the conditions of this approval, conditions of any licences, permits or other approvals issued by government authorities for the Project, all relevant Acts and Regulations and accepted best practice management;
 - ii) be prepared in accordance with
 - the *Guideline for Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004)*; and
 - the *Construction Environmental Management Framework v1.3. (TfNSW)*
- c) The Proponent shall:
- i) consult with government agencies and relevant service/utility providers as part of the preparation of the CEMP;
 - ii) submit a copy of the CEMP and associated sub-plans to the ER for review. The ER is to be given a minimum period of 7 days to review and endorse the CEMP;
 - iii) review and update the CEMP at minimum 6-monthly intervals, and in response to any actions identified as part of the ER's activities; and
 - iv) updates to the CEMP and associated sub-plans shall be made within 7 days of the completion of the review or receipt of actions identified by the ER review of the document.
- d) The CEMP and associated sub-plans must be approved by TfNSW at least 14 days prior to the commencement of any construction work associated with the Project.

Infrastructure and utilities

11. Infrastructure and Utilities

- a) The Proponent shall, prior to construction that risks affecting infrastructure and utilities, identify infrastructure and utilities potentially affected by construction activities to determine requirements for diversion, protection and/or support. This shall be undertaken in consultation with the relevant infrastructure and utility provider(s). Any alterations to infrastructure and utilities shall be carried out to the reasonable satisfaction of the relevant infrastructure and utility provider(s), and unless otherwise agreed to, at no cost to the infrastructure and utility provider(s).
- b) The Proponent shall ensure that disruption to any services are minimised and shall be responsible for advising local residents and businesses affected prior to any planned disruption of service.
- c) The Proponent shall prepare dilapidation surveys and reports (including movement prediction studies) on the condition of roads, footpaths, rail infrastructure facilities, adjacent tunnels, and utilities affected by construction and to the reasonable satisfaction of the infrastructure and utility owner(s). The Proponent shall carry out rectification work at the Proponent's expense and to the reasonable satisfaction of the owner.

Hours of Work

12. Construction Hours

- a) Construction and demolition 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:

- i. any works which do not cause noise emissions to be more than 5dBA higher than Rating Background Level (RBL) (background) noise levels at any nearby residential property and/or other noise sensitive receivers;
 - ii. 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 Principal Manager Environment;
 - iii. emergency work to avoid the loss of lives, property and/or to prevent environmental harm; and
 - iv. any other work in accordance with an Out of Hours Work Procedure and considered essential to the Project.
- b) Alternative hours of construction may be approved through an EPL.

Construction Noise and Vibration

13. Construction Airborne Noise and Vibration

- a) A construction noise and vibration management plan (CNVMP) shall be prepared that outlines the required management practises and procedures to reduce and control potential noise, ground vibration and ground-borne noise impacts during construction.
- b) Construction noise and vibration mitigation measures implemented shall be in accordance with DECCW's *Interim Construction Noise Guideline July 2009*.
- c) All construction works would be managed in accordance with the *Construction Noise and Vibration Strategy*.
- d) The CNVMP shall include, but not necessarily be limited to:
 - i. identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly sensitive noise receivers;
 - ii. details of what reasonable and feasible actions and measures shall be implemented to minimise noise impacts (including those identified in the Environmental Impact Assessment);
 - iii. procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints;
 - iv. where not otherwise subject to an EPL, an out of hours work protocol (OOHWP) for the assessment, management and approval of works outside the standard construction hours identified in this approval, including a risk assessment process under which the ER may approve out of hours activities deemed to be of low or to medium environmental risk.; and
 - v. a description of how the effectiveness of actions and measures shall be monitored during the proposed works, clearly indicating the frequency of monitoring, the locations at which monitoring shall take place, recording and reporting of monitoring results and if any exceedance is detected, the manner in which any non-compliance shall be rectified.

14. Ground-borne noise

The Proponent shall undertake all relevant construction activities with the objective of not exceeding the following ground-borne noise criteria at residential receivers:

- a) an internal LAeq(15min) of 40 dB(A) between 6:00 pm and 10:00 pm; and
- b) an internal LAeq(15min) of 35 dB(A) between 10:00 pm and 7:00 am. Where these objectives may be exceeded, the Proponent shall develop and implement all reasonable and feasible noise mitigation measures with the aim of minimising ground-borne noise impacts.

15. 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 – the acceptable vibration values set out in the German Standard DIN 4150: Part 3 – 1999 "Structural Vibration in Buildings: Effects on Structures"; and
- (b) For human exposure to vibration - the acceptable vibration values set out in the *Assessing Vibration: A Technical Guideline* (DEC 2006). These limits apply unless otherwise approved by the EPA (where relevant to the issuing of an EPL).

16. 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 and for any out of hours work.

17. Noise Impact 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 possible noise intensive construction works in the vicinity of affected educational buildings are to be minimised.

18. Piling

Wherever practical, piling activities shall be completed using non-percussive piles.

19. Operational Noise and Vibration

The mechanical and electrical plant and ventilation systems shall be designed and operated so as not to exceed project specific noise levels derived in accordance with the *NSW Industrial Noise Policy* (DECCW 2000) and acceptable vibration levels specified in *Assessing Vibration: A Technical Guideline* (DEC 2006).

20. Operational Noise Compliance Monitoring

- a) Compliance monitoring shall be undertaken within 3 months of the commissioning of the mechanical and electrical plant and ventilation systems to evaluate the effectiveness of the operational noise and vibration mitigation measures to determine if any additional reasonable and feasible mitigation measures are needed that are consistent with the requirements of the *Industrial Noise Policy* (EPA 2000).
- b) In the event that the compliance monitoring indicates that the operation of the Project, will lead to greater noise impacts than previously modelled, additional noise mitigation measures would be developed in consultation with relevant stakeholders and the affected receivers.

Contamination

21. Contamination

Land contamination shall be managed in accordance with the Contaminated Land Management Act.

22. Storage and Use of Hazardous Material

The CEMP is to document hazardous materials management measures that as a minimum will shall include:

- a) the storage of hazardous materials, and refuelling/maintenance of construction plant and equipment to be undertaken in clearly marked designated areas that are designed to contain spills and leaks;
- 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 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 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; and
- d) training in the use of spill kits to be given to all personnel involved in the storage, distribution or use of hazardous materials.

Traffic

23. Traffic Management Plan

- a) The Proponent shall undertake the works in accordance with a Roads and Maritime Services approved Traffic Management Plan (TMP) and the Works Authorisation Deed;
- b) The Proponent will limit parking on local roads as far as reasonably practical; and
- c) The TMP must as a minimum document the environmental management measures described in the EIA.

24. Traffic and Transport Liaison Group

The Proponent shall continue to consult with the existing Traffic and Transport Liaison Group throughout the construction of the works.

25. Access Arrangements

Emergency access to all properties and access to emergency facilities shall be maintained, unless otherwise agreed by the respective emergency service. Access to properties and services and bus passenger waiting areas shall be maintained during construction unless agreed with the property owner in advance.

Air Quality

26. Dust Emissions

All construction activities shall be carried out in a manner that minimises or prevents the emission of dust including the environmental management measures documented in the EIA:

Erosion and Sediment Control

27. Soil and Water Management Measures

- a) A Soil and Water Management Plan (SWMP) shall be prepared. Soil and water management measures shall include as a minimum the environmental management measures documented in the EIA.

- b) In addition the SWMP shall as a minimum, address the following matters:
- i. details of management measures to minimise soil erosion and discharge of sediment or water pollutants from the site including a strategy to minimise the area of bare surfaces during construction;
 - ii. describe the location and capacity of erosion and sediment control measures through area-specific Erosion and Sediment Control Plans (ESCPs);
 - iii. measures to handle and dispose of stormwater, effluent and contaminated water and soil;
 - iv. details of the location and management measures of stockpiles;
 - v. measures to direct seepage, spillage, contaminated water, fire fighting or other water which contains pollutant levels above the background concentrations of natural discharge points into sumps with pump out facilities;
 - vi. measures for the use of water reclaimed or recycled on-site;
 - vii. detailed erosion and sedimentation controls, sufficient to address the technical requirements for obtaining any relevant EPL, as relevant;
 - viii. detailed description of water quality monitoring to be undertaken including base line monitoring, identification of locations where monitoring would be carried out and procedures for analysing the degree of contamination of potentially contaminated water;
 - ix. contingency plans to be implemented in the event of fuel spills or turbid water discharge from the site;
 - x. program for inspecting, reporting on and responding to the effectiveness of the sediment and erosion control system to ensure controls are being implemented efficiently; and
 - xi. details on the preparation and implementation of progressive management measures as activities change.

Waste

28. Waste Management Plan

- a) Prior to the commencement of construction a Waste Management Plan (WMP) shall be prepared which addresses the following matters:
- i. the environmental management measures in the EIA;
 - ii. appropriate measures to re-use removed assets within the Sydney Trains network, subject to Sydney Trains approval;
 - iii. appropriate measures to address the beneficial reuse of spoil, including spoil management targets and reporting;
 - iv. waste handling and storage;
 - v. disposal of wastes including cleared vegetation, contaminated materials, glass, metals and plastics, hydrocarbons (lubricants and fuels) and sanitary wastes;
 - vi. procedures for classifying waste in accordance with OEH's Waste Classification Guidelines; and
 - vii. procedures for the recovery of resources from waste where this is beneficial and does not harm the environment or human health, in accordance with the 'resource recovery exemptions' under clause 51 of the Protection of the Environment Operations (Waste) Regulation 2005.
- b) The WMP is to demonstrate the manner in which a target of at least 90 percent of construction waste generated during site preparation and construction of projects is to be diverted from landfill and either recovered, recycled or reused.
- c) The WMP is to address how 100 percent of usable spoil material will be recovered for beneficial use.

Lighting

29. Lighting Control

All permanent lighting for the Project shall be designed, installed and operated in accordance with the requirements of AS 1158 "Road Lighting", AS 4282 "Control of the Obtrusive Effects of Outdoor Lighting".

Miscellaneous

30. Graffiti and Advertising Control

Hoardings, site sheds, fencing, acoustic walls around the perimeter of the site and any structures built as part of the Project are to be maintained free of graffiti and advertising not authorised by the Proponent during the construction period.

31. Authorised Water Servicing Co-ordinator

The Proponent shall engage a Sydney Water authorised water servicing coordinator to oversee the design and construction of any works to the existing water or sewer mains.

Flora and Fauna

32. Replanting Program

- a) Any cleared vegetation shall be replaced and/or offset. All vegetation planted on-site is to consist of locally endemic native species, unless otherwise agreed by TfNSW.
- b) Any replanting must be undertaken in consultation with the relevant Council, where relevant, and/or the owner of the land upon which the vegetation is to be planted.
- c) In the event of clearance to native vegetation an offset strategy in accordance with the requirements of Transport for NSW '*Vegetation Offset Guide*' is to be developed

33. Removal of Trees or Vegetation

Separate approval is required for the trimming, cutting, pruning or removal of trees or vegetation where the impact has not already been identified and approved in the EIA.

Heritage

34. Non-Indigenous and Indigenous Heritage – During Construction

- a) The CEMP must include as a minimum an unexpected finds procedure that incorporates the environmental management measures documented in the EIA in relation to heritage.
- b) Any significant findings of heritage shall be documented and then reported to the relevant authority and stakeholders for updating of the relevant heritage listing.

Urban Design and Landscaping

35. Urban Design and Landscape Report

- a) Prior to the finalisation of detailed design the Proponent shall prepare an Urban Design and Landscape Report (UDLR) which addresses the following matters:
 - i. materials, finishes, colour schemes and maintenance procedures including graffiti control for new buildings, walls, barriers and fences;
 - ii. landscape treatments and street tree planting to integrate with surrounding streetscape;
 - iii. total water management principles to be integrated into the design where considered appropriate;
 - iv. design measures included to meet TfNSW's Sustainable Design Guidelines;
 - v. ongoing maintenance responsibilities.
- b) The UDLR shall be prepared in consultation with Councils, relevant authority stakeholders and endorsed by the existing Design Review Panel.

Sustainable Development

36. Greenhouse Gas Emissions

- a) 100% of the greenhouse gas emissions from electricity used to operate the Project shall be incorporated into any offset strategy being developed for the NWRL project.
- b) The greenhouse gas emissions of the Project shall be incorporated into any carbon foot-printing and subsequent reduction strategies for the NWRL project.
- c) Energy efficiency measures shall be incorporated into the design and operation of the Project.

37. Pre-Construction Sustainability Report

- a) Prior to commencement of construction, a Pre-Construction Sustainability Report shall be prepared to demonstrate how the sustainability initiatives identified in the EIA and relevant Contract requirements are to be met.
- b) Where appropriate additional project-specific sustainability principles and targets shall be identified in the Pre-Construction Sustainability Report.
- c) The Project should achieve a silver rating with the *TfNSW Sustainable Design Guidelines*.