



city & southwest

Crows Nest Over Station Development – Site C Construction Compliance Report #1



Project:	Crows Nest Over Station Development – Site C (SSD 13852803)	Date:	February 2024
Group:	City & Southwest Project Delivery	Status:	Final
Author:	Environment Manager	Revision:	1
Company:	Sydney Metro / AW Edwards	File Number:	
File Name:	Crows Nest Over Station Development Site C – Construction Compliance Report #1		

Revision History

Revision	Revision Date	Status	Brief Reason for Version	Author Company / Position	Approver Company / Position
0	28/02/2024	Draft	For approval	Sydney Metro /AWE / Environment Manager	Sydney Metro / Director Planning, Environment & Sustainability, City & Southwest
1	01/03/2024	Final	For submission to DPHI	Sydney Metro /AWE / Environment Manager	Sydney Metro / Director Planning, Environment & Sustainability, City & Southwest



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Definitions and Abbreviations

All terminology in this report is taken to mean the generally accepted or dictionary definition, except where defined in any applicable planning approvals. Relevant acronyms, abbreviations and terms used throughout this report are explained in Table 1.

Table 1: Acronym, Abbreviation and Term Explanations

	Definitions
AQMP	Air Quality Management Plan
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979 (NSW)
CCR	Construction Compliance Report
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CoC(s)	Condition(s) of Consent
CSSI	Critical State Significant Infrastructure
CWMP	Construction Waste Management Plan
ISD	Integrated Station Development
MOD	Modification
OSD	Over Station Development
Secretary	The Secretary of the NSW Department of Planning, Housing and Infrastructure
SSD	State Significant Development

1. Introduction

1.1. Purpose of this Report

This report has been prepared and structured to address the Construction Compliance Report (CCR) requirements of Condition of Consent (CoC) B77 and B78 of the Crows Nest Over Station Development (OSD) Site C Planning Approval SSD_13852803.

In accordance with CoA B77, a CCR is required to be submitted to the Secretary of the NSW Department of Planning, Housing and Infrastructure (the Secretary) for information every six months. The scope of the CCR will cover all activities at OSD – Site C under the State Significant Development (SSD) planning approval during each reporting period.

This CCR covers the reporting period between commencement of construction on 2 July 2023 and 31 January 2024. Table 2 cross-references sections in this report that address each applicable planning approval requirement relating to the Crows Nest OSD - Site C CCR.

Table 2: Crows Nest OSD Site C Pre-Construction Compliance Report Planning Approval Condition Cross-References

Planning Approval Condition	Condition Requirement(s)	Where the Requirement is Addressed
B77	Construction Compliance Reports must be submitted to the Department at compliance@planning.nsw.gov.au for information every six months from the date of the commencement of construction, or within another timeframe agreed to with the Planning Secretary, for the duration of construction.	This report
	The Construction Certificate Reports must provide details on the compliance performance of the development for the preceding six months, and must be submitted within one month following the end of each six months for the duration of construction of the development, or such other timeframe agreed to with the Planning Secretary.	Section 3
B78	The Construction Compliance Reports must include:	
(a)	a results summary and analysis of environmental monitoring	Section 5.1
(b)	the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints	Section 6
(c)	details of any review of the CEMP and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period	Section 4
(d)	a register of any modifications undertaken and their status	Section 2
(e)	results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit	Section 5.2
(f)	a summary of all incidents notified in accordance with this consent; and	Section 5.3
(g)	any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.	Section 5.4

Table 3 outlines compliance report timing for the project in accordance with the relevant Conditions of Consent.

Table 3 Compliance Monitoring Requirements

Compliance Report	Phase	Timing	Minimum Frequency	Status	Requirement
Pre-Construction Compliance Report	Pre-Construction	Report to be submitted prior to commencement of construction	Single report only	Complete	CoC B75
Construction Compliance Report	Construction	Reporting required for the duration of construction	At intervals, no greater than 26 weeks from the date of commencement of construction	This report	CoC B77
Construction Completion Compliance Report	Construction Completion	On completion of works	Single report only	Future report	CoC D13
Operation Compliance Report	Operation Care & Maintenance	Reporting required for the duration of operation or as otherwise agreed by the Secretary.	At intervals, no greater than 52 weeks from the date of commencement of operation (annually) or if in care & maintenance, from the commencement date of care and maintenance (annually).	Future report	CoC A23

1.2. Background

Sydney Metro currently comprises of four rail projects:

- **Northwest** (formerly Northwest Rail Link) – a 36-kilometre project that commenced operations in May 2019 with a metro train every four minutes in the peak.
- **City & Southwest** – From the north west, metro rail is being extended under Sydney Harbour, through new underground city stations and beyond to the south west. New stations will be delivered at Crows Nest, Victoria Cross, Barangaroo, Martin Place, Pitt Street and Waterloo, along with new underground platforms at Central Station. The T3 Bankstown Line between Sydenham and Bankstown will be upgraded to metro standards
- **West** – This new underground railway will connect Greater Parramatta and the Sydney CBD. Sydney Metro West is a new 24-kilometre metro line with stations confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont, and Hunter Street in the Sydney CBD
- **Western Sydney Airport** – New metro rail will become the transport spine for Greater Western Sydney, connecting communities and travellers with the new Western Sydney International (Nancy-Bird Walton) Airport and the growing region. The city-shaping project, with 23-kilometre new railway, from St Marys through to the new airport and the Western Sydney Aerotropolis, will provide a major economic stimulus for western Sydney.

Figure 1 provides a map of the four Sydney Metro project alignments.

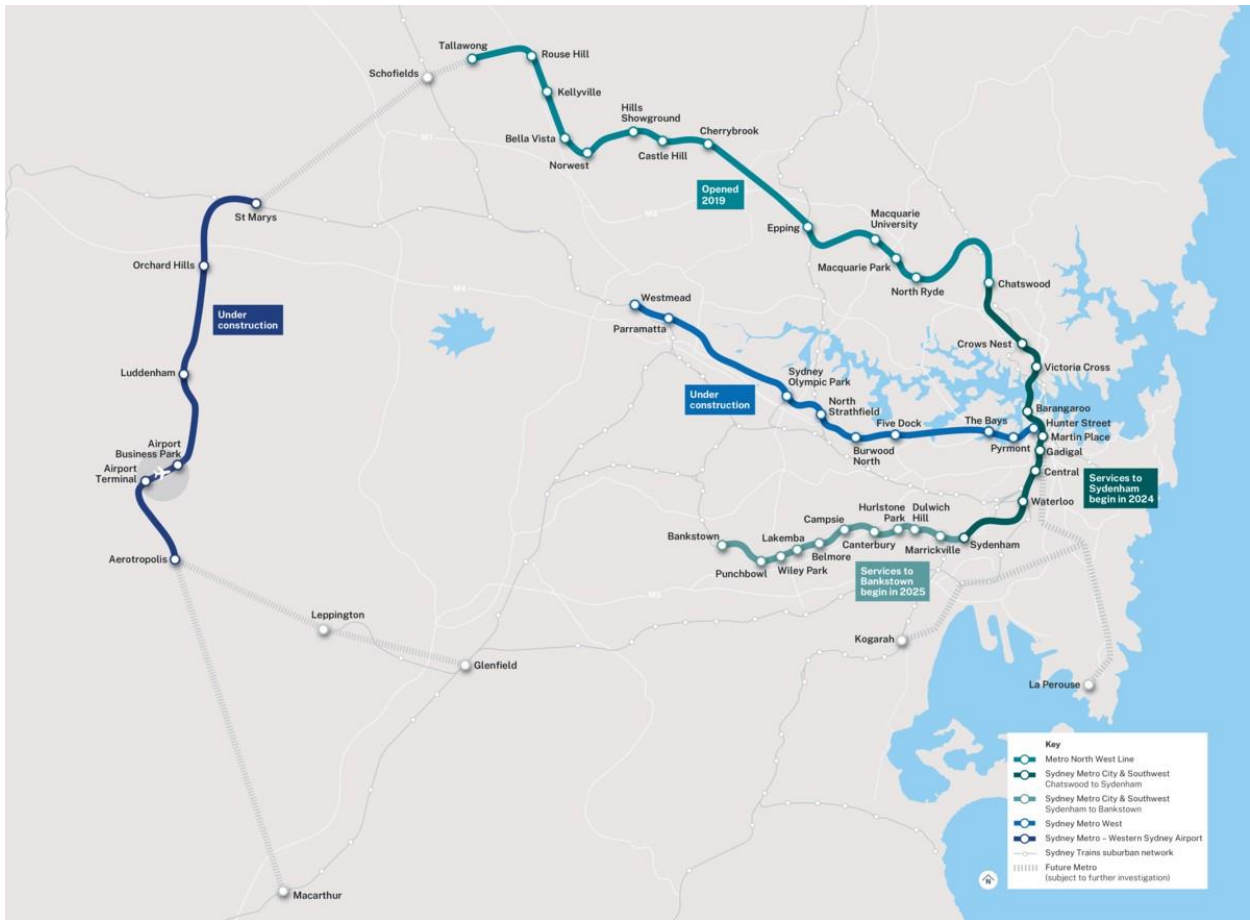


Figure 1: Sydney Metro Project Alignments

The new Crows Nest Station is being delivered as part of Sydney Metro City & Southwest. It will comprise three OSDs, with Site A and B being delivered by third party proponents and developers, while Site C is being delivered by Sydney Metro as the proponent. Crows Nest OSD – Site C is designed to efficiently build and appropriately integrate into the existing Crows Nest Metro Integrated Station Development (ISD).

The Crows Nest OSD – Site C is located at 14 Clarke Street, Crows Nest, within the North Sydney local government area. It is rectangular in shape and bound by Clarke Lane to the west, Hume Street to the south, Clarke Street to the east and 20 Clarke Street to the north, as shown on Figure 2. The site has a total area of 608 m² and consists of airspace located above the eastern entrance of the Crows Nest Metro Station.

All previous structures, including vegetation on the site, have been cleared and construction of the approved eight storey office building is nearing completion.

Figure 3 shows the artist impression of the completed Crows Nest OSD – Site C building.



Figure 2 Location of Crows Nest OSD - Site C



Figure 3 Artist impression of the Crows Nest OSD - Site C building

2. Planning Approvals

The City & Southwest project has generally been declared as a Critical State Significant Infrastructure (CSSI) project by the NSW Minister for Planning. Works within this declaration require planning approval as a CSSI project under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). Works outside the declaration require separate planning approval under the EP&A Act.

The majority of Sydney Metro City & Southwest Stations include a number of OSDs which are subject to individual SSD planning approvals. Generally, these approvals are delivered by third party proponents and developers. Sydney Metro will design and construct the Crows Nest OSD – Site C.

The Crows Nest Station site components currently under construction are subject to the following planning approvals:

- **Chatswood to Sydenham SSI_7400** – which covers the construction and operation of the Sydney Metro railway between Chatswood and Marrickville. This includes the delivery of 7 new metro stations and 15.5 kilometres of twin railways tunnels from Chatswood, beneath Sydney Harbour and the Sydney CBD, to Marrickville. The Chatswood to Sydenham component was subject to the *Chatswood to Sydenham Environmental Impact Statement* (EIS) and was granted planning approval on 9 January 2017.
- **Crows Nest Site C Over Station Development SSD_13852803** - which covers the design and construction of an 8-storey commercial building above the Hume Street (eastern) entrance of the new Crows Nest Metro Station. The proposal, identified as Site C includes the design, construction and operation of a new eight storey (plus rooftop plant) commercial office building, bicycle parking areas and end of trip facilities associated with Site C, provision of building / business identification signage zones and fit-out and use of interface areas of Site C. The Crows Nest OSD – Site C component was subject to the *Crows Nest OSD Site C - Stage 2 Environmental Impact Statement* (EIS) and was granted planning approval on 17 December 2021.

Table 4 provides a register of modifications to these planning approvals (in order of approval date), and their relevance to this CCR.

There have been no consistency assessments required for the Crows Nest OSD – Site C during this reporting period.

Table 4 Crows Nest Station site Planning Approval Register

Planning Approval	Approval Date	Relevance to this CCR
Chatswood to Sydenham (SSI_7400)	9 Jan 2017	No
MOD1 – Victoria Cross Station & Artarmon Substation	18 Oct 2017	
MOD4 – Sydenham Station & Metro Facility South	13 Dec 2017	
MOD2 – Central Walk	21 Dec 2017	
MOD3 – Martin Place Metro Station	22 Mar 2018	
MOD5 – Blues Point Acoustic Shed	2 Nov 2018	
MOD6 – Administrative Changes	21 Feb 2019	

Planning Approval	Approval Date	Relevance to this CCR
MOD7 – Administrative Changes	29 June 2020	
MOD8 – Blues Point Access	25 Nov 2020	
MOD9 – Construction Hours	30 June 2022	
Crows Nest OSD – Site C (SSD_13852803)	17 December 2021	Yes
MOD1 - Modification of Conditions B14, B45, and B65	1 March 2023	
MOD2 - Modification of Condition B14 to correct an error in relation to inclusions in, and exclusions to, maximum building height	9 October 2023	

3. Construction Certificates

Table 5 presents a summary of the construction certificates issued for the project.

Table 5 Construction certificate summary

Certificate No.	Includes	Status
Stage 1	Structural framework and pre-cast external wall panels	Complete
Stage 2	Main building	Complete
Stage 3	Main building works including Fire Engineering Report	Complete

4. Construction Environmental Management Plans

The Crows Nest OSD - Site C project has either modified the existing CSSI_7400 Construction Environmental Management Plans developed for the Crows Nest ISD, or developed new Management Plans/documents under SSD-13852803 and sought relevant approvals from the Certifier and Secretary in accordance with the corresponding approval.

The Construction Environmental Management Plan, Construction Noise and Vibration Management Plan, Construction Air Quality Management Plan and Construction Waste Management Plan were submitted to the Department of Planning and Environment in March and April 2023, following acceptance from the Crown Certifier and prior to construction commencement.

Table 6 provides the details of the Construction Environment Management Plans reviews and amendments as a result of construction carried out during the reporting period.

Table 6 Construction Environmental Management Plans applicable to Crows Nest OSD - Site C

Management Plan	Revision Number	Updates during this reporting period
Construction Environmental Management Plan (CEMP)	23/12/2022 (Rev 6)	The CEMP was in the process of being updated to Rev 7 as part of its annual review.
Construction Noise and Vibration Management Plan (CNVMP)	7/02/2023 (Rev 5)	The CNVMP was in the process of being updated to Rev 6 with minor administrative amendments as part of its annual review.
Air Quality Management Plan (AQMP)	5/04/2023 (Rev B)	No updates were made during this reporting period.

Management Plan	Revision Number	Updates during this reporting period
Construction Waste Management Plan (CWMP)	19/12/2022 (Rev B)	No updates were made during this reporting period.

5. Construction Compliance

5.1. Environmental Monitoring

Weekly environmental inspections are conducted on the project including the aspects of noise, air quality, parking and soil and water.

Additional noise monitoring is undertaken once per month at nominated locations. During the reporting period, attended noise monitoring was carried out seven occasions (24 July, 22 August, 21 September, 23 October, 15 November, 7 December 2023 and 30 January 2024).

There were no exceedances of monitoring criteria during the reporting period.

5.2. Environmental Audits

In accordance with Condition A27, Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020). The frequency of audits as set out by these requirements is provided in Table 7.

Table 7 Audit frequency as per the Independent Audit Post Approval Requirements (2020)

Phase	Initial Independent Audit	Ongoing Independent Audit Intervals
Construction	Within 12 weeks of the commencement of construction	At intervals, no greater than 26 weeks from the date of the initial Independent Audit or as otherwise agreed by the Secretary.
Operation	Within 26 weeks of the commencement of operation	At intervals, no greater than 3 years or as otherwise agreed by the Secretary.
Closure / Rehabilitation	Within 52 weeks from notifying of suspension/ceasing of operations	At intervals no greater than 1 year or as otherwise agreed by the Secretary.

There was no independent environmental audit carried out during the reporting period. Accordingly, a non-compliance was self-reported to the Department of Planning, Housing and Infrastructure against Condition A27 on 20 February 2024, for failure to conduct an audit in accordance with the Independent Audit Post Approval Requirements (2020).

As the date of the non-compliance reporting was outside of this reporting period, it will be included in the next CCR. The process to submit an auditor for approval by the Department of Planning, Housing and Infrastructure in accordance with Condition A28 and carry out an independent audit in accordance with Condition A27 has commenced in February 2024.

5.3. Incidents

There were no environmental incidents as defined by the planning approval definitions during the reporting period.

5.4. Non-Compliances

There were no non-compliances raised during the reporting period.

6. Complaints

A total of one complaint associated with the Crows Nest OSD – Site C project was received during the reporting period, which was determined to be attributable to project works following investigation.

The complaint was related to noise during standard construction hours and impact to business operations. The complaint was determined to be unavoidable.

The Complaints Report for the Project is provided in Appendix A.

Appendix A – Crows Nest OSD – Site C Complaints during the Reporting Period

Date	Classification	Nature	Description	Complain nt ID	Stakeholde r ID	Status
<i>Date complaint received</i>	<i>Avoidable, unavoidable, to be determined or n/a</i>	<i>One or two words to describe the issue e.g. noise</i>	<i>Complaint – Investigation – Resolution -</i>	<i>Assigned Complaint ID</i>	<i>Assigned Stakeholder ID</i>	<i>Open or closed</i>
31/08/2023	Unavoidable	Noise and vibration – standard hours, Socio-economic business impacts	<p>Complaint - Stakeholder complaint regarding construction noise is impacting the Stakeholder's business as a Psychologist, where their clients are sensitive to the construction noise. Stakeholder's business is located at 7-11 Clarke Street, opposite Site C.</p> <p>Investigation - Place Manager met with Stakeholder to discuss concerns. Stakeholder advised that they understand that the works need to be done, however is seeking financial assistance with installing double-glazed windows to their business, as their clients have cancelled appointments due to construction work noise.</p> <p>Stakeholder advised that it is any and all construction noise, within standard construction hours, that has been impacting their clients. Noting that their business is open between 10am to 6pm.</p> <p>Place Manager informed Stakeholder that A W Edwards is working in accordance with our conditions of approval and are unable to provide financial assistance for double-glazing their windows.</p> <p>Stakeholder requested that their concerns are escalated to Sydney Metro.</p> <p>Resolution – Sydney Metro and AWE representatives met with the stakeholder in their office on 2 February 2024 to provide an overview of remaining works advising that noisy activities will be completed by April and OSD June. It was reiterated that activities are undertaken in accordance with Project approvals and that respite is provided daily between 12pm and 2pm. They advised that no additional mitigation (at property treatment) has been triggered for AWE's work. Sydney Metro reiterated the offer of noise monitoring was the first step in the process to assess opportunities for additional mitigation, however the stakeholder declined this offer.</p>	██████	██████	Closed