

Sydney Metro Sydenham to Bankstown Ancillary Facility Checklist

This checklist has been generated to determine compliance under the Sydney Metro City and Southwest Sydenham to Bankstown Upgrade Planning Approval, including Conditions of Approval A16 to A19 and to assess environmental risk factors.

1. Proposed Ancillary Facility

Assessment Name	MTR Sydney Steel Ancillary Facility
Assessment Criteria (As determined by checklist)	A19
Location	1B Sydney Steel Road & 102-112 Edinburgh Road, Marrickville
Prepared By	OpCo2 MTR
Revision	Rev 01
Date required by	02 September 2024

1. Provide a description of the location, including address, and proposed use. Attach a map within Appendix A

The proposed ancillary facility will be located within the land currently owned by Sydney Metro. The Laydown is within Sydney Metro land, and within the current project boundary.

OpCo2_MTR will have a crib room, and an ablution block to support OpCo2_MTR SWM3 scope. The ancillary facility (see **Appendix A** for site map) will consist of;

- **Office unit / Lunch unit**
- **Toilet unit**
- **Material laydown area** (Comms equipment in containers, cables, cable drums, and other telco material)

The site facilities will be placed on the existing hardstand within the Sydenham to Bankstown Project Boundary (refer to **Appendix A** and **Planning Approval Consistency Assessment Form - TfNSW 56**). The proposed occupied area will not require stabilisation.

Approximately 30 staff members will use the facility at any time and at most during peak times the crib room as able to accommodate for 50 people.

The area will be used during standard construction hours. Any use outside of standard construction hours will be subject to an OOHW Permit.

2. Landowner details

As the ancillary facility is outside the rail corridor, within project boundary. The landowner is Sydney Metro. See Appendix B - Landowners Consent (Modification Order No.252).

3. Timeframe

The facility will be established in September 2024 and will be in place until the duration of the SWM3 scope. Indicative completion date is communicated as April 2025 but may extend due to variations and/or delays. Once project is complete, the Ancillary Facility will be removed, and the proposed occupied area will be handed over to landowner.

<p>4. Assessment against CoA-A16 <i>Ancillary facilities that are not identified by description and location in the documents listed Condition A1 can only be established and used in each case if:</i> <i>(a) they are located within the Construction boundary of the CSSI</i></p>
<p>N/A – the proposed facility is a Minor ancillary facility and as such should be assessed under CoA-A19</p>
<p><i>(b) they are not located next to a sensitive receiver (including access roads) (unless landowners and occupiers have accepted in writing the carrying out of the relevant facility in the proposed location); and</i></p>
<p>N/A – the proposed facility is a Minor ancillary facility and as such should be assessed under CoA-A19</p>
<p><i>(c) they have no impacts on heritage items (including areas of archaeological sensitivity), and threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and</i></p>
<p>N/A – the proposed facility is a Minor ancillary facility and as such should be assessed under CoA-A19</p>
<p><i>(d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.</i></p>
<p>N/A – the proposed facility is a Minor ancillary facility and as such should be assessed under CoA-A19</p>
<p>5. Assessment against CoA-A17 <i>Ancillary facilities that are not identified by description and location in the documents listed in Condition A1 and do not meet the requirements of Condition A16, can only be established and used with the approval of the Planning Secretary except where they are located within the rail corridor, in which case they may be endorsed by the ER. A review of environmental impacts must be submitted with the request for Planning Secretary's approval or ER's endorsement.</i></p>
<p>N/A – the proposed facility is a Minor ancillary facility and as such should be assessed under CoA-A19</p>
<p>6. Assessment against CoA-A18 <i>The use of an ancillary facility for Construction must not commence until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C3 and relevant Construction Monitoring Programs required by Condition C8 have been approved by the Planning Secretary.</i></p>
<p>JHLORJV provided CEMP, sub-plans and relevant monitoring programmes to OpCo2_MTR.</p> <p>The facility will not be established until the CEMP, sub-plans and relevant monitoring programmes are approved.</p>
<p>7. Assessment against CoA-A19 <i>Lunch sheds, office sheds, portable toilet facilities, and the like, that are not identified as an ancillary facility in the in the documents listed Condition A1, can be established where they satisfy the following criteria:</i> <i>(a) are located within the Construction boundary;</i></p>
<p>The facility is located within the project boundary between 1B Sydney Steel Road & 102-112 Edinburgh Road, Marrickville – Refer to Appendix A - Maps</p>
<p><i>(b) have been assessed by the ER to have:</i> <i>(i) minor amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</i> <i>(ii) minor environmental impact with respect to waste management and flooding, and</i> <i>(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.</i></p>
<p>(i) Minor amenity impacts; (minimal / negligible visual impacts)</p>

Noise and Vibration –

The Facility will be powered from the lighting switch board.

The MAF is planned to be occupied during standard construction hours on a daily basis. Operation of the facility will be inaudible at the nearest facility.

The site would also be used during possession works (i.e. outside of standard working hours). Operation of the facility will be inaudible at the nearest facility.

JHLOR JV out of hour procedure and JHLORJV EPL 21147 has been provided to OpCo2_ MTR. During possessions, works would only occur in accordance with the conditions provided and additional mitigation would be applied as per the Sydney Metro Construction Noise and Vibration Strategy.

Traffic –

The ancillary facility will not impact Off-street commuter parking space.

Parking will occur inside the ancillary facility area where possible. Some on-street parking may be used for short durations.

Delivery –

All deliveries will be scheduled during standard construction hours. Any use outside of standard construction hours will be subject to an OOHW Permit. All deliveries need to be communicated before deliver and having designated receiving personal onsite.

Dust and odour –

Proposed activities for MAF have little to no dust generation potential as this area is only a crib room and ablution block placed on a concrete driveway. No odour impact due to the distance to the nearest receivers (about 150m), regular maintenance of the ablution unit and the open nature of the area.

Visual impacts –

The site shed will be located behind hoarding board on Sydney Steel Road. Additionally, these site sheds will be on previous System Connect ancillary facility area. The site facilities would impose little to nil visual impacts to the public.

Waste –

Minimal waste is proposed to be generated. Waste will consist of office waste and food waste. Any waste will be collected in bins for disposal. Effluent from the toilet block be removed at regular intervals to a licenced waste facility.

Flooding –

The site facilities will be deployed on an existing hardstand. The proposed ancillary facility is not located in flooding area (refer to Appendix C- Flood Planning Area Map). The flooding impact and risk is nil.

Biodiversity –

No trees, plants or habitat features will be impacted during the site set-up. If required, some weeds may be cleared in the immediate vicinity of the MAF. Tree protection will be set up for any trees on the boundary of the compound area.

If tree removal or trimming is required any trees impacted will be included within the tree report prior to removal or trimming.

Soil and Water –

There is no known contamination within the area. There is no proposed soil disturbance/erosion as the unit is installed on concrete hard surface.

An Erosion and Sediment Control Plan for the area would be developed. Public roads in the vicinity of the access track will be monitored and a street sweeper utilised if any dirt tracking was to occur. Nearby pits to be covered.

Heritage items –

There are no known indigenous or non-indigenous heritage items or archaeological areas within the vicinity of the proposed MAF location. The unexpected finds procedure will be utilised. There will be minimal heritage impact.

2. Risk Assessment

Sydney Metro
Risk Matrix
Enterprise
Consequences

Sydney Metro
Consequence Criteria are
presented in three
categories: Enterprise,
Project Treat and
Opportunity.

	ENTERPRISE CONSEQUENCES					
	C6	C5	C4	C3	C2	C1
Health and Safety	Illness, first aid or injury not requiring medical treatment.	Illness or minor injuries requiring medical treatment.	Single recoverable lost time injury or illness , alternate/restricted duties injury, or short-term occupational illness .	1-10 major injuries requiring hospitalisation and numerous days lost, or medium-term occupational illness .	Single fatality and/or 10-20 major injuries/permanent disabilities/chronic diseases .	Multiple fatalities and/or >20 major injuries/permanent disabilities/chronic diseases .
Environment	No appreciable changes to environment and/or highly localised event.	Change from normal conditions within environmental regulatory limits and environmental effects are within site boundaries .	Short-term and/or well-contained environmental effects . Minor remedial actions probably required.	Impacts external ecosystem and considerable remediation is required.	Long-term environmental impairment in neighbouring or valued ecosystems. Extensive remediation required.	Irreversible large-scale environmental impact with loss of valued ecosystems.
Disruption to Service	No appreciable changes to environment and/or highly localised event.	Minor customer disruptions (Customer volume and time impacted).	Disruptions impacting customers with customers stranded on trains or stations between 15 to 60mins.	Major disruptions affecting services with customers stranded on trains or stations for over 60mins	Line closure, asset failure or substantial disruptions affecting more than one service period (on/off peak), with network wide transport impacts	Line closure, asset failure, or substantial disruptions affecting several service periods (on/off peak), with significant network wide transport impacts
Customer Experience and Satisfaction	No appreciable changes to environment and/or highly localised event.	A stream of written complaints for more than 3 months .	A stream of written complaints for more than a year.	A substantial and sustained uplift in the rate of customer complaints (per 100,000 boardings).	A deluge of customer complaints for up to 6 months with normal background rates for the mode or service increasing by a factor of 3 or more.	A prolonged deluge of customer complaints for more than 6 months, with some normal background rates for the mode or service increasing by a factor of 10 or more.
Reputation and Public Perception	Negative article in local media. No discernible reaction/apprehension. Goodwill, confidence and trust retained.	Unease – Series of negative articles in local/state media. Confidence remains with some minor loss of goodwill or trust. Recoverable with little effort or cost. Some continuing scrutiny/attention.	Disappointment – Extended negative local/state media coverage. Confidence and trust dented but are quickly recoverable at modest cost within existing budget and resources.	Concern – Short-term negative state/national media coverage. Confidence and trust are diminished but are recoverable with time, staff effort and additional funding.	Displeasure – Extended negative state/national media coverage. Confidence and trust are damaged but recoverable at considerable cost, time and staff effort.	Outrage – Material change in the public perception of the organisation. Confidence and trust are severely damaged, possibly irreparably, and full recovery both questionable and costly.
Regulatory or Legal Breach	Low-level non-compliance with legal and/or regulatory requirement or duty by individuals or TfNSW.	Minor non-compliance with legal and/or regulatory requirement or duty. Investigation and/or report to authority.	Moderate non-compliance. Subject to comment and monitoring from applicable regulator. Small fine and no disruption to services.	Systemic non-compliance/Major breach resulting in enforcement action and/or prohibition notices. Substantial fine and no disruption to services.	Substantial breach resulting in prosecution, fines and/or litigation. Licence or accreditation restricted or conditional affecting ability to operate.	Prosecution leading to imprisonment of TfNSW executive. Loss of operating licence.
Management Effort	An event, the impact of which can be absorbed as part of normal activity.	An event, the impact of which can be absorbed but some additional management effort is required.	An event, the impact of which can be absorbed but much broader management effort is required.	Major event which can be absorbed, but substantial management effort is required	Severe event which requires extensive management effort but can be survived.	Catastrophic event with the clear potential to lead to the collapse of the organisation.
People	Minimal employee impact, small number of people affected. No absenteeism of key staff.	Localised employees/discipline impacted. Isolated incidence of absenteeism.	Large number of employees (<50%) and/or morale impacted. Increased absenteeism and employees looking to leave.	Majority of employees (>50%) and/or morale materially impacted. Widespread absenteeism. Key employees are looking to leave.	Majority of employees impacted (>75%). Employee morale is reduced to low. High-turnover rate. Majority of key employees are looking to leave.	All employees impacted (100%). Insufficient workforce. Employee brand significantly impaired.
Revenue/OPEX Loss/Overrun	< \$10K	\$10K - \$100K	\$100K - \$1m	\$1m - \$5m	\$5m - \$25m	>\$25m

Probability	One off event How likely?	Frequency	Repeated How often?	Likelihood		Consequence					
						Insignificant	Minor	Moderate	Major	Severe	Catastrophic
	Expected to occur frequently during time of activity or project. Greater than a 90% chance of occurring.		10 times or more every year	Almost certain	L1	20	22	29	32	34	36
	Expected to occur occasionally during time of activity or project. A 75-90% chance of occurring.		1-10 times every year	Very Likely	L2	14	18	23	28	31	35
	More likely to occur than not occur during time of activity or project A 50-75% chance of occurring.		Once each year	Likely	L3	9	12	16	24	27	33
	More likely not to occur than occur during time of activity or project. A 25-50% chance of occurring.		Once every 1 to 10 years	Unlikely	L4	6	7	11	17	25	30
	Not expected to occur during the time of activity or project. A 10-25% chance of occurring.		Once every 10 to 100 years	Very Unlikely	L5	3	4	8	13	19	26
	Not expected to ever occur during time of activity or project. Less than 10% chance of occurring.		Less than once every 100 years	Almost Unprecedented	L6	1	2	5	10	15	21

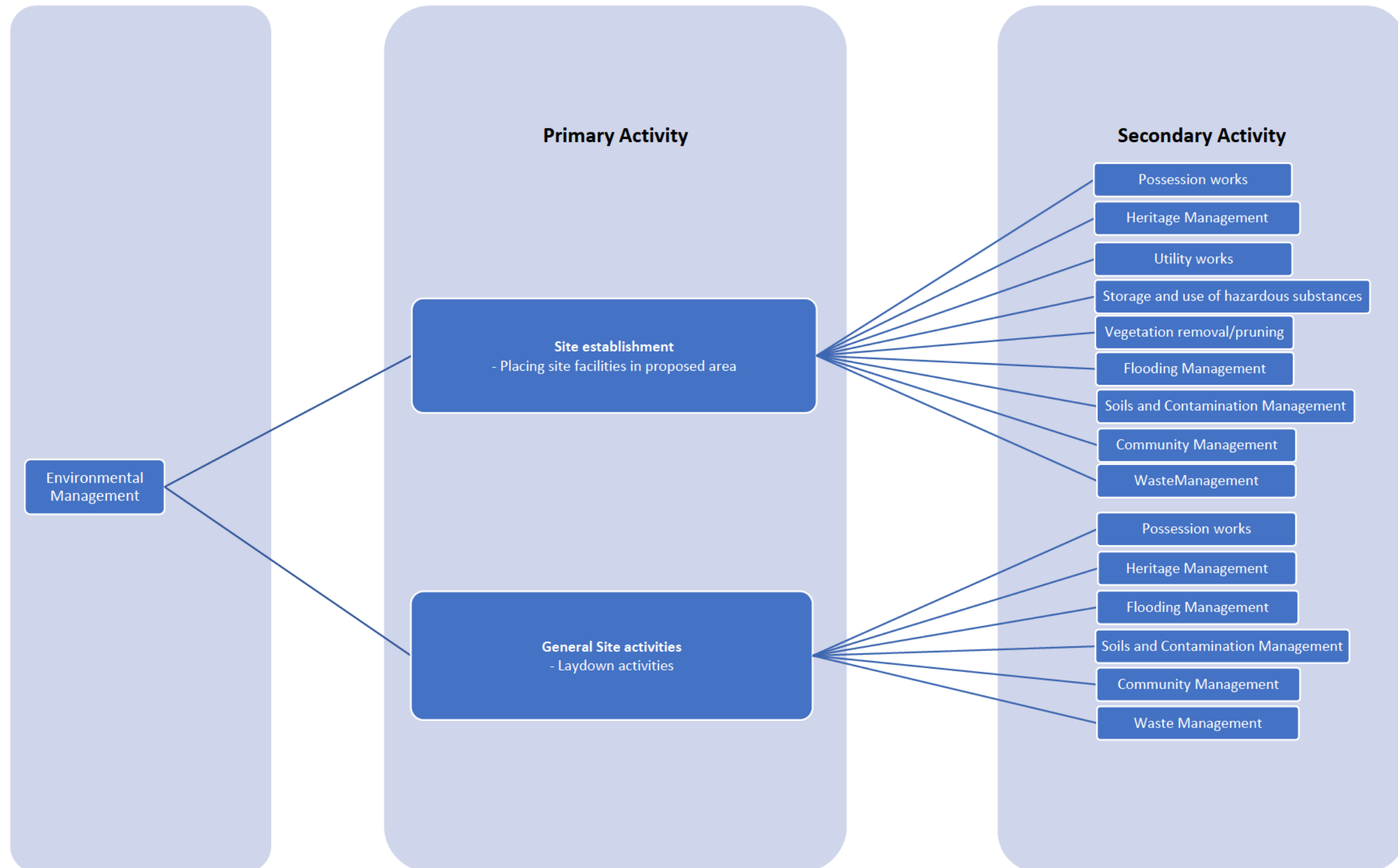
Environmental Risk Assessment Rankings

This table may be used as a guide in determining the level of risk for each environmental issue.

Risk Assessment Rankings: 31-36 = Very High; 22 - 30 = High; 11 - 21 = Medium; 1 - 10 = Low

For each identified issue, consider the 'maximum credible' (not absolute worst case) risk that could result with **minimal or no controls** other than existing and using normal construction practices.

Note: Any one of the listed consequences must result in the use of the applicable consequence grading.






IDENTIFICATION							ASSESSMENT OF CONTROLS				
No	ACTIVITY	ENVIRONMENTAL ASPECTS	ENVIRONMENTAL IMPACTS	RISK RATING			CONTROLS Note: Controls in Planning conditions and approved CEMP & Sub-plans prevail to the extent of any inconsistency with those below.	RESIDUAL RISK			
				RISK Assessment (current)				FINAL RISK Assessment (current)			
				Likelihood	Consequence	Risk Rank		Likelihood	Consequence	Risk Rank	
By activity											
1	Environmental Management (GENERAL)	Not identifying appropriate approvals, licenses or permits required and proceeding without them.	Works delayed, infringements, prosecution, poor community relations and reputational loss, remediation work.	L5	C5	4	<ul style="list-style-type: none">The proposed used of the site will be as per SSI 8256 planning approval requirement and approved CEMP & Sub-Plans.Review the project EIS, modification and statutory documentation for requirement relevant to OpCo2_MTR site activities.	L6	C5	1	
		Review / Approval	Timeliness of approval documentation being provided and time in day to complete all tasks	L4	C5	7	<ul style="list-style-type: none">Review and approval will be as per SSI 8256 planning approval requirement.Actively liaise with relevant stakeholders via meeting and open communication.	L5	C5	4	
2	Site establishment	Visual amenity	Light spill occurring during possession / OOHW periods, resulting in complaints.	L6	C5	1	<ul style="list-style-type: none">The proposed site is both within and outside the rail corridor. Significant changes to the existing environment or corridor are not anticipated, as the proposed site use aligns with previous land use.The project Visual Amenities Management Plan will be implemented	L6	C6	1	
		Appropriate selection and management of the ancillary facilities	Inadequate assessment of impacts to surrounding business and residential receivers and environmental receptors. Potential for complaints.	L4	C4	11	The impact from the ancillary facility will be less than what has already been assessed in the original impact EIS and consistency assessment for the proposed site.	L5	C4	8	
		AF / MAF being installed improperly or not in compliance with planning approval	non-compliances. Timing delays for applications	L5	C5	4	The proposed use of the ancillary facility will be consistent with the relevant CoA of SSI 8256.	L6	C5	2	
3	General Site activities	General construction traffic disturbing public access between local roads, pedestrian and cyclist access	Disturbance to local residents resulting in complaints being made, limited access, potential for delays at local road access points resulting in complaints.	L4	C4	11	<ul style="list-style-type: none">Impact to traffic from OpCo2_MTR proposed site use is very unlikely and moderate.Traffic management will be in accordance with Construction Traffic Management Plan and comply with planning approval requirement.Site vehicles will be parked within the rail corridor, minimising the use of public parking areas.	L5	C4	8	
		Exhaust from plant and equipment.	Emissions resulting in air pollution.	L4	C5	7	Emissions from the plant and equipment will be minimal due to the low usage of plant and equipment.	L5	C5	4	
		General construction works; site establishment, excavations	Dust created during set up and operation of the compound.	L4	C4	11	Dust generation is not anticipated from the compound setup and operation. However, all site activities will be carried as the project Air Quality Management Plans and CEMP.	L5	C4	8	
		Noise and vibration from general construction activities resulting in impact to residents	Disturbance to residents or neighbouring businesses. Potential for complaints.	L4	C5	7	The assessment provided for SSI_8256 included consideration of the cumulative noise impacts of the proposed site. No additional impacts are anticipated beyond those already assessed.	L5	C5	4	

4	Possession works	Out of hours works	Scope or scheduling not appropriately assessed, resulting in louder than anticipated outcomes or non-compliances. Construction team not providing the scope of works in time for appropriate noise modelling to be undertaken	L3	C6	9	OOHW will be carried out as per SSI 8256 planning approval requirement and in accordance with S2B OOHW protocol.	L5	C6	3
		OOHW Application Submission	Lateness of application, resulting in approval delays.	L3	C6	9	OOHW will be carried out as per SSI 8256 planning approval requirement.	L5	C6	3
5	Heritage	Unexpected finds	Work delays, additional studies, approvals required, damage to heritage item.	L3	C4	16	<ul style="list-style-type: none"> Unexpected heritage finds are not anticipated from the proposed use of the site Implement Sydney Metro Unexpected Finds Procedure V5.0 if unexpected finds is uncovered If suspected materials are found, workers are to; <ul style="list-style-type: none"> Stop works in vicinity immediately Inform the Superintendent and Environmental Manager Delineate the area to prevent further access, where possible 	L6	C4	5
6	Storage and use of hazardous substances	Storage of hazardous substances, leaking plant and equipment and spillage from refuelling.	Localised ground contamination / pollution of stormwater and requiring clean-up and/or receiving fines. Risk of igniting volatile substances. Unauthorised access to site / potential vandalism/damage leading to pollution.	L5	C5	4	<ul style="list-style-type: none"> Any chemicals and fuels are to be stored within a bunded area with 110% of the capacity of the largest stored container. Any chemical storage is to be located more than 20m from a drainage line or waterway. Refuelling to occur more than 20m away from drainage lines or waterways Spill kits to be located at chemical storage locations and work fronts. Site induction includes spill response awareness.	L6	C5	2
7	Vegetation removal/pruning	Vegetation trimming /clearing required outside approved work area	Unauthorised works / removal of vegetation outside defined work area, possibility of removing threatened species, fines incurred.	L5	C5	4	<ul style="list-style-type: none"> Unlikely to happen as there are no trees or vegetation within the construction footprint. If tree trimming or removal is required OpCo2_MTR will obtain tree removal permit form in accordance Vegetation Management Plan. 	L6	C5	2
8	Flooding	Flooding	Flood waters impacting the laydown. Flood catchment volume reduced	L4	C5	7	No flood waters impacting to laydown is anticipated. However, erosion and sediment control will be installed as required.	L5	C6	3
10	Soils and Contamination	Soils and contamination	Encountering contamination Creating contamination through utility works Acid Sulphate Soils	L5	C6	3	Soil and contamination is not expected from the proposed use of the site.	L6	C6	1

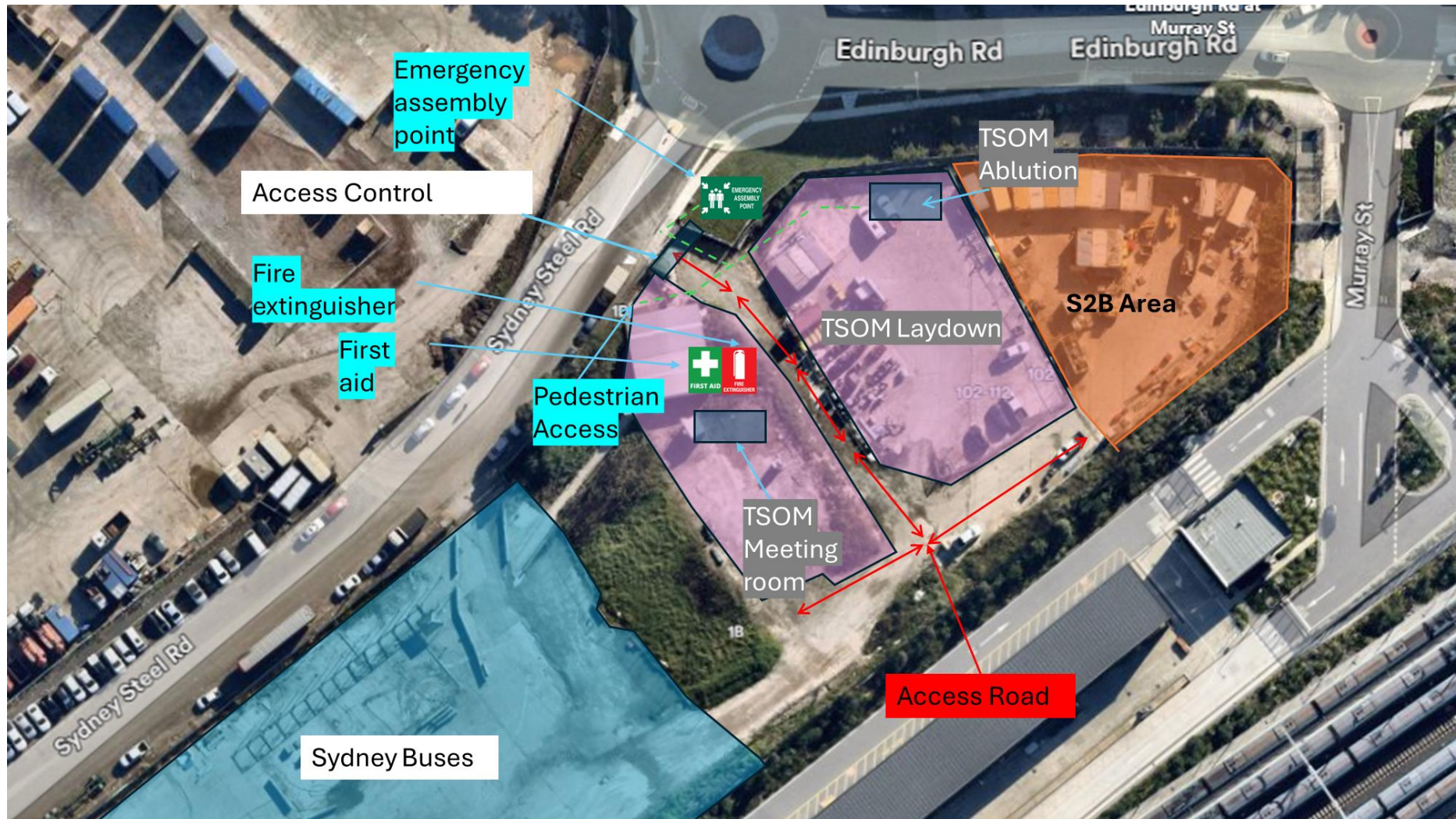
11	Erosion and sediment control	Erosion and sediment control	Eroded materials entering local waterways. Impacts to water quality within local waterways	L5	C6	3	Erosion and sediment control measures will be installed on site as needed, in accordance with the Project Soil and Water Management Plan and CEMP.	L6	C6	1
12	Waste	Waste Spoil	Incorrect disposal	L5	C5	5	Waste spoil and disposal are unlikely from the proposed site use. However, if waste spoil and disposal are required, they will be managed in accordance with the JHLOR Soil and Water Management Plan, CEMP, and planning approval requirements.	L6	C6	1
		Waste Materials	Poor housekeeping Waste storage	L4	C5	7	Waste material and storage will be managed in accordance with relevant Waste Management Plan and CEMP	L5	C5	4
		Dust	Wind and water erosion causing sediment dispersion offsite.	L4	C4	11	Offsite dispersion of dust is not anticipated from the proposed site use.	L5	C4	8
13	Community	General worker behaviour	Inappropriate worker behaviour (worker parking, work interacting with the community), resulting in complaints	L4	C4	11	No changes from the previous use of the proposed site.	L5	C4	8
		Avoidable complaints	Inappropriate environmental controls being in place. Truck idling, Working Parking, resulting in completion.	L4	C5	7	The proposed use of the site is consistent with approved project.	L5	C5	4
		Management of complaints	Complaints not been captured or actioned in an appropriate timeframe	L4	C5	7	All community complaints will be managed as per planning approval requirement and CCS	L5	C5	4

3. Endorsement

Prepared by	Ted Zhang	Reviewed by	Lucas Dobrolot
Signature		Signature	
Date	06/09/2024	Date	

Environmental Representative Endorsement	
Signature	
Date	12/09/2024
Details of any conditional approval	

Appendix A – Map





Appendix B – Landowner’s consent (Modification Order N0.252)

MODIFICATION ORDER No.252
(Clause 29.11(a))

MIR No. N/A

MIP No. N/A

Date: 30 July 2024

Description: Use and control of SMTF-S office and laydown area for OpCo2's purposes

This Modification Order is issued pursuant to: (tick relevant option)

Clause 29.11(a)

✓

In accordance with clause 29.11(a) (*Instruction to proceed*) of the OTS2 Project Deed, the Principal hereby instructs OpCo2 to implement the Modification on the terms set out in this Modification Order.

Background of the Modification:

The Integrator has been using Sydney Metro Trains Facility (South) (SMTF-S) office area during the delivery of Phase 1. This area has been controlled by the Linewide Contractor, and their obligations as Principal Contractor of the area will end on 31 July 2024. The Integrator has requested via PDCS ref. SMCSWT52-MTR-TS2-GEN-002817 to retain the office and laydown area detailed in **Attachment A (the Site)** after the Linewide Contractor's demobilization.

The Principal accepts this area to be retained for OpCo2's use under following conditions:

1. OpCo2 must take control of the area under WHS Regulation 2017 from 1 August 2024 as "Contractor in Control". This does not include OpCo2 becoming Principal Contractor of the area.
2. OpCo2 must take on all responsibilities as they would in any office space or other rented space. The Principal will not be liable for any incidents associated with OpCo2's use of the area.
3. OpCo2 may use gate S1 to access the Site (refer to Attachment A). This gate will be shared with the SSJ Contractor.
4. OpCo2 must coordinate and manage all requirements for the use of the area for OpCo2's purposes, such as and not limited to site establishment, lease transfer, cleaning, security, and maintenance of the site.
5. OpCo2 must initiate and coordinate the demobilisation and hand back of the area at such time that it is no longer required, or as instructed by the Principal.
6. OpCo2 must complete any site remediation works and making good of the area once vacated to return the area to the same standard as it is handed over from the Line-wide Contractor. This is inclusive of the general clean-up of the area and the removal of any existing structures and infrastructure, but exclusive of any civil works or earthworks.
7. The Principal may require OpCo2 to store the cable drums subject of Modification Order No.148 at the Site from September 2024. In the case that this is required, the Principal will coordinate with the Integrator and any additional works required of the Integrator for this purpose and associated incremental costs are to be agreed between the OTS2 Parties.

The Principal's Representative's Instructions:

The Principal instructs OpCo2 to:

8. Lead the coordination of the required actions for transferring the control and management of the area detailed in Attachment A effectively from 1 August 2024.
9. Control and manage the area and the facilities under the conditions described in 1-7 above.

Modification to the OTS2 Project Deed (if any):

None.

Other matters:

In accordance with clause 29.11(a)(iii), (iv) and (v), the Principal's Representative determines as follows:

Clause 29.11(a)(iii): OpCo2's entitlement to payment for implementation of the Modification

OpCo2's entitlement to payment for implementation of this Modification is not yet determinable, the Principal therefore reserves its rights accordingly. Until the NFI of this Modification is agreed or determined, an upper limiting fee (ULF) of \$150,000.00 (excluding GST) applies.

The Principal acknowledges that OpCo2 may be entitled to additional payments higher than the ULF, in accordance with the provisions of the OTS2 Project Deed. OpCo2, in proceeding with the implementation of this Modification, must advise the Principal as soon as it becomes aware that the ULF may be exhausted, such notice to be provided through the PDCS with sufficient detail so that the Principal can assess (at its discretion) whether to increase the ULF or cease further works under the Modification. If the Principal does not direct otherwise or increase the ULF within 5 Business Days of receipt of the Notice above, OpCo2 will not be obliged to perform any works not compensable by the then current ULF, and Notice will be deemed to be received that OpCo2 is to cease implementation of the Modification at the time the ULF is exhausted. OpCo2 is to submit invoices for its works performed pursuant to this Modification on a monthly basis, together with timesheets for the approved personnel.


Clause 29.11(a)(iv): If the Modification is proposed to be carried out during the Delivery Phase, the effect which the proposed Modification will have on the Delivery Program (including any extension of time required to the Date for Completion of Phase 1, the Date for Completion of Phase 2, a Milestone Date for Completion or a Date for Acceptance, as applicable)

The impact the Delivery Program, Date for Completion of Phase 1, or any Milestone Date for Completion is not determinable at the time of issuing this Modification Order.

Clause 29.11(a)(v): Any relief which is required from OpCo2's obligations under this deed to ensure that it is left in a no better and no worse position than it would be in if the Modification were not implemented.

No relief is required nor will be granted.

The Principal reserves its rights under the OTS2 Project Deed and at law.

Submitted by (name and position): Melvyn Bolus Principal's Representative	Signed: 	Date: 30 July 2024
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MOD252 Use and control of SMTF-S office and laydown area_final

Final Audit Report

2024-07-29

Created:	2024-07-29
By:	Jessica Montgomery 615010 (Jessica.Montgomery@transport.nsw.gov.au)
Status:	Signed
Transaction ID:	CBJCHBCAABAA1bCo9IR3aQ9uqkzK15W779O_VcOOdVu-

"MOD252 Use and control of SMTF-S office and laydown area_final" History

-  Document created by Jessica Montgomery 615010 (Jessica.Montgomery@transport.nsw.gov.au)
2024-07-29 - 7:48:12 AM GMT - IP address: 147.161.215.27
-  Document emailed to Melvyn Bolus 613080 (melvyn.bolus@transport.nsw.gov.au) for signature
2024-07-29 - 7:48:33 AM GMT
-  Email viewed by Melvyn Bolus 613080 (melvyn.bolus@transport.nsw.gov.au)
2024-07-29 - 11:26:23 PM GMT - IP address: 165.225.232.250
-  Document e-signed by Melvyn Bolus 613080 (melvyn.bolus@transport.nsw.gov.au)
Signature Date: 2024-07-29 - 11:27:37 PM GMT - Time Source: server- IP address: 165.225.232.250
-  Agreement completed.
2024-07-29 - 11:27:37 PM GMT

Appendix B: Appointment as Contractor in Control Letter

30 July 2024

Phil Dark

Contractor's Representative

NRT Group

Dear Phil

OTS2 Project Deed

Appointment of contractor in control for SMTF-S TSOM office and laydown area

On behalf of Sydney Metro, we confirm that MTR Corporation (Sydney) SMCSW Pty Limited (**the Integrator**) is appointed as Contractor in Control for the purposes of the Work Health and Safety Regulation 2017 for all works undertaken as detailed in the OTS2 Project Deed from 1 August 2024 and have been authorised to:

- have management and control of each workplace at which such construction work is to be carried out; and
- discharge, exercise and fulfil the functions, duties and obligations of a CC under Chapter 6 of the Work Health and Safety Regulation 2017.

For the geographic scope of this appointment as detailed in Attachment 1.

Subject to the terms of this letter:

- (a) Sydney Metro agrees that the Integrator is authorised to exercise such authority as is necessary to enable the Integrator to discharge the responsibilities imposed on it as CC under the WHS Regulation 2017; and
- (b) The Integrator accepts this appointment by Sydney Metro as CC and accepts that it is the 'person responsible for the construction work' for the purpose of the WHS Regulation 2017.

Contractor in Control status will end on the 31 March 2025.

Should you require further information or clarification in relation to this matter, please contact Mark Taylor on behalf of the Principal's Representative, Melvyn Bolus.

Yours sincerely,

Mark Taylor on behalf of Melvyn Bolus.

PRINCIPALS REPRESENTATIVE

Appendix C – Flood Planning Area Map

