West

West – Rail Infrastructure, stations, precincts and operations (Stage 3) Out-of-Hours Work Protocol

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Contents

1 Introduction

1.1 Target audience

This Protocol applies to permanent, temporary, and casual staff; staff seconded from another organisation; and contingent workers including labour hire, professional services contractors, consultants, delivery partners, contractors and sub-contractors.

1.2 Purpose and Applicability

This protocol was developed to comply with condition E28 of SSI-22765520, reproduced below:

Out-Of-Hours Work Protocol – Works not subject to an EPL

E28 An **Out-of-Hours Work Protocol** must be prepared before the approval of out-of-hours-work under **Condition E27(c)(ii)**. The Protocol must identify a process for the consideration, management and approval of work which is outside the construction hours defined in **Conditions E25** and **E26**. The Protocol must be approved by the Planning Secretary and implemented before commencement of the out-of-hours work. The Protocol must be prepared in consultation with the **ER** and the **AA**. The Protocol must include:

(a) justification for why out-of-hours works are required;
(b) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:
  (i) the **ER** and the **AA** review all proposed out-of-hours activities and confirm their risk levels,
  (ii) low risk activities can be approved by the **ER** in consultation with the **AA**, and
  (iii) high risk activities that are approved by the Planning Secretary;
(c) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria including reasons for why it is required under each situation;
(d) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of **Condition E44**. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land use(s) would be exposed to, including the number of noise awakening events;
(e) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and
(f) notification arrangements for affected receivers for approved out-of-hours work and notification to the Planning Secretary of approved low risk out-of-hours works.

This condition does not apply if the requirements of **Condition E27(b)** are met.

Notes:
*1. Out-of-hours work is any work that occurs outside the construction hours identified in **Conditions E25** and **E26**.*
*2. The Out-of-Hours Work Protocol is intended to be used for activities where these activities cannot be undertaken during the construction hours identified in **Conditions E25** and **E26**.*

This Protocol describes the process for considering, managing, and approving work on the Sydney Metro West Stage 3 Package that is undertaken outside the standard hours of work specified in conditions E25 and E26 of planning approval SSI-22765520 (also called SMW – Rail Infrastructure, stations, precincts and operations or Stage 3).

This protocol does not apply to:

- Safety and Emergencies described under Condition E27(a).
- Low Impact Works that comply with Condition E27(b).
- Scheduled Activities which are subject to a current Environmental Protection Licence (EPL) per condition E27(c)(i).
- Negotiated Agreements described under Condition E27(c)(iii).
- Prescribed Activities listed under Condition E27(d).

Other stages of Sydney Metro West have Out-of-Hours Work Protocols that are relevant to those stages under different planning approvals.

This OOHW Protocol should be used in conjunction with:

- The Sydney Metro Construction Noise and Vibration Standard
- The Contractor's Construction Environmental Management Plan
- The Contractor's Noise and Vibration Management Plan
- A relevant Detailed Noise and Vibration Impact Statement

1.3 Definitions

The definitions in the Ministers Conditions of Approval for SSI-22765520 apply and should be read in conjunction with this Protocol.

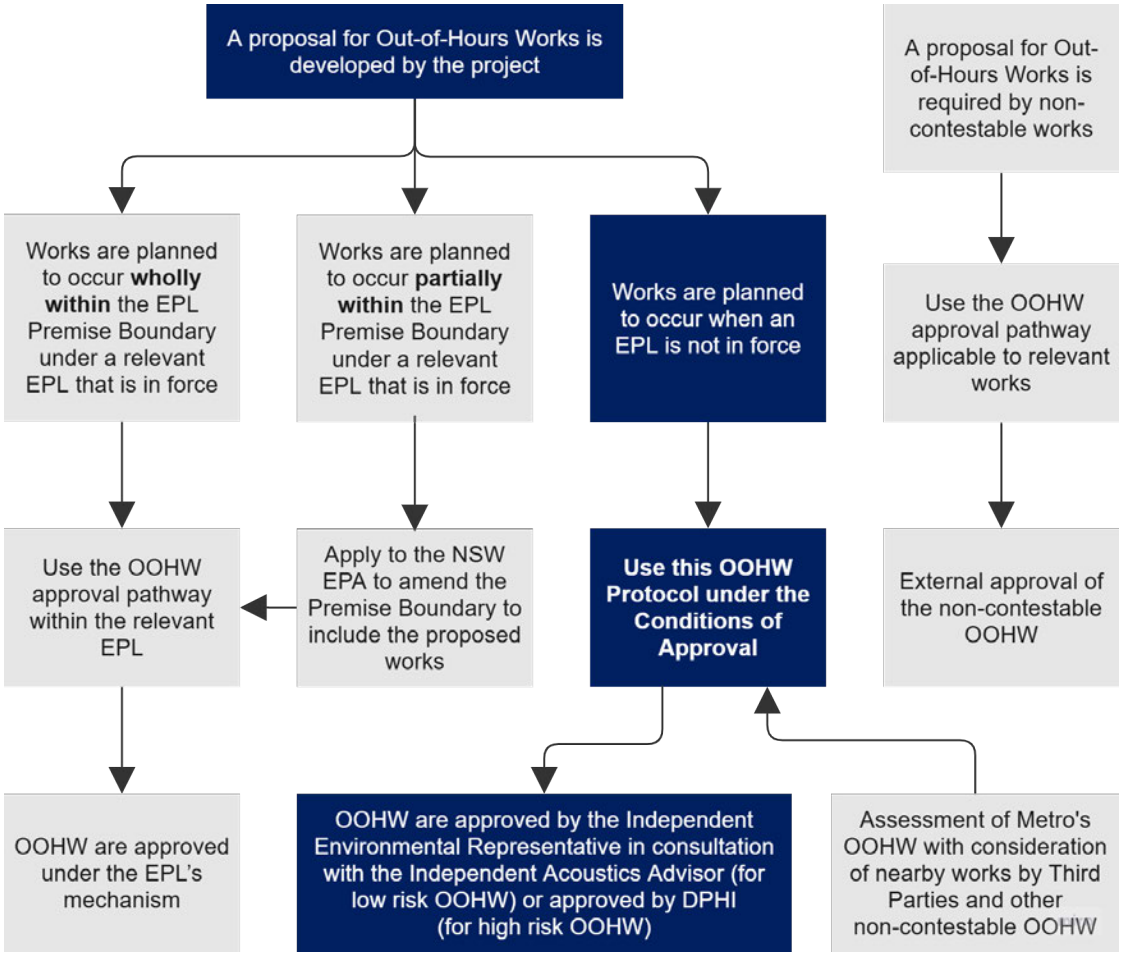
All other terminology in this Protocol are taken to mean the generally accepted or dictionary definition. Other terms and jargon are defined within the SM-17-00000203 Sydney Metro Glossary.

Table 1: Terms/acronyms and definitions

Acronym term/ term	Definition
AA	(Independent) Acoustics Advisor
AAA	Alternate Acoustics Advisor
CEMF	Construction Environmental Management Framework (Sydney Metro West)
CNVS	Construction Noise and Vibration Standard (Sydney Metro West)
CoA or MCoA	Minister's Conditions of Approval
Directly affected sensitive receivers	Noise sensitive receivers predicted to be impacted by noise levels exceeding NMLs
DNVIS	Detailed Noise and Vibration Impact Statement
DPHI	Department of Planning, Housing and Infrastructure
EPA	The NSW Environment Protection Authority
EPL	Environmental Protection Licence
ER	(Independent) Environmental Representative
ICNG	Interim Construction Noise Guideline (DECC, NSW, 2009)
Land Use Survey	Identification of the use of surrounding premises to identify sensitive receiver types and locations.
NML	Noise Management Level
NSR	Noise and Vibration Sensitive Receivers
OCCS	Overarching Community Communication Strategy
OOH (OOHW)	Out-of-Hours (Work)
POEO Act	Protection of the Environment Operations Act 1997 (NSW)
Scheduled Activity	Activities listed in Schedule 1 of the Protection of the Environment Operations Act 1997
Stage 3	Sydney Metro West – Rail infrastructure, stations, precincts and operations (SSI 22765520)

1.4 When to use this document

The flowchart below illustrates where this Out-of-Hours Works Protocol fits alongside the various OOHW approval pathways relevant to Stage 3.



2 OOHW approval under this Protocol

The Sydney Metro Out-of-Hours Review form (SM-25-00017134) shall be used for all proposed OOHW. OOHW reviews under this Protocol will be processed through five phases:

- Scoping Phase where details of the OOHW are initially proposed along with a justification for the works being conducted outside standard hours.
    - Criteria Phase where the criteria for assessing impacts to nearby receivers are selected and formalised.
- Assessment Phase where an assessment of the works against the relevant criteria (noise and non-noise) is conducted and mitigations are introduced to reduce the impacts on receivers as much as practicable. The risk level of the OOHW is confirmed at the end of this phase. All documentation relating to an OOHW proposal will be collated into one OOHW Review form with appendices and signed by the applicant, their Place Manager and their Environment Manager.
- Review Phase where the OOHW Review form is reviewed by the AA and ER depending on the determined risk level
- Approvals Phase where the OOHW are approved by either the ER or DPHI. Low risk OOHW would be approved by the ER in consultation with the AA

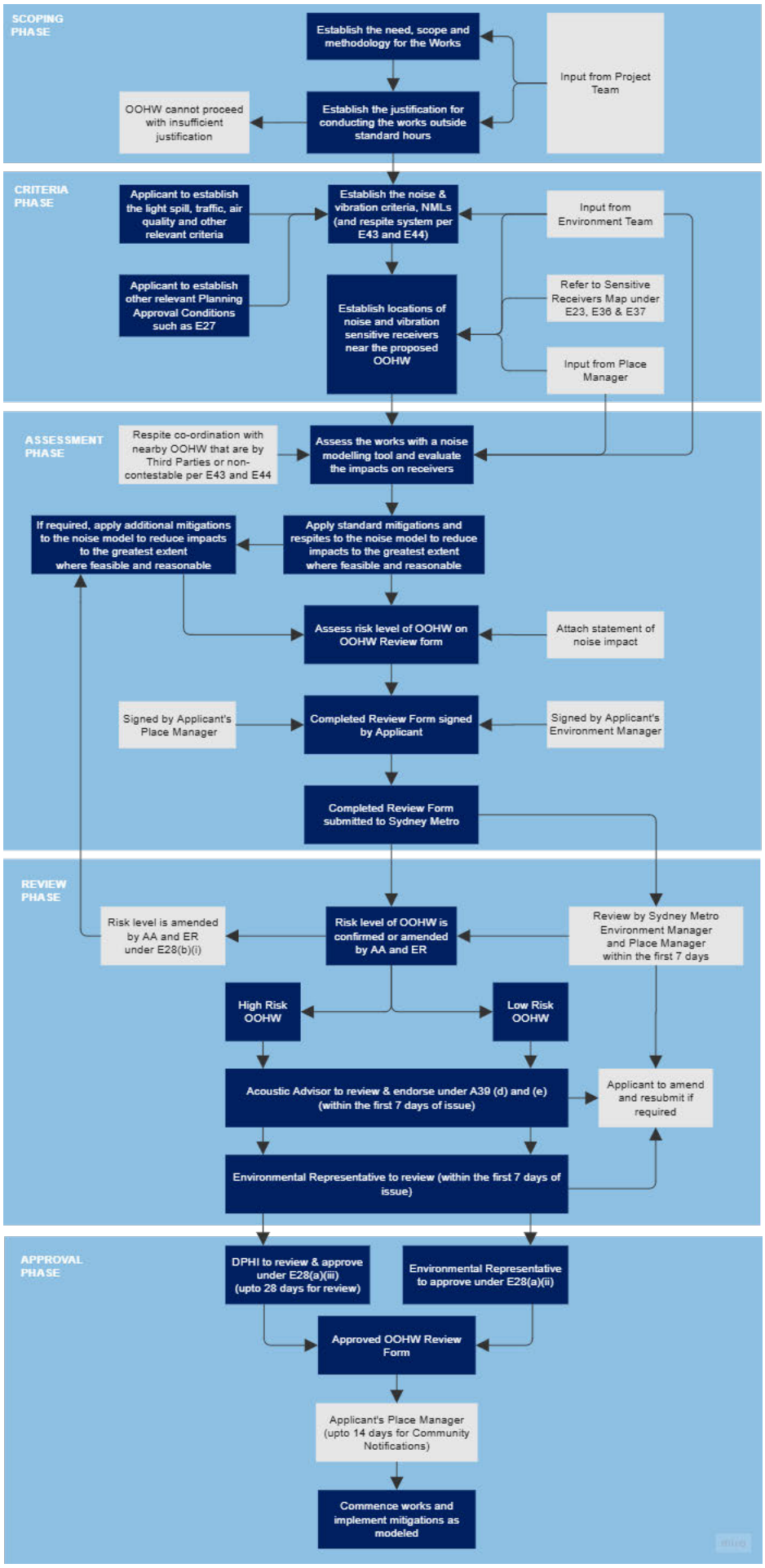
(who would provide an endorsement). High Risk OOHW would be approved by DPHI (endorsed by the AA and reviewed by the ER).

The OOHW Review form is to be used to ensure the applicant will:

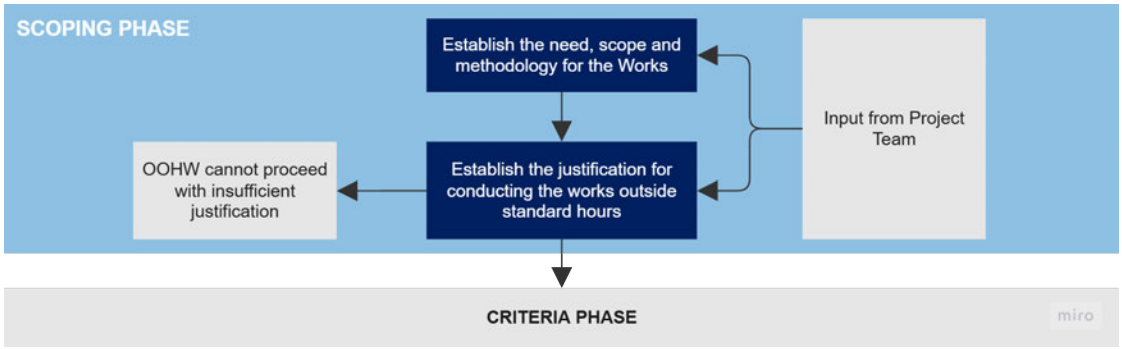
- Provide a strong justification for the works to be undertaken outside of approved hours
- Document an assessment of the noise impacts at nearest receivers with a clear statement of impact (commentary around times and durations of impact, noise character and other relevant information, rather than just a table of dB numbers)
- Demonstrate that mitigations and consultation will be implemented
- Provide an initial classification of the OOHW risk level
- Involve their Environment Manager and Community / Place Manager
- Provide the form to the AA and ER for review, endorsement or approval where required
- Document DPHI's approval prior to commencement of the OOHW, where required.

Once prepared, the OOHW Review form and appendices, are submitted to the Sydney Metro's Environment Manager, Place Manager and the AA and ER for review. Any of the reviewers may provide comments on the proposed OOHW , which need to be adequately addressed by the applicant in a resubmitted document to the satisfaction of the reviewers. The review timeframe is 7 days for the Sydney Metro and ER and the AA to provide comments. Once approved, a community notification timeframe of 14 days also applies.

A flowchart describing the overall process is shown on the next page with targeted discussion on the following pages.


SCOPING PHASE
Establish the need, scope and methodology for the Works
Input from Project Team
OOHW cannot proceed with insufficient justification
Establish the justification for conducting the works outside standard hours
CRITERIA PHASE
Applicant to establish the light spill, traffic, air quality and other relevant criteria
Establish the noise & vibration criteria, NMLs (and respite system per E43 and E44)
Input from Environment Team
Applicant to establish other relevant Planning Approval Conditions such as E27
Establish locations of noise and vibration sensitive receivers near the proposed OOHW
Refer to Sensitive Receivers Map under E23, E36 & E37
Input from Place Manager
ASSESSMENT PHASE
Respite co-ordination with nearby OOHW that are by Third Parties or non-contestable per E43 and E44
Assess the works with a noise modelling tool and evaluate the impacts on receivers
If required, apply additional mitigations to the noise model to reduce impacts to the greatest extent where feasible and reasonable
Apply standard mitigations and respites to the noise model to reduce impacts to the greatest extent where feasible and reasonable
Assess risk level of OOHW on OOHW Review form
Attach statement of noise impact
Signed by Applicant's Place Manager
Completed Review Form signed by Applicant
Signed by Applicant's Environment Manager
Completed Review Form submitted to Sydney Metro
REVIEW PHASE
Risk level is amended by AA and ER under E28(b)(i)
Risk level of OOHW is confirmed or amended by AA and ER
Review by Sydney Metro Environment Manager and Place Manager within the first 7 days
High Risk OOHW
Low Risk OOHW
Acoustic Advisor to review & endorse under A39 (d) and (e) (within the first 7 days of issue)
Applicant to amend and resubmit if required
Environmental Representative to review (within the first 7 days of issue)
APPROVAL PHASE
DPHI to review & approve under E28(a)(iii) (upto 28 days for review)
Environmental Representative to approve under E28(a)(ii)
Approved OOHW Review Form
Applicant's Place Manager (upto 14 days for Community Notifications)
Commence works and implement mitigations as modeled

2.1 Scoping Phase



In the scoping phase, the applicant shall document the need, scope and methodology for the proposed works on the OOHW Review form to provide background information. Establishing the proposed methodology and items of construction equipment is important as it will form the basis of impacts and then also mitigations.

Through the Applicant's Place Manager, early consideration of the feedback from potentially affected receivers shall be incorporated within this phase. Such feedback could help develop alternative options for methodology and scheduling can be explored and introduced here also.

2.1.1 Justification of the OOHW

Work associated with the Project will be undertaken in accordance with the assessment and management approach outlined in the Construction Noise and Vibration Standard (CNVS). The CNVS requires that work proposed outside of standard work hours must be appropriately justified. OOHW are defined as any works that are undertaken outside of the hours defined in Infrastructure Approval SSI-22765520 Conditions E25 and E26 being:

- 7:00am to 6:00pm Mondays to Fridays, inclusive
- 8:00am to 6:00pm Saturdays
- at no time on Sundays or public holidays.

Except as permitted by an EPL, high noise intensive works that results in an exceedance of the applicable Noise Management Level (NML) at the same receiver must only be undertaken:

(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;

(b) between the hours of 8:00 am to 1:00 pm Saturday; and

(c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour.

For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.

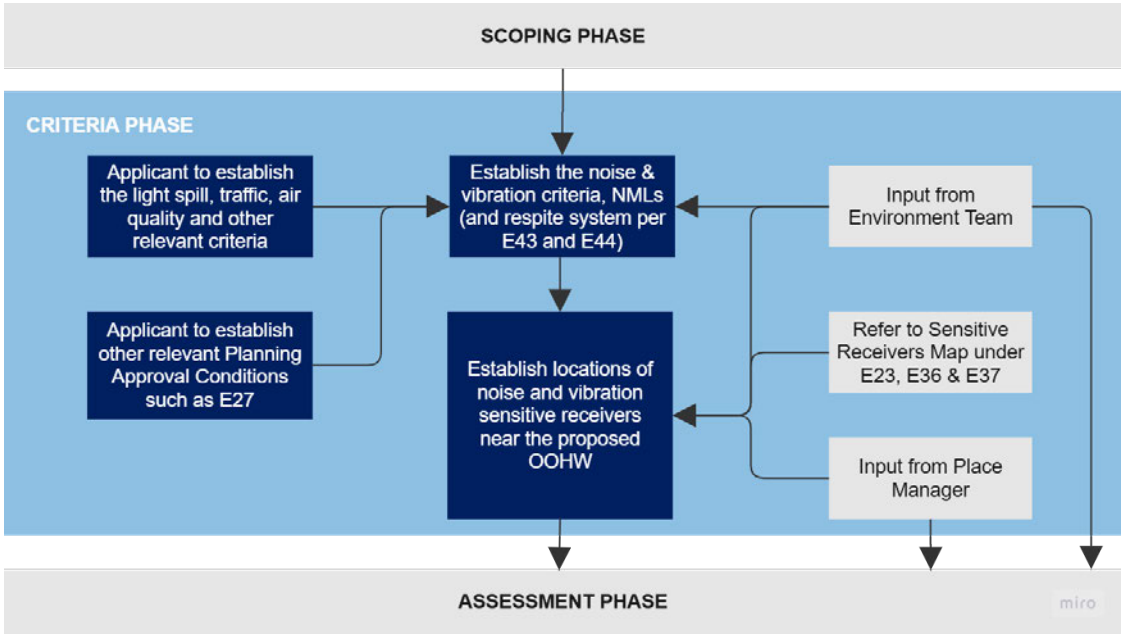
The justification for conducting the proposed works outside standard hours needs to be provided on the OOHW Review form. Given the cost and disruption associated with OOHW, these should only be conducted when daytime works are not approved or if more disruption would occur from daytime works. Justification on the basis of accelerating a work program, or out of convenience for a work program, is not a valid justification and will generally not be accepted. These are only considered on the basis that works are not for program acceleration, but rather to keep sites progressing in the

face of the unforeseen circumstances. Further justification is required to be provided for consideration by Sydney Metro, the AA and, ER, including but not limited to:

- instances where works must occur on/adjacent to live traffic, such that a Road Occupancy Licence must be obtained, of which is only provided during periods of reduced traffic/ pedestrian activity
- to limit the impact to commercial or other sensitive receivers which may operate during specific periods of time (i.e. medical centres, childcare centres etc.)
- to undertake works on utilities such as gas, or water, of which can only be permitted by utility providers during OOHW periods as working on major utilities during the day when they are most in use could pose a risk to the general public.

The Project Team are best placed to document this phase on the OOHW Review form.

2.2 Criteria Phase



Here, the criteria for assessing the OOHW impacts to receivers and for applying mitigations should be formalised and agreed. Criteria for other environmental impacts such as light spill, dust, traffic, crowds etc should also be identified here.

Some relevant guidelines for establishing project-specific noise and vibration criteria to guide the review of mitigation measures include the following:

- Airborne and ground-borne noise - the Interim Construction Noise Guideline (DECC, 2009). The Interim Construction Noise Guideline identifies ‘particularly annoying’ activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction Noise Management Level (NML)
- Vibration (human comfort) - Assessing vibration: a technical guideline (DEC, 2006)
- Building damage - BS 7385 Part 2-1993 “Evaluation and measurement for vibration in buildings Part 2” as they are “applicable to Australian conditions”

- Heritage items - German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage) (applicable when a heritage-listed structure is identified as structurally unsound)
- Sleep disturbance - NSW Noise Policy for Industry, Environment Protection Authority 2017
- Environmental Criteria for Road Traffic Noise Road Noise Policy (DECCW, 2011).

In accordance with Section 2.5 of NSW Noise Policy for Industry and Section 2.7 of Sydney Metro CNVS, a detailed maximum noise level assessment should be undertaken where night-time noise levels at a residential location exceed the:

- LAeq,15min 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or the
- LAFmax 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater.

Additionally, Noise Sensitive Receivers (NSRs) and sensitive land uses near the OOHW under Condition E23, E36 & E37 also need to be identified and documented within the OOHW Review form. Here, specialist input from the Community and Environment teams would help the applicant develop a better understanding of nearby receivers that may or may not be identified under E23, E36 & E37 that would be impacted. The Place Manager will provide inputs for inclusion in each OOHW Review form for the AA and ER to better understand how the proposed OOHW would impact the nearby receivers, as well as the risk levels of the proposed activity.

Following identification of NSRs which may be affected by the proposed activity, the above guidelines will be utilised to identify noise and vibration criteria based upon the NSR types, distance from the works, and the location and timing of the proposed activity.

Refer to E43 and E44 for particulars on respite systems to be considered.

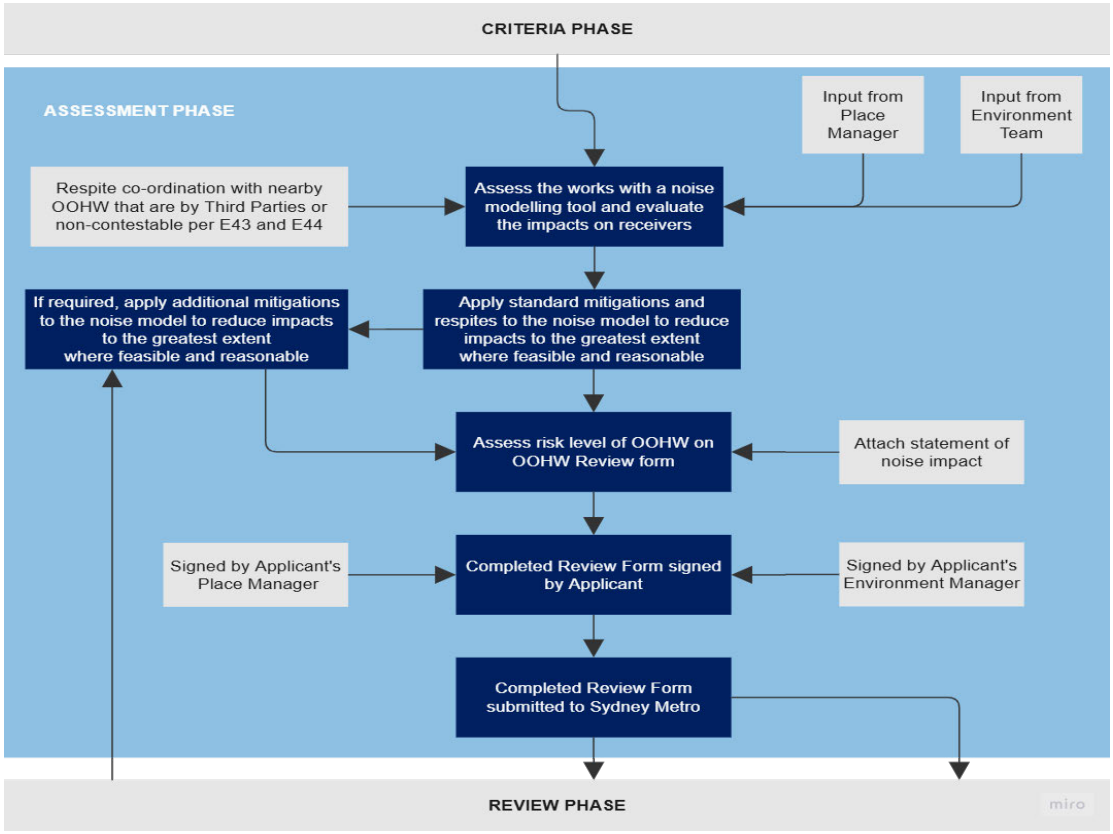
Refer to the applicable Construction Noise and Vibration Management Plan (CNVMP) and the CNVS for criteria for building damage as an assessment of the building structure may be required to confirm if it is either:

(a) Reinforced or framed, or

(b) Unreinforced or light framed structure

(c) A heritage structure which is structurally sound or not.

2.3 Assessment Phase



The assessment phase is the key component of the OOHW Protocol and is where the information collected in the scoping and criteria phase are modelled in a noise modelling tool. The impact can only be assessed in conjunction with clear information about the sequence of work (and noise) during a shift (or over the duration of works).

The predicted impacts are displayed and can be checked against the noise-relevant criteria. Mitigations can be introduced to minimise these impacts and the estimated reduction in noise impact can also be modelled.

Importantly, an understanding of the environmental constraints of the proposed OOHW, supported by a noise modelling tool can enable a determination of the risk level of the OOHW to be made. The OOHW approval pathway can then be determined.

2.3.1 Consideration of OOHW against NML and Vibration criteria

Noise Management Levels (NMLs) are specific noise criteria that are unique to each Noise Catchment Area (NCA) within the project and are derived from the Rating Background Level (RBL) for each NCA.

An RBL is usually determined through actual noise measurements for different ‘daytime’, ‘evening’ and ‘night’ periods. The applicant’s noise consultant will use established RBLs from the Environmental Impact Assessment (EIS) for different noise catchments and then will add the relevant noise increment to these RBL’s to derive each NML.

NML’s will be documented in the applicant’s Detailed Noise Vibration and Impact Assessment (DNVIS) and then become the baseline against which all future noise assessments are compared. The range between the NML and 75dB(A) is designated as ‘noise affected’ under the ICNG and the range above 75dB(A) is known as ‘highly noise affected’.

The goal of implementing standard and additional mitigation measures is to attenuate the noise experienced by receivers to as close to (or below) the NML as possible.

Consideration of vibration criteria follows a similar pathway. The DNVIS will show the vibration contours at each construction site modelled for different phases of work. The contours should show different levels for:

- human discomfort
- impact on heritage structures
- cosmetic damage

An alternative to vibration contours could be the use of established minimum working distances supported by calculations or validation monitoring of plant that is repeatedly used during OOHW.

Once modelled, mitigations, plant selection or scheduling can be applied to ensure the impact of vibration is managed to below the relevant levels shown in the DNVIS or the statement of impact.

2.3.2 Selection and implementation of mitigation measures

The following sections deal with the selection and implementation of mitigation measures that serve to attenuate the noise emanating from proposed OOHW.

2.3.2.1 Standard mitigations

Standard mitigation measures from Section 4 in the CNVS are shown in Table 2 below and can be used to reduce the noise impact to nearby receivers in the first instance:

Table 2: Standard mitigation measures (Section 4 of the Sydney Metro CNVS)

Action Required	Applies to	Details
Management Measures		
Implementation of any project specific mitigation measures required	Airborne noise Ground-borne noise and vibration	Any *project specific* mitigation measures identified in the environmental assessment documentation (e.g. EA, REF, submissions or representations report) or approval or licence conditions must be implemented.
Implement community consultation measures	Airborne noise Ground-borne noise and vibration	Tools for consulting with the community are outlined in the OCCS. Some examples may include • newsletters • community notification • website • 24/7 project information line • Phone calls and emails • Individual briefings • In-person and/or virtual meetings with individuals or groups • factsheets • door knock • site signage and hoarding banners

Action Required	Applies to	Details
Surveillance	Airborne noise Ground-borne noise and vibration	Authorised Construction Representatives must observe work behaviours to manage monitor situations such as: • approved equipment/ plant in use • number of equipment / plant in use • time of works in accordance with approval • operating equipment dominating noise levels, and any potential requirements for maintenance/ repairs • unnecessary noise being generated from work behaviours.
Register of Noise Sensitive Receivers	Airborne noise Ground-borne noise and vibration	A register of all noise and vibration sensitive receivers (NSRs) would be kept in the applicant's Noise and Vibration Management Plan (such as the sensitive land use survey required by Condition E23). The register would include the following details for each NSR where known: • address of receiver • category of receiver (e.g. residential, commercial etc.) • contact name and phone number.
Site inductions	Airborne noise Ground-borne noise and vibration	All employees, contractors and subcontractors are to receive an environmental induction. The induction must at least include: • all relevant project specific and standard noise and vibration mitigation measures • relevant licence and approval conditions • permissible hours of work • any limitations on high noise generating activities • location of nearest sensitive receivers • construction employee parking areas • designated loading/unloading areas and procedures • site opening/closing times (including deliveries) • environmental incident procedures.
Behavioural practices	Airborne noise	• no swearing or unnecessary shouting or loud stereos/radios on site • no dropping of materials from height; throwing of metal items; and slamming of doors, tailgates and other equipment • elimination of unnecessary noise generation • avoid impulsive noise such as metal and metal contact • turning off idling equipment when not in use • no excessive revving of plant and vehicle engines • controlled release of compressed air • no excessive signalling with horns.
Source Controls		
Construction hours and scheduling	Airborne noise Ground-borne noise and vibration	Program to avoid noisy activities after midnight as far as practicable (such as hammering, sawing etc).

Action Required	Applies to	Details
Equipment selection and operation	Airborne noise Ground-borne noise and vibration	• Equipment to be maintained and mobilisation/ pre-start checks confirming proper and efficient operation. • Use quieter and less vibration emitting construction methods where feasible and reasonable such as smaller, lower powered, newer, or better maintained. • Examining alternative technologies and methods to complete activities more quietly, including recommend measures to avoid sleep disturbance. • Equipment operator to be appropriately qualified and competent.
Plan worksites and activities to minimise noise and vibration	Airborne noise Ground-borne vibration	Plan traffic flow, parking and loading/unloading areas to minimise reversing movements within the site.
Non-tonal reversing alarms**	Airborne noise	Non-tonal reversing beepers** (or an equivalent mechanism) must be fitted and used on all construction vehicles and mobile plant for any out-of-hours work.
Minimise disturbance arising from delivery of goods to construction sites	Airborne noise	• Loading and unloading of materials/deliveries is to occur as far as possible from NSRs • Select site access points and roads as far as possible away from NSRs • Dedicated loading/unloading areas to be shielded if close to NSRs • Delivery vehicles to be fitted with straps rather than chains for unloading, wherever feasible and reasonable
Path Controls		
Shield stationary noise sources such as pumps, compressors, fans etc	Airborne noise	Enclosures or shields on or around stationary noise sources.
Shield sensitive receivers from noisy activities	Airborne noise	Use structures and/ or screens to shield NSRs.

**or movement alarms.

2.3.2.2 Additional mitigation measures

In addition to the above standard mitigation measures, additional mitigation measures described in the CNVS are required to be implemented based on the predicted noise levels above NMLs, or maximum predicted levels, as reasonable and feasible. Such additional mitigation measures and matrices for noise, ground-borne noise and vibration exceedances are shown in the CNVS (reflected in Tables 3, 4, 5 and 6 below for the OOHW periods).

There may be personal circumstances among the NSRs where the conventional approach to additional mitigation measures is not best suited. The AA in accordance with E41 has the authority to amend/ over-ride the below approach with the aim of achieving a better outcome for unique circumstances of NSR's.

Table 3: Additional mitigation measures (CNVS Table 15)

Measure	Description	Abbreviation
Letter box drops	Letter box drops collectively consist of the following Standard Mitigation Measures a) Newsletters of work activities and progress b) Notification letters prior to especially noisy activities and out-of-hours works. These are distributed to local communities, stakeholders and businesses via letterbox drop and/or email to subscribers where	LB a) b)

Measure	Description	Abbreviation
	relevant email addresses are known, as well as made available on the Sydney Metro website.	
Monitoring	Where it has been identified that specific construction activities are likely to exceed the relevant noise or vibration goals, noise or vibration monitoring may be conducted at the affected receiver(s) or a nominated representative location (typically the nearest receiver where more than one receiver have been identified). Monitoring can be in the form of either unattended logging or operator attended surveys. The purpose of monitoring is to inform the relevant personnel when the noise or vibration goal has been exceeded so that additional management measures may be implemented.	M
Individual briefings	Individual briefings are used to inform stakeholders about the impacts of high noise activities and mitigation measures that will be implemented. Communications representatives would deliver specific notification, visit in person and/or email / call contact by phone identified stakeholders at least 48 hours ahead of potentially disturbing construction activities. Individual briefings provide affected stakeholders with personalised contact and tailored advice, with the opportunity to comment on the project and specific needs etc. Individual briefings may be undertaken when specific contact details of impacted stakeholders are available, or where access to deliver specific notifications or visit is achievable.	IB
Project specific respite offer	The purpose of a project specific respite offer is to provide residents subjected to lengthy periods of noise or vibration respite from an ongoing impact.	RO
Alternative accommodation	Alternative accommodation options may be provided for residents living in close proximity to construction works that are likely to incur unreasonably high impacts over an extended period of time. Alternative accommodation will be determined on a case-by-case basis.	AA

Table 4: Additional mitigation measures – Airborne construction noise (CNVS Table 16)

Time Period		Mitigation Measures Predicted LAeq (15minute) noise level Above NML				Predicted LAeq (15minute) noise level
		0 to 10 dB	11 to 20 dB	21 to 30 dB	> 30 dB	> 75 dBa
Standard	Mon-Fri (7.00 am - 6.00 pm)	-	LB a)	LB a) and b), M	LB a) and b), M	Must not commence before 8.00am NOTE 1
	Sat (8.00 am - 6.00 pm)					NOTE 1 Must be complete by 1.00pm
	Sun/Pub Hol (Nil)					Additional approval required
OOHW Period 1 DAY	Saturday (7.00 am – 8.00 am)	LB a)	LB a), M	LB a) and b), M	LB a) and b), M, IB, RO	Additional approval required
	Sunday and Public Holidays (8.00 am - 6.00 pm)					

Time Period		Mitigation Measures Predicted LAeq (15minute) noise level Above NML				Predicted LAeq (15minute) noise level
		0 to 10 dB	11 to 20 dB	21 to 30 dB	> 30 dB	> 75 dBa
OOHW Period 1 EVENING	Mon-Sat (6.00 pm - 10.00 pm)	LB a)	LB a), M	LB a) and b), M, RO	LB a) and b), M, IB, RO	Additional approval required
OOHW Period 2 NIGHT	Mon-Fri (10.00 pm - 7.00 am)	LB a)	LB a) and b), M, RO	LB a) and b), M, IB, RO, AA	LB a) and b), M, IB, RO, AA	Additional approval required
	Sat (10.00 pm - 8.00 am Sunday morning)					
	Sunday (6.00 pm - 7.00 am Monday morning)					
	Public Holidays (Before 8.00 am or after 6.00 pm)					

NOTE 1: Except under an EPL or alternate approval, high impacts works must not exceed three (3) hours, with a minimum cessation of work of not less than one (1) hour.

Table 5: Additional mitigation measures – Groundborne const. Noise (CNVS table 17)

Time Period		Mitigation Measures Predicted LAeq (15minute) noise level Above NML			Internal Residential Objective LAeq (15minute)	
		0 to 10 dB	11 to 20 dB	> 20 dB	> 40 dB	> 35 dB
Standard	Mon-Fri (7.00 am - 6.00 pm)	No NML for GBN during standard hours, refer to Table 18 of CNVS				
	Sat (8.00 am - 1.00 pm)					
	Sun/Pub Hol (Nil)					
OOHW Period 1 DAY	Saturday (7.00 am – 8.00 am)	LB a)	LB a) and b), M	LB a) and b), M, IB, RO	Nothing additional	
	Sunday and Public Holidays (8.00 am - 6.00 pm)					
OOHW Period 1 EVENING	Mon-Sat (6.00 pm - 10.00 pm)	LB a)	LB a) and b), M	LB a) and b), M, IB, RO	LB a) and b), M, IB, RO	Nothing additional
OOHW Period 2 NIGHT	Mon-Fri (10.00 pm - 7.00 am)	LB a) and b), M,	LB a) and b), M, IB, RO, AA	LB a) and b), M, IB, RO, AA	LB a) and b), M, IB, RO, AA	
	Sat (10.00 pm - 8.00 am)					
	Sunday (6.00 pm - 7.00 am Monday morning)					
	Pubic Holidays (Before 8.00 am or after 6.00 pm)					

Table 6: Additional Mitigation Measures – Groundborne Vibration (CNVS table 18)

	Time Period	Mitigation Measures Predicted Vibration Levels Exceed the maximum levels predicted to cause adverse comment (See Table 6 of CNVS)
Standard	Mon-Fri (7.00 am - 6.00 pm)	LB a), M, RO
	Sat (8.00 am - 6.00 pm)	
	Sun/Pub Hol (Nil)	
OOHW Period 1 DAY	Saturday (7.00 am – 8.00 am)	LB a) and b), M, IB, RO
	Sunday and Public Holidays (8.00 am - 6.00 pm)	
OOHW Period 1 EVENING	Mon-Sat (6.00 pm - 10.00 pm)	LB and b), M, IB, RO
OOHW Period 2 NIGHT	Mon-Fri (10.00 pm - 7.00 am)	LB a) and b), M, IB, RO, AA
	Sat (10.00 pm - 8.00 am)	
	Sunday (6.00 pm - 7.00 am Monday morning)	
	Public Holidays (Before 8.00 am or after 6.00 pm)	

2.3.3 Identification of low and high risk activities

The applicant will initially categorise the proposed OOHW as either low or high risk. The AA and ER will review all proposed OOHW and confirm or amend these risk levels.

The proposed OOHW will then be subject to the relevant approval pathway:

- Low risk activities are approved by the ER in consultation with the AA
- High risk activities are approved by the Planning Secretary.

High risk and Low risk OOHW are differentiated using the below table:

Table 7: Classification of low and high risk OOHW

<table>
<tr><th>Low Risk</th><th>High Risk</th></tr>
<tr><td rowspan="2">Works that do not trigger the 'high risk' criteria for residential receivers

Works that are not considered high risk following consultation with the AA, the ER and input from the Place Manager</td><td>OOHW will be categorised as 'high risk' for residential receivers if the first two mandatory criteria and then at least one of the three supplementary criteria are satisfied OR Any other works that are considered high risk by the AA or the ER.

Mandatory:
1. The affected noise sensitive receivers are High Impact as defined in the CNVS: e.g. Residential home for the elderly/high density unit blocks/ persistent complainants/ residents deemed to have "construction noise fatigue"; and
2. The predicted noise level of the OOHW exceeds the sleep disturbance criteria (i.e. LAFmax 52 db(A) or the prevailing Rating Background Level + 15 dB or more); and

At least one of the following three supplementary criteria:
3. The type of and intensity of noise emitted from the OOHW is categorised as High Noise Impact (e.g. prolonged high noise and / or vibration intensive activities); or
4. OOHW that will result in noise from the project exceeding the NML during the night period for any sensitive receiver for more than:
a) 2 consecutive nights; or
b) 3 nights in any week; or
c) 10 nights in any month, or
5. The OOHW will result in out of hours noise at a sensitive receiver, between the hours of 12:00am and 7:00am, exceeding the NML by 30 dB(A) for airborne noise or 20 dB(A) for ground borne noise or vibration exceeding the human response criteria.

Other Cases:
Any other works that are considered high risk by the AA or the ER[1].</td></tr>
<tr><td>For non-residential receivers, OOHW may be considered as 'high risk' if undertaken during trading hours and in close proximity to their place of business (for example, during Saturday trading hours).

Since each non-residential receiver has different business needs, it is imperative that the Place Manager provides advice for inclusion in each OOHW Review form for the AA and ER to better understand how the proposed OOHW would impact any businesses and confirm the risk levels of the proposed activity.</td></tr>
</table>

[1] This includes any other factors the AA and ER consider relevant as per Table 8 of this document.

As part of their review, using the applicant's assigned risk level as a 'starting point', the AA and ER will consider other relevant factors to confirm or adjust the nominated risk level from either 'high risk' to 'low risk' or vice-versa. These relevant factors include:

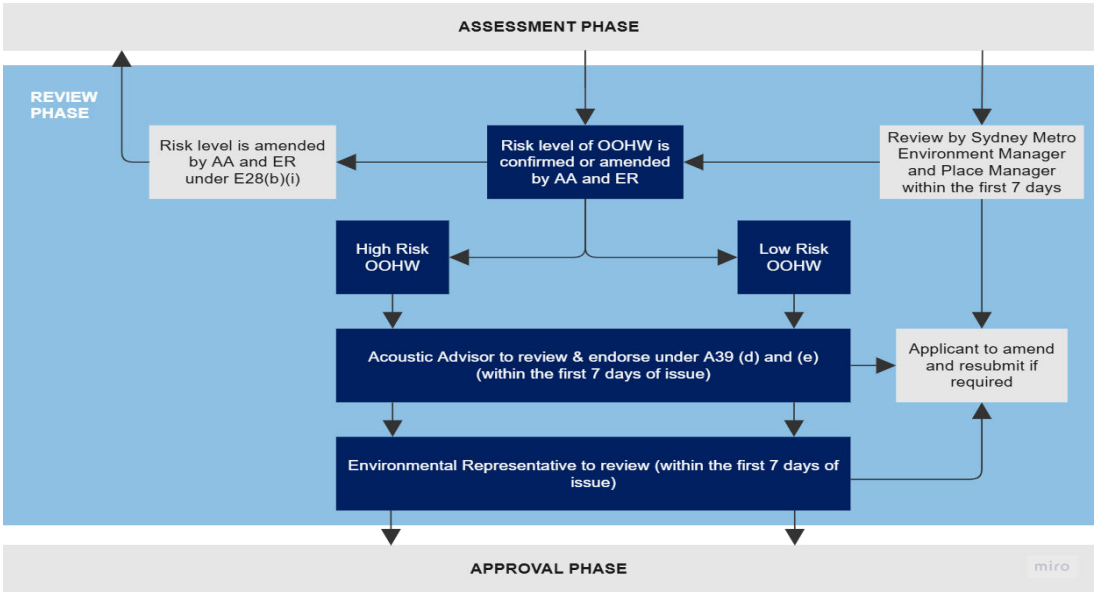
- those listed in Table 8 of this document
- Third Party approvals and permits
- any other factors the AA and ER consider relevant.

Table 8: Risk level considerations

Aspect	Guidance
Predicted Noise Exceedance	The degree of predicted noise level exceedance above the RBL or NML as appropriate
Duration and timing	Length of time the peak predicted noise levels are anticipated, and timing during the shift peak predicted noise levels are likely to occur.
Certainty	Whether RBLs, NMLs or predicted noise impacts are not well understood
Past Experience	Nature of works are new, in a new location or have not been undertaken by the contractor on the project already
Frequency	The number of consecutive evenings/ nights of work, the number of non-consecutive evenings/ nights in a week, the overall number of evenings/ nights.
Negotiated Agreement with Sensitive Receivers	Whether negotiated agreements have been obtained in accordance with CoA E27(c)(iii). Substantial majority should be more than 65% of respondents.
Potential Sleep Disturbance	Whether the activity is likely to exceed the Project's sleep disturbance criteria
Number of awakening events	How often (the potential number) and when in the shift are awakening events likely to occur, and how do the noise levels of the awakening events compare to ambient noise levels.
Non-Residential Receivers	Whether the impacted non-residential receivers operate within the same time period as scheduled OOHW.
Special Events	The timing and location of special events in the area of the proposed OOHW may be scheduled at the same time or immediately before or after the special event (e.g. festivals, public gatherings etc.)
Consultation fatigue	Where a noise sensitive receiver is being notified continuously for upcoming OOHW. The notifications and OOHW lookaheads should regulate the flow of information so that it remains consistent, and predictable.
Construction fatigue	Where a common NSR is subjected to very long periods (more than 3 months) of day work and OOHW from overlapping or concurrent projects.

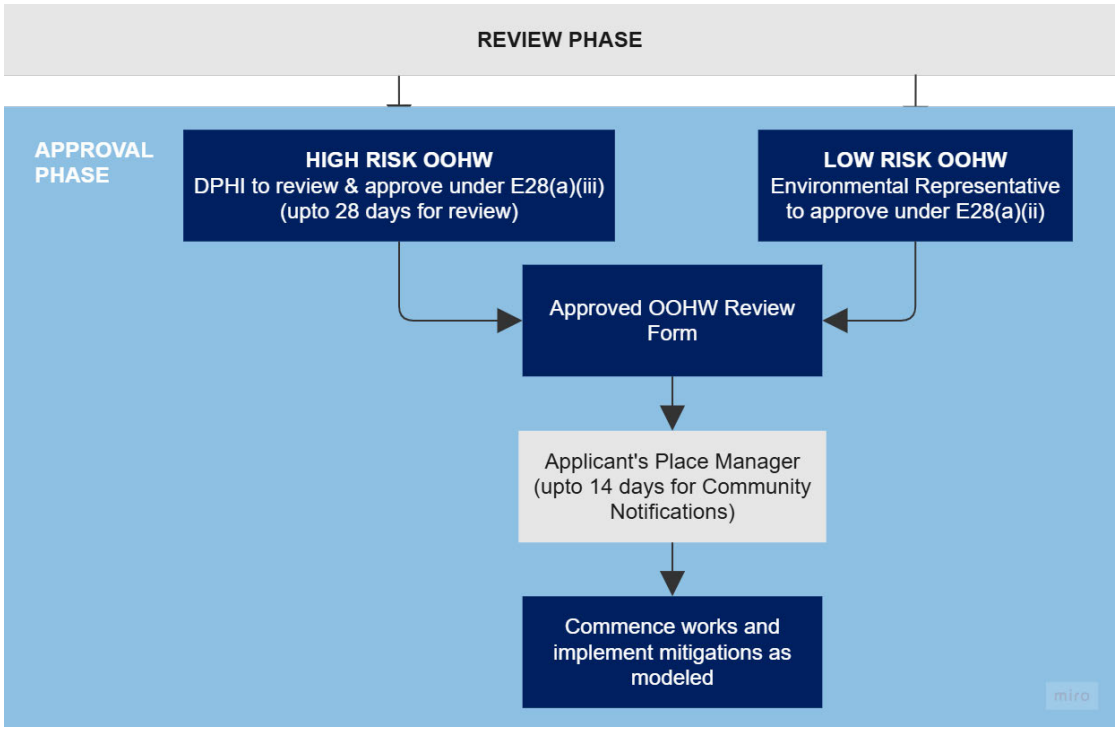
Following their consideration, the AA and ER will confirm the final classification level on the OOHW Review form (including any risk identification commentary), the approval pathway will follow that outlined in the table below.

2.4 Review Phase



When the OOHW Review form is submitted to Sydney Metro, the target review period is seven days for review by the Sydney Metro Environment Manager, Place Manager, Acoustic Advisor and Environmental Representative. Please note that these reviews may occur in parallel. Comments from this review phase will be provided to the applicant for amendment of the OOHW Review form. Close-out of comments should be actioned within 24 hours to enable the review to progress to approvals quickly. It is to be noted that submission of a OOHW Review form does not constitute approval to commence OOHW.

2.5 Approval Phase



Low Risk OOHW can be approved by the ER under E28(b)(ii) in consultation with the AA. The ER will rely on the AA's assessment and endorsement of noise and vibration related aspects of the application. High Risk OOHW must be submitted to DPHI for a

standard 28-day review and approval period. This is summarised again in Table 9 below:

Table 9: Role according to OOHW Classification

Classification	AA	ER	DPHI
Low risk	Review & endorse under A39(d) and (e)	Review & approve under E28(b)(ii)	N/A
High risk	Review & endorse under A39(d) and (e)	Review	Review & approve under E28(b)(iii)

For High Risk OOHW, it is suggested to hold a targeted meeting with DPHI before the application is submitted to explain the works and justifications in a presentation. Mitigations and alternatives can be discussed, and it would also be a valuable forum for DPHI to ask any questions about the High Risk OOHW whilst the AA and the ER are present. DPHI may confer with the AA and the ER in these applications also.

Once approved, the OOHW Review form should be provided to the applicant's Place Manager for the development and distribution of notifications to the affected community. There is up to no less than 5 calendar days and not more than 14 calendar days period for notification which must be observed, after which the OOHW can commence.

Following the community notification letterbox drop, the OOHW Review form will be returned to the team performing the work and the OOHW register updated.

2.6 Procedures to facilitate the coordination of OOHW

Coordination of OOHW with relevant interface projects occurs per the following guidelines:

- contractor's environment team prepares an OOHW lookahead program and distributes this program to relevant stakeholders regularly in accordance with E44(a). The lookahead program at a minimum should consider the following:
    - a progressive schedule for periods no less than three months with description of potential work, location and duration of out-of-hours work
    - noise characteristics and likely noise levels of the work
    - mitigation to achieve the relevant NMLs and vibration criteria
    - any updates to the program resulting in changes to OOHW reviews
- relevant interface projects would examine each other's OOHW lookahead programs to identify overlapping works
- where possible and without causing an adverse cumulative impact, OOHW are to be conducted on the same nights as neighbouring projects in order to preserve respite days/ nights
- neighbouring interface projects should communicate to resolve situations where simultaneous OOHW would yield a cumulative impact to common receivers
- interface projects should share noise data, list of OOHW plant and noise models to enable the common receivers to be identified and mitigated
- appropriate mitigations for the common receivers must be discussed and applied. Relevant interface projects should collaborate and negotiate fairly to ensure the best outcome for the community is achieved

2.7 Consultation and notification for affected receivers

Consultation with affected receivers would be carried out by the applicant's Community team so that opportunities for the best outcomes for affected receivers can be discovered. Consultation would aim to comprehensively inform noise affected receivers about the proposed OOHW and discuss options for standard and additional mitigations that would be available for the receiver.

Outcomes of the community consultation, including any identified respite periods, and the scheduling of the likely out-of-hours work, would be documented and provided to the AA, ER, EPA and the Planning Secretary before the out-of-hours works commence in accordance with E44.

2.7.1 Newsletters

Communities are more likely to understand the impacts from noise and vibration if they are provided with detailed information and commitments on mitigation measures to be implemented that are adhered to by the project prior to the works commencing. Therefore, newsletters are to be produced and distributed as follows:

- undertaken by letterbox drop or email
- made available on the Sydney Metro website
- broadly describe the locations, type of work, and provide a progressive schedule for periods no less than three (3) months for OOHW
- detail the expected noise impacts, characteristics and levels, of the works
- detail mitigation and management measures and proposed respite periods
- clearly state how additional information can be obtained through details on how to contact Sydney Metro included the number of the 24-hour telephone complaints line, site contact (where available) and the Project website address.

2.7.2 Door knocks

Individual door knock meetings are used as required to discuss potential impacts of Sydney Metro works with highly impacted stakeholders, especially residents and businesses directly neighbouring construction sites and owners or managers of nearby social infrastructure or community facilities.

2.7.3 Notifications

Specific community notifications are used as an additional mitigation measure for receivers of noise and vibration impacts from OOHW events. OOHW notifications will be issued to potentially affected sensitive receivers not less than 5 calendar days and not more than 14 calendar days prior to the OOHW commencing. Such notifications will:

- be undertaken by letterbox drop or email, and be made available on the Sydney Metro website
- clearly outline the reason that the work is required to be undertaken outside standard construction hours specified
- include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks
- include details of relevant time restrictions that apply to the proposed works

- clearly outline the location, nature, type of work, scope and days and dates and hours of the proposed works
- detail the expected noise impacts, characteristics and levels, of the works
- detail mitigation and management measures and proposed respite periods
- clearly state how additional information can be obtained, how to contact Sydney Metro for consulting on respite periods and how to access mitigation offers
- include the number of the 24-hour telephone complaints line, site contact (where available) and the Project website address
- The applicant, through Sydney Metro will also provide a notification to DPHI of approved low risk out-of-hours works.

2.7.4 Community Interface Coordination Group

To manage interface with another project Sydney Metro will establish a Communications Interface Coordination Group (CICG) prior to construction work at each site, when and if required. The role of the CICG is to:

- establish relationships between communications teams from interfacing projects to facilitate effective handling of enquiries and complaints where relevant
- provide an update on current and upcoming milestones, construction program and stakeholder and community issues
    - provide a forum to exchange information and coordinate communication and consultation activities to ensure a consistent approach to stakeholders, the community and others is delivered.

3 Compliance matrix

This Protocol has been developed to comply with SSI-22765520 CoAs and Revised Environmental Mitigation Measures (REMMs). Table 10 indicates where these requirements have been addressed.

Table 10: Out-of-Hours Work SSI CoAs and REMMs

Reference	Requirement	Addressed in
CoA E25	Work must be undertaken during the following hours: (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; (b) 8:00 am to 6:00 pm Saturdays; and (c) at no time on Sundays or public holidays.	Section 2.1.1
CoA E26	Except as permitted by an EPL, highly noise intensive work that results in an exceedance of the applicable Noise Management Level (NML) at the same receiver must only be undertaken: (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour. For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.	Section 2.1.1

Reference	Requirement	Addressed in
CoA E28	An Out-of-Hours Work Protocol must be prepared before the approval of out-of-hours-work under Condition E27(c)(ii). The Protocol must identify a process for the consideration, management and approval of work which is outside the construction hours defined in Conditions E25 and E26. The Protocol must be approved by the Planning Secretary and implemented before commencement of the out-of-hours work. The Protocol must be prepared in consultation with the ER and the AA. The Protocol must include:	This Protocol
(a)	justification for why out-of-hours works are required;	Section 2.1.1
(b)	identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where: (i) the ER and AA review all proposed out-of-hours activities and confirm their risk levels; (ii) low risk activities can be approved by the ER in consultation with the AA; and (iii) high risk activities that are approved by the Planning Secretary;	Section 2.3.3
(c)	a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;	Section 2.3.1
(d)	a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of Condition E44. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land user(s) would be exposed to, including the number of noise awakening events;	Section 2.3.2
(e)	procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and	Section 2.6
(f)	notification arrangements for affected receivers for all approved out-of-hours works and notification to the Planning Secretary of approved low risk out-of-hours works. This condition does not apply if the requirements of Condition E27(b) are met. Notes: Out-of-hours work is any work that occurs outside the construction hours identified in Condition E25 and E26. The Out-of-Hours Work Protocol is intended to be used for activities where these activities cannot be undertaken during the construction hours identified in Conditions E25 and 26	Section 2.7
CoA E30	All reasonable and feasible mitigation measures must be applied when the following residential ground-borne noise levels are exceeded: (a) evening (6:00 pm to 10:00 pm) — internal LAeq(15 minute): 40 dB(A); and (b) night (10:00 pm to 7:00 am) — internal LAeq(15 minute): 35 dB(A). The mitigation measures must be outlined in the Noise and Vibration CEMP Sub-plan, including in any Out-of-Hours Work Protocol, required by Condition E28.	Section 2.3.2.1 and 2.3.2.2

Reference	Requirement	Addressed in
CoA E44	In order to undertake out-of-hours work outside the hours specified under Condition E25, (except emergency work) appropriate respite periods must be identified for the out-of-hours work in consultation with the community at each affected location on a regular basis. This consultation must include (but not be limited to) providing the community with: (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours work; (b) a description of the potential work, location and duration of the out-of-hours work; (c) the noise characteristics and likely noise levels of the work; and (d) likely mitigation and management measures which aim to achieve the relevant NMLs and vibration criteria under Conditions E29(c), E29(d) and E30 (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers). The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hours work must be provided to the AA, ER, EPA and the Planning Secretary before the out-of-hours works commence. Note: Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the rating background noise level at any residence.	Section 2.2, 2.6 and 2.7
REMM NV02	The use of noise intensive equipment at construction sites with 'moderate' and 'high' out-of-hours noise management level exceedances would be scheduled for standard construction hours, where feasible and reasonable. Where this is not feasible and reasonable, the works would be undertaken as early as possible in each work shift.	Section 2.1.1 2.3.3.1, 2.3.2.1, 2.3.3.

4 Protocol review and approval

In accordance with condition E28, the Out-of-Hours Work (OOHW) Protocol must be prepared in consultation with the Acoustic Advisor (AA) and Environmental Representative (ER). The AA will then endorse the OOHW Protocol as per A39(e). Following this, the OOHW Protocol must then be approved by the Planning Secretary before the commencement of the OOHW.

A Consultation Register showing dates of consultation with the AA and the ER will be included within Appendix A.

Appendix A: Register of Consultation

Version	Date Issued to AA and ER	Date comments received
1	6/06/2025	12/06/2025, 20/06/2025
2	2/07/2025	7/07/20025, 8/07/2025
3	28/07/2025	30/07/2025
4	30/07/2025	Endorsed by AA
5	12/08/2025	RFI requested by DPHI
6	18/08/2025	Response to RFI by Sydney Metro
7	29/08/2025	RFI requested by DPHI
8	03/09/2025	Response to RFI by Sydney Metro

Department of Planning, Housing and Infrastructure

Our ref: SSI 22765520 PA 10

[redacted]

A/Executive Director
Environment, Sustainability and Planning
Sydney Metro

22 October 2025

Subject: Sydney Metro West – Stage 3 – Rail Infrastructure, Stations, Precincts and Operations – Out of Hours Works Protocol

Dear [redacted]

Thank you for submitting the West – Rail Infrastructure, stations, precincts and operations (Stage 3) Out-of Hours Work Protocol, Version 6, dated 3/9/2025 (the OOHWP) on 12/9/2025. Thank you also for your response to our requests for additional information.

I note the OOHWP:

- has been reviewed by Sydney Metro and no issues have been raised with the department
- has been reviewed by the Environmental Representative, and
- has been endorsed by the Acoustic Adviser

Accordingly, I approve the OOHWP under condition E28 of SSI 22765520 as nominee of the Planning Secretary.

If there are any inconsistencies between the document and the conditions of approval, the conditions prevail.

Please make the document and this letter publicly available on the project website as soon as possible.

If you wish to discuss the matter further, please contact [redacted]

Yours sincerely,

Executive Director
Infrastructure Assessments