

BANGOR BYPASS
PROPOSED MODIFICATION
Omission of the Barry Road
Connection

Director-General's Report
Section 115C of the
Environmental Planning and Assessment Act 1979

March 2004

FOREWORD

The then Minister for Planning approved the Roads and Traffic Authority (RTA) Bangor Bypass Project on 22 November 2002, subject to 113 conditions of approval.

The RTA now proposes to modify the approved activity to omit a connection between the North-South Link and Old Illawarra Road at Barry Road. The proposed modification aims to reduce the activity's environmental impact.

The RTA determined that the proposed modification was unlikely to significantly affect the environment and that an environmental impact statement was not required. To examine the environmental effects of the modification the RTA prepared a Review of Environmental Factors. The Director-General is required to assess and report to the Minister on the modified proposal.

The Department prepared this report, which concludes that the proposed modifications are unlikely to result in significant new environmental impacts. Any residual impacts can be mitigated by adopting the measures and safeguards of the existing Conditions of Approval and in the recommended changes to the Conditions of Approval. It is recommended that the modification should proceed, subject to the recommended changes to the Conditions of Approval.

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GLOSSARY AND ABBREVIATIONS

Department, the	Department of Infrastructure, Planning and Natural Resources
Director-General	Director-General of the Department of Infrastructure, Planning and Natural Resources
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Minister, the	Minister for Infrastructure and Planning
Proponent	Roads and Traffic Authority (RTA)
REF	Review of Environmental Factors

1. INTRODUCTION

1.1 The Approved Activity and Modification

Bangor Bypass is located in the Sutherland Shire local government area. The approved activity includes the construction of an East-West Link between the Woronora Bridge and Old Illawarra Road and a North-South Link from Alfords Point Road to New Illawarra Road, parallel to Old Illawarra Road. Figure 1.2 (Appendix A) shows the two links.

The then Minister for Planning, the Hon. Dr. Andrew Refshauge MP, granted approval for the activity on 22 November 2002. The approval contained 113 conditions.

The RTA has sought to modify the approved activity to omit a connection between the North-South Link and Old Illawarra Road at Barry Road. The connection is shown on Figure A1 (Appendix A).

1.2 Statutory Provisions and Assessment Process

Section 115BA(2) of the EP&A Act provides that a proponent request that the Minister modify an approval if the modification would be inconsistent with the approval.

In requesting a modification, the proponent is required, under Section 115BA(4) of the EP&A Act, to determine whether the proposed modified activity would be likely to significantly affect the environment. The RTA prepared an REF and determined that the proposed modification would not significantly affect the environment. In accordance with Section 115BA(5)(b), the RTA publicly exhibited the REF between 23 September and 7 October 2003. Three representations were received by the RTA in response to the REF exhibition and forwarded to the Department.

The RTA sought the approval of the Minister for Infrastructure and Planning for the modification, in a letter dated 9 February 2004.

1.3 Purpose of this Report

The purpose of this report is to review the REF, issues raised in representations, and any other matters relevant to the potential environment impact of the proposed modification. The report was prepared in accordance with Section 115C of the EP&A Act which requires that the Director-General assess and report to the Minister on the proposed modification.

2. DESCRIPTION OF MODIFICATION

2.1 Modification Description

The modification involves the omission of a connection between the North-South Link and Old Illawarra Road at Barry Road.

A number of modifications to the proposal described in the EIS were proposed as part of the proposal's Representations Report. One modification was an access between the North-South Link and Barry Road providing left-in left-out access to the southbound carriageway of the North-South Link. This

modification was included to facilitate access to a commercial area (known as Menai Central) at the northern end of Old Illawarra Road.

The RTA now proposes to omit the Barry Road connection from the approved activity and revert to the project described in the EIS at this location.

2.2 Justification for the Modification

Following the activity's approval residents of Barry Road, members of the Bangor Bypass Community Liaison Group and Sutherland Shire Council (SSC) made further submissions to the RTA on the Barry Road connection. These identified that the connection between the North-South Link and Old Illawarra Road at Barry Road would reduce amenity and cause adverse safety and noise impacts to residents in Barry Road.

The modification would alleviate these potential environmental impacts without affecting the activity's efficiency of operation.

2.3 Modifications to Conditions of Approval Suggested by the RTA

The RTA suggested that condition of approval number 1 of the Minister's approval for the Bangor Bypass project would require modification. That condition requires that the project be carried out in accordance with the Representations Report. The suggested modified approval would amend condition 1 to incorporate the provisions of the REF into the activity.

3. SUMMARY OF REPRESENTATIONS

The REF was publicly exhibited between 23 September and 7 October 2003 and three representations were received.

All three representations noted support for the proposed modification.

4. ASSESSMENT OF ISSUES

4.1 Socio-economic Impacts

The key issue identified from the Department's assessment of the proposal was potential socio-economic impacts.

As part of the proposal's Representations Report a modification was proposed for the provision of access between the North-South Link and Barry Road. This modification was included to facilitate access to Menai Central. The removal of this connection has a potential to cause a loss of passing trade for businesses within Menai Central.

At a meeting on 16 July 2003, between the RTA and the businesses of Menai Central, the majority of businesses attending suggested that the deletion of the connection to the North-South Link may conversely be either beneficial or neutral in attracting passing trade. Much of their custom is provided by local rather than passing trade and this would not be affected by the modification.

The Department has no reason to question the views of the Menai Central businesses.

4.2 Summary of Adverse Effects

The proposal may also have the following potential impacts:

- a potential to increase traffic at the intersection of Old Illawarra Road and Menai Road; and
- a potential to result in an increase in eastbound traffic on Menai Road.

The traffic impact assessment of the REF suggested that these effects would be negligible. Traffic departing Menai Central travelling east beyond the Woronora Bridge would have the choice of using either Menai Road or indirectly, the East-West Link. Local traffic would use Menai Road whether or not the Barry Road connection were present.

4.3 Summary of Beneficial Effects

Beneficial effects of the modified proposal include:

- reduced traffic noise for Barry Road residents;
- improved visual amenity for Barry Road residents;
- more effective noise attenuation treatment for the residences to the east of the North-South Link;
- retention of the existing driveway access to Barry Road properties;
- improved traffic safety through the omission of merge/diverge movements between the North-South Link and the Barry Road connection;
- reduced road footprint for the Bangor Bypass and associated environmental benefits; and
- reduced construction cost of the Bangor Bypass for the RTA, in the order of \$600,000 – \$800,000.

5. CONCLUSIONS AND RECOMMENDATIONS

The then Minister Planning approved the RTA proposal to construct Bangor Bypass project on 22 November 2002 subject to 113 conditions of approval. The RTA has sought to modify the existing approval to provide for the omission of the connection between the North South Link and Old Illawarra Road at Barry Road. The RTA prepared an REF for the proposal which assesses whether the proposed modification would be likely to significantly affect the environment.

Three representations were received in response to the public exhibition of the REF. All representations indicated support for the modification proposal.

The Department's review found that the modification would be unlikely to adversely affect the environment and would provide beneficial effects for the residents of Barry Road. It concludes that the modification could be approved by the Minister.

6. RECOMMENDED MODIFICATION

The Department recommends the following variations to the conditions of Approval. Insertions to conditions are presented in “italics” (eg. *italics*) and deletions are “struck through” (eg. ~~struck through~~).

Condition 1

1. The project shall be carried out in accordance with:
 - (a) the project contained in the Environmental Impact Statement (EIS), ~~and~~ as modified by the Representations Report *and as modified by the Bangor Bypass Review of Environmental Factors Supplementary Environmental Assessment for Barry Road dated August 2003 and associated Submissions Report (dated October 2003) and Decisions Report (dated October 2003)*;
 - (b) all identified Sub Plans, safeguards and mitigation measures identified in the EIS and Representations Report and all additional information supplied by the RTA;
 - (c) the Director-General' s Report; and,
 - (d) the Conditions of Approval granted by the Minister.

In the event of any inconsistency with the project as described in the documents referred to above, the Conditions of Approval granted by the Minister shall prevail.

These Conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.

It shall be the ultimate responsibility of the Proponent to ensure compliance with all Conditions of Approval granted by the Minister.

APPENDIX A

Figures