

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	Critical State significant infrastructure
Application number and project name	SSI-10038 Sydney Metro West
Applicant	Sydney Metro
Consent Authority	Minister for Planning and Public Spaces

Decision

The Minister for Planning and Public Spaces has, under section 5.19 of the *Environmental Planning and Assessment Act 1979 (the Act)* approved the infrastructure application subject to the recommended conditions.

A copy of the infrastructure approval and conditions is available [here](#).

A copy of the Planning Secretary's Assessment Report is available [here](#).

Date of decision

11 March 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the matters listed in the statutory context section of the Planning Secretary's Assessment Report
- the objects of the Act
- all information submitted to the Department during the assessment of the application
- the findings and recommendations in the Planning Secretary's Assessment Report
- the views of the community about the project (see **Attachment 1**)

The findings and recommendations set out in the Planning Secretary's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for approving the application are as follows:

- the project would:
 - provide a direct, fast, reliable and frequent connection between Parramatta, Sydney's Central River City, and Sydney's Eastern Harbour City
 - have capacity to run a metro train every two minutes in each direction
 - would relieve congestion on Sydney Train's T1 Western Line, T9 Northern Line, and T2 Inner West and Leppington Line
 - would double the existing rail capacity between Parramatta and the Sydney CBD
- the project has been endorsed by the NSW Government by being a key component of:
 - *2020 Infrastructure Priority List*
 - *Future Transport Strategy 2056*
 - *Building Momentum: NSW State Infrastructure Strategy 2018-2038*
 - *A Metropolis of Three Cities – the Greater Sydney Region Plan*
 - *Central City District Plan*
 - *Eastern City District Plan*
 - *Sydney Centre Access 2018*
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the Proponent's response to submissions and environmental management commitments, and the recommended conditions of approval; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Environmental Impact Statement was publicly exhibited from Thursday 30 April 2020 until Friday 26 June 2020 (58 days) on the Department's website. During the exhibition period, the Department received 188 submissions from 179 individual submitters (not including late submissions provided to the Proponent for consideration following the conclusion of the exhibition period). A number of submitters made more than one submission. Of the submitters, 13 were NSW Government agencies, seven were local council, 39 were interest groups, 119 were community members, and one was from a minister of Parliament.

Due to the timing of the exhibition period and assessment during the COVID-19 pandemic, standard exhibition procedures such as displaying physical copies of the EIS for public inspection at local libraries and council offices, and community information sessions were unable to proceed in a COVID-safe manner to comply with NSW Government Public Health Orders.

The Department also undertook the following consultation activities:

- a site visit prior to and during the EIS exhibition and assessment process; and
- meetings with local councils and government agencies.

The key issues raised by the community and considered in the Planning Secretary's Assessment Report and by the decision maker include project design; traffic, transport and access; socio-economic, land use and property; noise and vibration; public spaces and placemaking; air quality; heritage; engagement and consultation; soils, groundwater and flooding; cumulative impacts; project justification and procedure; and biodiversity and trees.

Issue	Consideration
<u>Project design</u>	<u>Assessment</u>
<ul style="list-style-type: none">• Location of additional metro stations and connections, particularly around Rydalmere, Camellia, Pyrmont, Wentworth Point, Rosehill, Leichhardt, Silverwater and the location of the Sydney CBD connection• Project route duplicates the Sydney Trains western line and has metro stations in suburbs already serviced by Sydney Trains stations• Provisions should be made to allow for future connections / extensions to University of Sydney, Western Sydney Airport and the Eastern Suburbs• Comments on station access, configuration and integration with other public transport services.	<ul style="list-style-type: none">• The project is consistent with strategic land use and transport documents.• This project has been endorsed by the NSW Government and is a key component of strategic infrastructure and planning documents including <i>Future Transport 2056</i> and <i>the Greater Sydney Region Plan - A Metropolis of Three Cities</i>.• Sydney Metro West would help implement the vision for 30-minute cities as outlined in the <i>Greater Sydney Region Plan</i>, by providing customers an easy connection to key destinations including cities, health and education precincts, diverse employment centres and residential areas.• Sydney Metro has considered additional metro station locations between Westmead and Sydney CBD. The current number of metro stations has been determined as being the ideal number for delivering the best customer outcomes.• Sydney Metro is investigating the location of the new Sydney CBD metro station. The new Sydney CBD location is expected to enable interchange between Metro West, Sydney Metro City & Southwest, Sydney Trains, light rail and the bus network.• Station access, configuration and integration with other public transport services would be considered in depth under future SSI application(s) for the project relating to construction of the metro stations and their surrounds.
	<u>Recommended Conditions / Response</u>
	<ul style="list-style-type: none">• No conditions are needed in relation to this matter.

Issue**Consideration**Traffic, transport and access*Construction*

- Pedestrian safety around construction sites, particularly around Great North Road at Five Dock and the primary school at Westmead
- Added traffic, particularly heavy vehicles, causing congestion and bus delays
- Access to residential and commercial properties
- Need for appropriate wayfinding, safe access and disability access around proposed metro station construction sites
- Most construction sites would not have enough on-site car parking for the construction workforce resulting in parking on local streets.

Operation

- Importance of appropriate active and public transport connections to future metro stations, including feeder bus and bike infrastructure
- More entrances to metro stations required
- Impacts on cycleways around Westmead and Clyde.

Assessment

- There would be traffic impacts during construction, however these impacts can be mitigated through the implementation of the Proponent's committed management measures and recommended conditions of approval.
- Most construction sites have direct access to the arterial road network, and although intersection delays would occur, this network is the best equipped to accommodate construction traffic.
- A limited number of parking spaces are provided in construction sites. However, most construction sites are near public transport services and construction workers would be encouraged to use these services.
- Operational concerns raised would be addressed in future applications.

Recommended Conditions / Response

- Measures to limit / avoid use of local roads past schools, aged care facilities and childcare facilities during their peak operation times.
- Access to utilities and properties must be maintained, unless otherwise agreed with the relevant utility owner, landowner or occupier.
- Construction vehicles (including light vehicles) must not use Robert Street, Rozelle to access The Bays construction site unless in an emergency or in relation to the delivery of the power supply line.
- The locations of all heavy vehicles used for spoil haulage must be monitored in real time and the records of monitoring be made available electronically to the Planning Secretary and the EPA upon request.
- Safe pedestrian and cyclist access must be maintained around construction sites or an alternative route must be provided.
- A Construction Parking and Access Strategy must be prepared and implemented to manage impacts from on and off-street parking changes and construction worker parking.
- Wayfinding information must be incorporated on temporary hoardings to guide pedestrians around construction sites.
- Opportunities to maximise spoil material removal by non-road methods must be investigated and implemented where reasonably practicable to minimise movements by road.

Socio-economic, land use and property*Construction*

- Concerns regarding property damage, compensation for / rectification of damage
- Concerns regarding loss of land value with sub-stratum land acquisition for tunnelling and reduced rental property income during construction
- Requested further assessment of impacts to local businesses
- Closure of Sydney Speedway; recreational land earmarked for acquisition should be offset

Assessment

- Land acquisition is an unavoidable outcome of large linear transport projects in urban environments. This impact has been greatly reduced with most of the project being below ground.
- Property to be acquired on just terms in accordance with legislation.
- The project would provide socio-economic benefits through enhanced connectivity and access to goods and services and public spaces along the route, benefiting communities, businesses and residents through improved public transport.
- Despite these operational benefits, local communities may lose access to a limited range of businesses and services during construction. However, there are other businesses in

Issue**Consideration**

- Concerns regarding impacts on the community mentally, physically and financially.

Operation

- Up zoning and redevelopment requested around metro stations, particularly Westmead and North Strathfield
- Concerns with up zoning and redevelopment around metro stations, particularly Burwood North.

the surrounding area that can provide these services to effectively meet the demand.

- Affected businesses and services would be appropriately compensated for the loss of their premises and could be relocated within the surrounding areas.
- The Proponent will relocate Sydney Speedway to Western Sydney Parklands. While this offsets the loss of the speedway itself, there is still a loss of private recreation land in the Parramatta area.

Recommended Conditions / Response

- Construction environmental management plans and ancillary sub-plans and other strategies must provide adequate processes and safeguards to effectively manage indirect impacts on the amenity and accessibility of business, social infrastructure, community facilities and public spaces within proximity to construction.
- Community Benefit Plans must be developed to guide development of community benefit initiatives.
- Impacts to the operation of festivals and events must be avoided.
- Small Business Owners Engagement Plans must be implemented to minimise construction impacts on small businesses.
- The removal of private recreation land in Clyde must be offset. Residual land at the Clyde stabling and maintenance facility site must be considered for public space for recreational use, or any alternate and commensurate opportunity that achieves the objective and provides value for money.
- Pre-construction and post-construction condition surveys must be undertaken on buildings, structures and infrastructure that may potentially be affected by construction vibration. Any damage would require rectification or compensation to the relevant property owner.
- Before any local road is used by a heavy vehicle for the purposes of construction of Stage 1, a Road Dilapidation Report must be prepared for the road. Any damage caused would require rectification or compensation to the relevant road authority.

Noise and vibration

- Construction impacts to sensitive land uses, including schools and places of worship
- Impacts to amenity and wellbeing of households during tunnelling and excavation
- Concern with operational train noise
- Construction vibration impacts on residential accommodation, shops and heritage buildings, including structural damage
- Concern with lack of mitigation measures in the EIS
- Impacts to wellbeing of horses at Rosehill Racecourse during construction

Assessment

- Construction noise and vibration impacts are unavoidable for a project of this magnitude in a highly complex and urban environment. The impacts would be managed using industry best practice and a community consultation strategy.
- The Proponent proposes to build acoustic sheds at all metro station locations (excluding Parramatta and North Strathfield where work would be undertaken during standard hours only).
- Tunnel Boring Machines (TBM) are expected to progress at a rate of between 20 to 50 metres per day. This means the worst-case ground-borne noise impacts from tunnelling at a receiver would likely only be apparent for a few days for each TBM as the tunnelling work passes beneath.
- The Proponent has committed to consult with Rosehill Racecourse to ensure that construction does not detrimentally impact the wellbeing of horses.

Issue**Consideration***Recommended Conditions / Response*

- Active and ongoing consultation, flexibility in construction techniques, at source and at property mitigation, and coordinating and scheduling work to provide respite must be applied to manage construction noise impacts.
- Station box excavations (unless undertaken within acoustic sheds with acceptable noise levels) must be limited to daytime construction hours to provide respite to adjoining residents.
- Heavy vehicle movements must be limited to ensure night time respite for residents.
- Residents along local roads in Westmead that experience increased noise due to diverted traffic during construction must be offered at-property treatment.
- Out of hours work must be approved and regulated through an Environment Protection Licence for work that cannot be performed during standard construction hours.
- Noise generating work in the vicinity of sensitive receivers, including schools, that result in noise levels above noise management levels must not occur during sensitive periods, such as exams.

Public spaces and placemaking

- Seek high quality placemaking and urban design around future metro stations
- Loss of green space and gardens in North Strathfield
- Implement temporary placemaking measures during construction
- Concern with how placemaking would be addressed in Stage 1.

Assessment

- While the Concept project locates most of the project underground, there would be above-ground infrastructure, in the form of metro stations and ancillary infrastructure, that would have place and visual impacts on the urban domain.
- The Department accepts that the application under assessment provides a high-level concept design of the project, limited to location and land use, with further design details to follow in later applications.
- Temporary measures can be undertaken during construction to ensure that visual amenity and design impacts to public spaces and around construction sites are managed.

Recommended Conditions / Response

- Supplemental place and design principles for the Clyde stabling and maintenance facility site are recommended.
- Delivery of part of the Parramatta Civic Link on the Parramatta metro station site before operation.
- Temporary landscaping, vegetative screening, hoardings and other temporary structures must be used to minimise visual impacts of construction sites.
- Around construction sites, hoardings must provide wayfinding information and temporary activation initiatives for the benefit of the community.
- Temporary placemaking initiatives must be provided for the benefit of the community around the perimeter or in the vicinity of construction sites at Parramatta and Five Dock, with the objective of temporarily enhancing visual amenity, providing gathering places in the local area and creating temporary active frontages to construction sites.

Issue	Consideration
<p><u>Air quality</u></p> <ul style="list-style-type: none"> Construction dust and odour impacts 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Proponent has committed to implementing dust suppression management measures to minimise windblown dust and odour impacts. The Department is satisfied that the project is unlikely to result in significant adverse impacts on ambient air quality or significant increases in health risks. <p><i>Recommended Conditions / Response</i></p> <ul style="list-style-type: none"> All reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during and odours during construction.
<p><u>Heritage</u></p> <ul style="list-style-type: none"> Vibration impacts to heritage items during construction, particularly the Roxy Theatre and White Bay Power Station Comprehensiveness of Aboriginal cultural heritage assessment and cumulative impacts to Aboriginal cultural sites Rectification of property damage to heritage items. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The design of Stage 1 has been developed to avoid or minimise potential impacts on heritage items. The Proponent has committed to exploring opportunities to further reduce any impacts to known heritage items. The EIS identified heritage items that may be impacted by vibration during construction. All potential vibration impacts are expected to be at or below cosmetic levels. <p><i>Recommended Conditions / Response</i></p> <ul style="list-style-type: none"> The Heritage CEMP Sub-plan must set out means of rectification of any damage by the project to certain heritage items and include Aboriginal cultural heritage management and mitigation measures. The Proponent must conduct vibration testing before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent cosmetic damage.
<p><u>Engagement and Consultation</u></p> <ul style="list-style-type: none"> Further consultation and workshops, including future metro stations Comprehensiveness of engagement during the COVID-19 pandemic Ongoing consultation and direct engagement through construction, with a single point of contact. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The EIS was exhibited from 30 April 2020 until 26 June 2020 (a total of 58 days) on the Department's Major Projects website, twice the statutory requirement for State significant infrastructure projects. The Department is satisfied the views of the community were adequately heard and conveyed to the Proponent. There would be further opportunities for consultation and engagement after determination of this application and during the assessment process of later stages. <p><i>Recommended Conditions / Response</i></p> <ul style="list-style-type: none"> The Overarching Community Consultation Strategy sets out the guidelines for ongoing consultation with the community.
<p><u>Soil, groundwater and flooding</u></p> <ul style="list-style-type: none"> Water table drawdown Impacts to waterways from run-off and discharges Disturbance of contaminated soils. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Mitigation measures proposed by the Proponent, and recommended conditions of approval, are sufficient to manage groundwater drawdown, water quality, soil and contamination risks <p><i>Recommended Conditions / Response</i></p> <ul style="list-style-type: none"> Groundwater monitoring must be undertaken at each construction excavation site.

Issue

Consideration

- Detailed site investigations must be undertaken before the commencement of any construction that would result in the disturbance of moderate to high risk contaminated sites.

Cumulative impacts

- Construction fatigue arising from the project (and the installation of the Rozelle power supply line) and other infrastructure projects, such as WestConnex and Western Harbour Tunnel
- Cumulative noise, vibration, traffic and air pollution impacts to residences near construction sites
- Construction of over station development not adequately considered

Assessment

- The Proponent consulted with the community and coordinated with TfNSW, Ausgrid and the Port Authority of NSW on the Rozelle power supply line to reduce the overall construction period around Callan Street.
- The Proponent would coordinate and consult with stakeholders to manage the interface of projects under construction at the same time.
- Over station development would be assessed under separate applications.
- The Department is satisfied that the proposed mitigation measures would address the concerns raised about cumulative impacts.

Recommended Conditions / Response

- No conditions are required in relation to this matter.

Project justification

- Increased working from home would render the project not needed, as demand for service / patronage on the future metro line would not be there due to the COVID-19 pandemic
- Planning and cost benefit analysis does not justify the project.

Assessment

- This project has been endorsed by the NSW Government and is a key component of strategic infrastructure and planning documents including *Future Transport 2056* and *The Greater Sydney Region Plan*.
- A business case was prepared for the Sydney Metro West and endorsed by the NSW Government.

Recommended Conditions / Response

- No conditions are required in relation to this matter.

Biodiversity and trees

- Loss of trees
- Native vegetation should be planted.

Assessment

- The project is unlikely to cause significant biodiversity impacts and any residual impacts can be appropriately offset.
- The project has been designed to avoid significant disturbances to the natural environment by locating the metro rail corridor underground with above-ground infrastructure placed in existing highly urbanised areas.

Recommended Conditions / Response

- An offset is required for the impacts to plant community types and threatened (species credit) species.
- A fauna and flora CEMP Sub-plan must be prepared.
- Pre-clearing and pre-demolition inspections must be undertaken for Southern Myotis and provision of bat boxes or suitable habitat built if roosting sites are identified.
- As many mature trees, and as much urban canopy as practicable, must be retained.
- An increase in tree canopy coverage and an increase in number of mature trees at a ratio of 2:1 is required.
- Parts of Duck Creek and A'Becketts Creek that remain open channels must be rehabilitated and renaturalised.
- Only species representative of the mangrove forests must be used to revegetate the riparian zone.

