



Sydney Metro West - Concept and Stage 1 Modification 2

Modification to relocate and extend the Rosehill dive structure and realignment of Kay Street and Unwin Street.
State Significant Infrastructure Modification Assessment
(SSI 10038 MOD 2)

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Glossary

Abbreviation	Definition
Approval	Infrastructure Approval
Approved project	Sydney Metro West – Concept and Stage One (SSI 10038)
CEMP	Construction Environmental Management Plan
Council	City of Parramatta
CSSI	Critical State Significant Infrastructure
Department	Department of Planning and Environment
EES	Former Environment, Energy and Science Group of the Department
EHG	Environment and Heritage Group of the Department, formerly EES
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Heritage NSW	Heritage division of EHG
Minister	Minister for Planning
MOD	Modification
NML	Noise Management Levels
OOHW	Out of Hours Works
Secretary	Planning Secretary of the Department of Planning and Environment
SSI	State Significant Infrastructure
The Proponent	Sydney Metro

Executive Summary

The Sydney Metro West Concept and Stage 1 (SSI 10038) was approved by the then Minister for Planning and Public Spaces on 11 March 2021. The approval is for a concept for a metro between Westmead and the Sydney CBD and station excavation and tunnelling between Westmead and The Bays. Excavation and tunnelling between The Bays and the Sydney CBD; and tunnel fitout, maintenance centre construction and operation are subject to two separate SSI applications.

The approved project included a dive structure located to the east of James Ruse Drive, Rosehill, to transition metro trains from the underground running tunnels to the approved maintenance facility at Clyde. This location would require diversion of a major Sydney Water sewer. Transport for NSW has submitted a request to modify the project approval to relocate the tunnel dive structure to avoid the sewer diversion and to realign Kay and Unwin streets to reduce the need to disturb potentially contaminated soils.

The modification was exhibited from 24 November 2021 until 8 December 2021, a period of 15 days. Four submissions were received during exhibition - two from community members, one from an organisation (Australian Turf Club (ATC)), and one from the local council, City of Parramatta. Of the two community submissions received, one submission objected, and one submitter provided comments on the proposed modification. ATC and City of Parramatta also provided comments on the modification. The Department also received advice from the then Environment, Energy and Science Group (EES) and Heritage NSW.

Department's Consideration

The proposed modification seeks to relocate components of the infrastructure near the Clyde maintenance facility to avoid the need to move the existing Sydney Water sewer and reducing the need to disturb potentially contaminated soil.

Heritage

Relocation of the tunnel dive would require additional land take but would be wholly within the decommissioned Carlingford Rail corridor and therefore would have no direct impact to private property. It would have consequential impacts to the heritage value and use of the locally significant pedestrian footbridge and platforms associated with the Rosehill railway station.

The footbridge is a rare and early example of its kind and City of Parramatta Council has sought for its retention either *in situ* or at a nearby location. The Department accepts that the potential impacts of diverting a significant sewer to retain the footbridge would outweigh the value of retaining it in its current place. However it is considered that impact to its heritage value could be mitigated, given its rarity, by reinstating the structure in another location.

The proponent and Council have agreed to investigate options to relocate the footbridge within Parramatta. Conditions are recommended to require that the proponent engage with Council on this matter and, if a site is found, for the proponent to relocate the bridge, transfer ownership to City of Parramatta Council and fund preparation of a Heritage Asset Action Plan for its ongoing maintenance and management.

Archival recording and salvage as proposed by the proponent are considered appropriate for the rail platform structures as these would have little purpose once removed from the railway corridor. Existing conditions of approval are appropriate to manage this process.

Traffic and access

Future links to the M4

Potential future links to the M4 motorway from the Clyde area have been identified in strategic plans since 2012. These links are not within the scope of Metro West, however concerns were raised that the proposed modification did not demonstrate that future connections to the M4 were not sterilised by the proposed Kay and Unwin streets realignment. The proponent has subsequently confirmed that the realignment of Kay and Unwin streets would not preclude provision of a connection in the future.

To ensure this is achieved, the Department recommends a condition requiring the realignment design to provide for this outcome, including retention of the road reserve of Unwin Street between Kay Street and the TfNSW Granville Depot for future use a connection to the M4 in accordance with strategic planning for the area.

Pedestrian access

The abovementioned footbridge continues to provide access across the decommissioned rail corridor to workers at Rosehill Gardens and surrounding industries as well as to racegoers and patrons of other significant conference and hospitality functions at the racecourse. While the proponent has committed to provide a temporary crossing of the corridor before dismantling the footbridge, no detail on its location or construction were provided.

The Department accepts that use of the footbridge reaches beyond its rail passenger function and that the crossing must be replaced in the short term. The proponent has committed to engaging with the Australian Turf Club in designing and locating a temporary replacement crossing and noted that wherever it is, it is likely to be made permanent in the future. This is considered appropriate, however a condition is recommended which establishes performance targets relating direct access between the carparks on James Ruse Drive and Gate 3 of Rosehill Gardens, safety and accessibility.

Other issues

Other issues include changes to biodiversity; noise and vibration, flooding and hydrology, landscape and visual amenity. The Department considers that the modification will provide beneficial community outcomes whilst having a minor environmental impact. Therefore, it is recommended that the modification be approved with conditions. Changes to these impacts are considered negligible or commensurate with those assessed for the approved project and no further changes are warranted, with the exception of biodiversity where conditions should be amended to ensure an additional species credit is retired for the Downy Wattle (*Acacia pubescens*).

The Department is satisfied that the assessment has demonstrated that the benefits to the community and environment (no disruption to utilities, avoiding disturbance of contaminated soils, avoidance of private property) of the proposed modifications outweigh the impacts. Impacts can be mitigated to the extent that they are acceptable by relocating a key heritage structure, ensuring that appropriate access is maintained across the rail corridor and strategic planning outcomes can be met.

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1 Introduction

This report outlines the assessment of an application to modify the State significant infrastructure (SSI) approval for Sydney Metro West – Concept and Stage 1 (major civil construction between Westmead and the Bays) (SSI-10038) (the approved project).

The proposed modification relates to major civil construction work at the Clyde stabling and maintenance facility and would include:

- relocation and extension of the Rosehill dive structure
- realignment of Kay Street and Unwin Street.

These changes would have the following effect:

- require use of additional land to be brought forward from the Stage 3 planning application
- additional impact to heritage not assessed as part of the approved project
- additional impact to biodiversity not assessed as part of the approved project.

The application was lodged on 23 November 2021 by Sydney Metro (the Proponent) pursuant to section 5.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

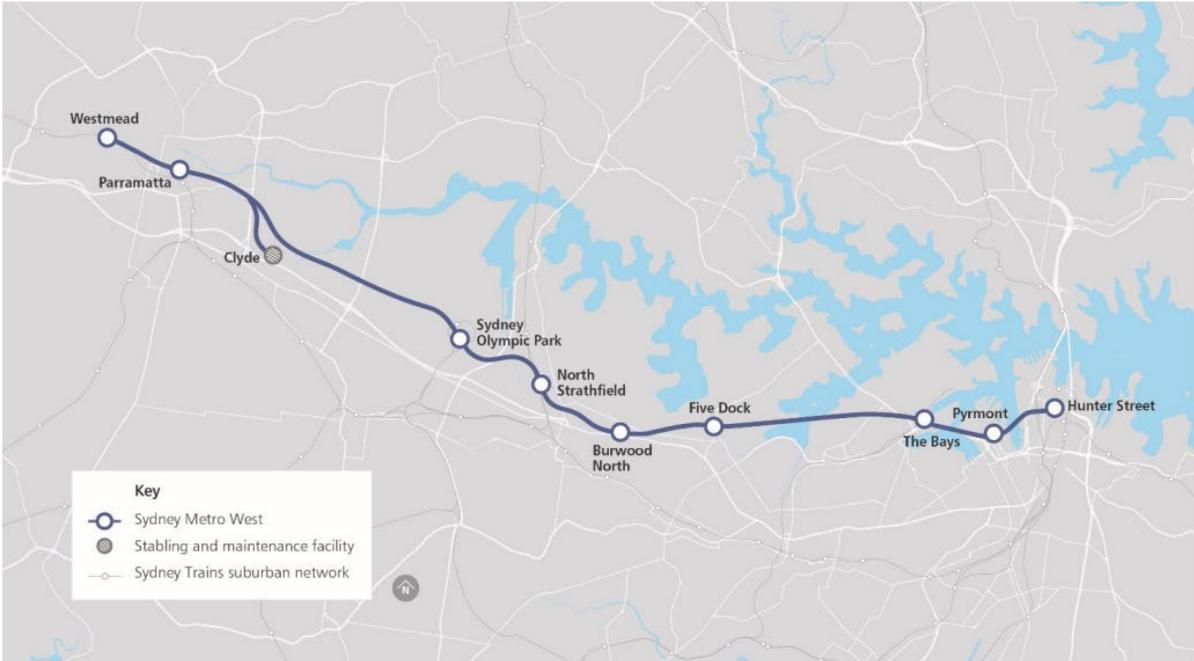


Figure 1 | Sydney Metro West alignment (Source: Sydney Metro)

1.1 Background

The Sydney Metro West Concept and Stage 1 project comprises an underground metro rail line, approximately 24 kilometres long, with eight new metro stations between Westmead and the Sydney CBD. Metro stations would be built at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and the Sydney CBD.

The then Minister for Planning and Public Spaces determined the Concept and Stage 1 application on 11 March 2021. This approved a concept for a metro between Westmead and the Sydney CBD and station excavation and tunnelling between Westmead and The Bays. Excavation and tunnelling between The Bays and the Sydney CBD (Stage 2) is the subject of SSI application 19238057.

Tunnel fitout, maintenance centre construction and operation (Stage 3) will be assessed as a separate application for which SEARs were issued in August 2021.

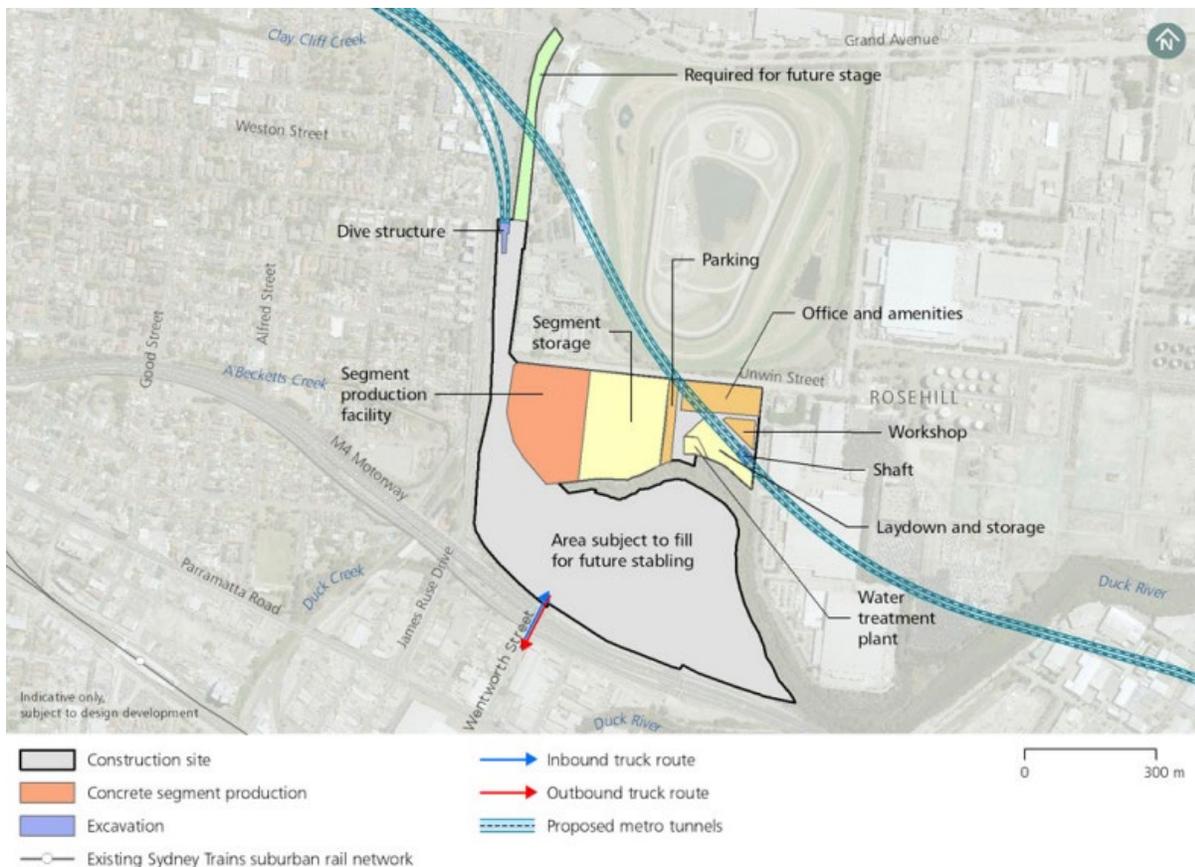


Figure 2 | Approved Clyde stabling and maintenance facility construction site and Rosehill dive structure (Source: Sydney Metro)

1.2 Approval history

The Sydney Metro West – Concept and Stage 1 project (SSI 10038) was approved on the 11 March 2021 by the then NSW Minister for Planning and Public Spaces.

Following project approval, a modification (MOD 1) was submitted to the Department to make administrative changes to clarify the intent and timing requirements of various conditions. The modification was approved on 28 July 2021.

2 Proposed modification

The Proponent is seeking to modify two aspects of the approved project with respect to the Clyde stabling and maintenance facility. These are the Rosehill dive structure and realigning Kay Street and Unwin Street.

2.1 Rosehill dive structure

A dive structure is required to provide a connection from the Clyde stabling and maintenance facility to the mainline tunnels. The proposed modification includes:

- relocation of the Rosehill dive structure to the east of the approved location and extension of the Rosehill dive structure further north within the former T6 Carlingford line (**Figure 3**)
- additional construction area, previously identified in the Environmental Impact Statement (EIS) as required for Stage 3, to allow for:
 - enabling works as outlined in the EIS
 - removal of the Rosehill Railway Station Footbridge, listed in the RailCorp Heritage and Conservation Register under Section 170 of the Heritage Act 1977 (NSW), which is of local heritage significance and provision for an alternative crossing of the former T6 Carlingford Line prior to removal of the footbridge
 - removal of platforms and station furniture at the former Rosehill Railway Station
- minor realignment of the tunnel portal connecting the mainline tunnels to the revised Rosehill dive structure location.

The approved location for the Rosehill dive structure would require diversion of a major Sydney Water sewer. This would involve intensive construction adjacent to sensitive receivers in an area at risk from flooding and could disrupt service to about 1.5 million people in western Sydney.

The proposed revised location would avoid the need for the sewer diversion and associated community impacts. Remaining within the former rail corridor would also avoid impacts to private property and public roads to the west and commercial property to the east by remaining within the former T6 Carlingford Line rail corridor. Relocation of the dive directly to the north or south of the approved location would also necessitate the sewer relocation and would constrain other construction activities on site.

The proposed modification requires removal of the former Rosehill railway station (no buildings are present at the station), its platforms and associated footbridge. The rail line and station were decommissioned in January 2020 and no longer operate. Retaining the footbridge would impede construction equipment access due to its location across a cutting. This work is located in an area identified for future use in the EIS and would have required removal as part of Stage 3 of the project.

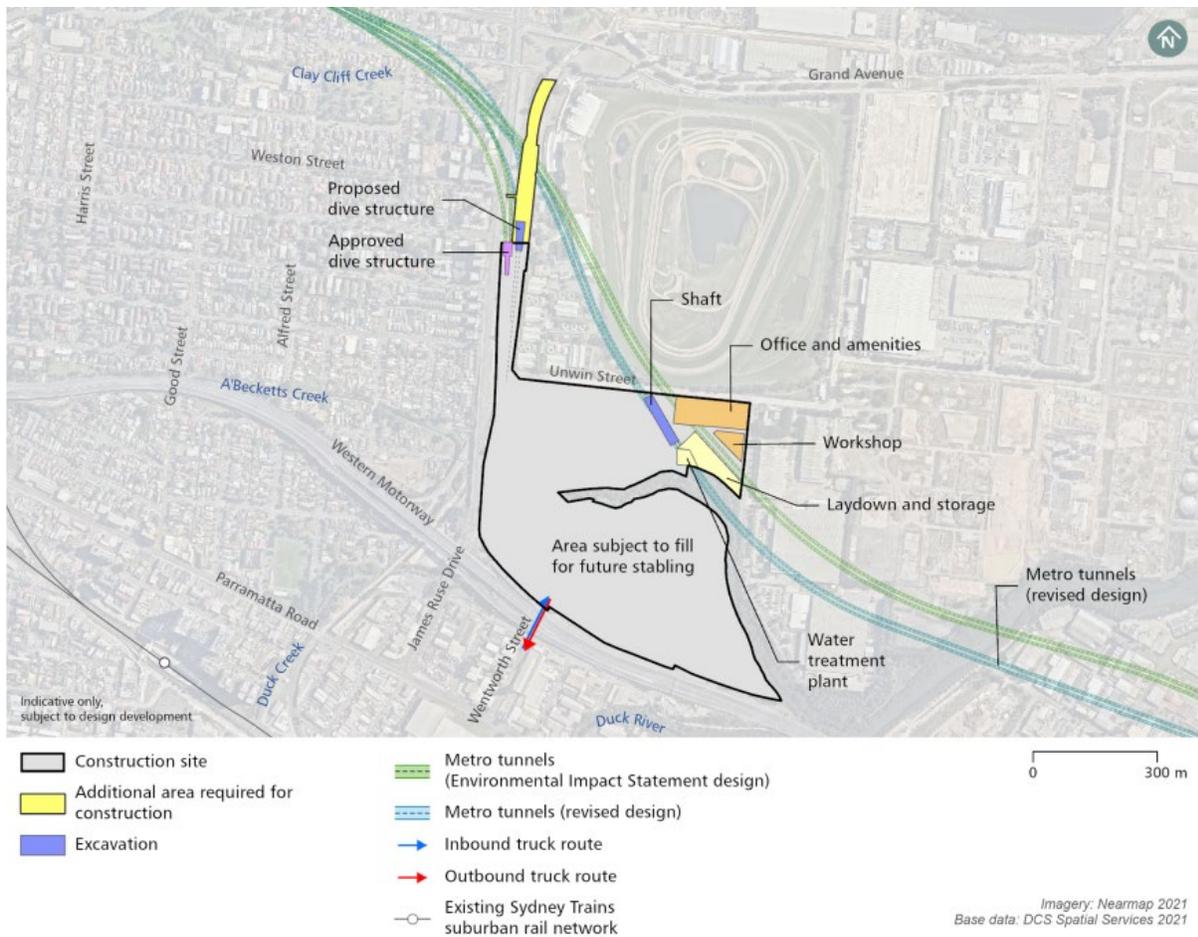


Figure 3 | Proposed modification to the Rosehill dive structure (Source: Sydney Metro)

2.2 Kay Street and Unwin Street realignment

The realignment of Kay Street and Unwin Street is required to provide general traffic and B-double access around the Clyde stabling and maintenance facility construction site. The approved project allows for the road realignment as shown by the purple line in **Figure 4** including an 80 metre road underpass, with a 4.6 metre clearance and a shared path for pedestrians and cyclists under the future rail tracks.

The proposed modification includes the following changes to the approved Kay Street and Unwin Street realignment:

- a road bridge in place of an underpass to cross the future metro rail tracks (**Figure 4**)
- elevation of the Kay Street and Unwin Street realignment for about 250 metres
- minor realignment of the Kay Street and Unwin Street route
- a shared path to accommodate pedestrians and cyclists on one side.

A temporary road would maintain access throughout construction until completion of the realignment in 2024.

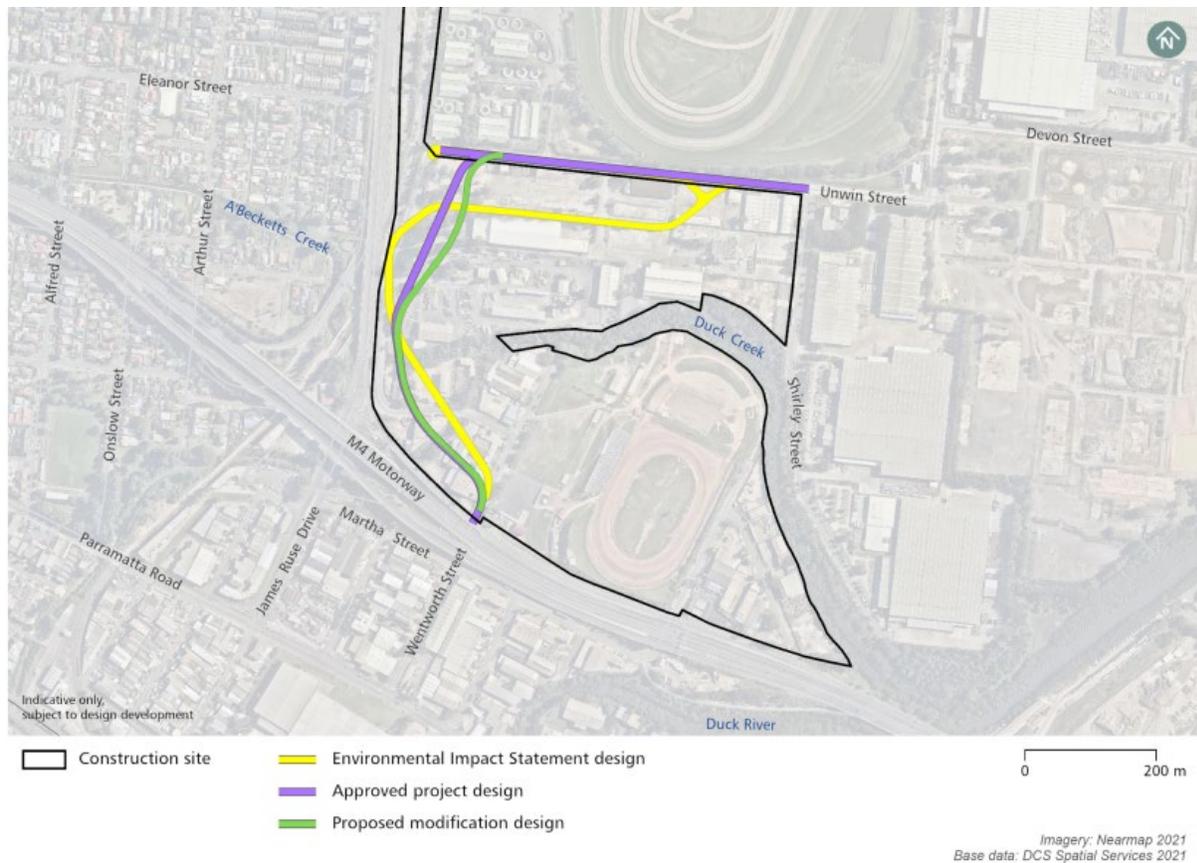


Figure 4 | Proposed modification to Kay Street and Unwin Street in green (Source: Sydney Metro)

The revised design would reduce the need to disturb potentially contaminated soils identified with the approved project design.

Other benefits of the proposed modification compared to the approved project design include:

- reduced ongoing maintenance for an underpass (reduced power and no dewatering)
- improved safety, compared to an underpass (as users, including vehicles, are visible)
- allows for a shared path
- ability to reuse materials onsite (into the retaining structures)
- reduced requirements for underground utilities relocation
- reduced footprint and cost (due to reduced excavation).

No change to the culverts at A'Becketts and Duck creeks are proposed. These structures and other changes to A'Becketts Creek and Duck Creek were assessed as part of the approved project.

Alternative options have consequential impacts for the design, construction and operation of the stabling and maintenance facility.

3 Statutory context

3.1 Scope of modifications

In accordance with section 5.25 of the EP&A Act, a Proponent may request the Minister to modify the approval for State significant infrastructure. The Minister's approval for a modification is not required if the infrastructure as modified will be consistent with the existing approval. The changes requested by the Proponent are not consistent with the existing approval. Consequently, modification of the Minister's approval under Section 5.25 of the EP&A Act is required.

3.2 Delegated authority

The Minister is the approval authority under section 5.25 of the EP&A Act unless the Minister has delegated his determination functions to the Department.

3.3 Ministers delegate as determining authority

Under the Instrument of Delegation dated 26 April 2021, the functions and powers of the Minister for Planning and Public Spaces under section 5.25 of the EP&A Act to determine a modification of the Minister's approval may be delegated whereby:

- the relevant local council has not made an objection under the mandatory requirements for community participation
- a political disclosure statement has not been made
- there are less than 15 public submissions in the nature of objections.

The proposed modification meets the terms of this delegation. As such, the Director, Transport Assessments, has the delegated authority to determine the modification request.

4 Engagement

4.1 Department's engagement

Under section 5.28(1)(g) of the EP&A Act, the Planning Secretary is required to make requests for modification of approvals determined by the Minister publicly available. Accordingly, the Department made the modification request publicly available on its website and exhibited the modification from 24 November 2021 until 8 December 2021, a period of 15 days. The Department advertised the exhibition in the Sydney Morning Herald and the Daily Telegraph on Thursday 25 November 2021.

The modification request was also referred to the Environment, Energy and Science Group (EES) and Heritage NSW and City of Parramatta for comment. Department officers met with representatives from the Australian Turf Club (ATC) on 24 February 2022 and visited the site on 4 March 2022.

4.2 Summary of submissions

During the exhibition period, four submissions were received on the proposal - two from community members, one from an organisation (Australian Turf Club (ATC)), and one from the local council, City of Parramatta. Of the two community submissions received, one submission objected, and one submitter provided comments on the proposed modification. ATC and City of Parramatta also provided comments on the modification.

The Department also received advice from the then EES and Heritage NSW.

4.3 Key issues raised in submissions

Community and organisation submissions

Of the two community submissions, one submitter objected and one provided comment. The objection raised concerns about flooding, water quality and traffic and requested more detail on mitigation measures to reduce upstream flooding impacts. Other comments related to the project alignment between Sydney Olympic Park Station and North Strathfield Station and potential vibration impacts between these two locations. Whilst these issues are beyond the scope of this modification, they were forwarded to Sydney Metro, which has responded to these matters in its Response to Submissions.

The Department also received a submission from ATC. Issues raised include the need for access to be maintained across the decommissioned rail corridor after the removal of the footbridge and for safe access during major events.

Local Council

City of Parramatta Council raised several issues in its submissions in relation to

- the timing of exhibition
- justification for modifying the SSI, including more detail on the impact on the Sydney Water sewer
- consideration and alignment with the *Draft Camellia Rosehill Place Strategy*
- the location of active transport links and the need to accommodate pedestrian access between James Ruse Drive and Rosehill Racecourse
- the retention of the Rosehill Railway Station footbridge or if retention is not possible, its relocation to another site in Clyde or elsewhere in the Parramatta area
- the potential increase in flood levels and a recommendation that alternative solutions with less impacts be further investigated.

Council also noted that its comments submitted for the SSI still apply, in particular the comments on the design of the stabling facility and connections to the wider road and active transport network; the impact of the dive and railway line creating a barrier between Parramatta, Rosehill Racecourse and the Camellia Peninsula; and Council's preference to move the dive structure south of Unwin Street to improve connects across the corridor. These comments were considered in the assessment of the approved project and are not considered further here, except as they may relate to the scope of the proposed modification.

The Department is satisfied that issues relating to the civil works for the site were addressed with the Stage 1 application and end state design matters would be the subject of the Stage 3 application. Matters assessed as part of this modification are confined to the change in impacts related to the modified elements of the project.

4.4 Summary of Government agency advice

Environment, Energy and Science Group (EES) provided the following comments and recommendations:

- additional pre-clearing mitigation and management measures and conditions be included to minimise impacts associated with the MOD 2 proposal for seed collection, translocation of juvenile plants, and pre-clearance fauna surveys and relocation of native fauna
- dead wood and native trees to be removed (including tree trunks) and root balls should be reused in areas revegetated with local native species and/or the riparian areas along Duck Creek and A'Beckett's Creek
- commitment to planting local native vegetation to mitigate impacts is unclear
- requested further information on the number of trees to be removed and recommended replacement with native species.

Heritage NSW noted that the modification does not directly affect any items listed on the State Heritage Register (SHR) and does not appear to impact historical archaeological relics, resources or items of State Significance.

Heritage NSW noted that the works will impact local heritage items, one of which is listed on the Sydney Trains Section 170 heritage register and another item identified as a 'potential' heritage item and recommended further consultation with the relevant State Agency and council.

4.5 Response to submissions

On 14 December 2021, the Department requested that Sydney Metro prepare a response to submissions. The Response to Submissions (RTS) responded to the issues raised in the submissions and provided further information to support the modification. The Department made the RTS publicly available on its website on 23 March 2022.

5 Assessment

The Department has reviewed the Proponent's Modification Report, RTS and has considered the submissions received as part of its assessment. The key issues identified were noise and vibration (**Section 5.1**), non-Aboriginal heritage (**Section 5.2**), and hydrology and flooding (**Section 5.3**). Other issues are discussed in **Section 5.4**.

5.1 Traffic, Transport and Access

Issue

The transport and traffic impacts associated with the proposed modification would be mostly consistent with those assessed for the approved project. Vehicle numbers and traffic routes would not change from the approved project; however, existing pedestrian access across the disused rail corridor from car parking associated with the Rosehill Gardens Racecourse and other locations west of the dive location would be removed.

Issues identified included:

- removal of the Rosehill Railway Station Footbridge will reduce pedestrian access and permeability across the decommissioned rail corridor between James Ruse Drive (JRD) and Rosehill Gardens Racecourse
- consideration of future M4 connections in the realignment of Kay and Unwin streets.

Submissions

Australian Turf Club (ATC) raised access as an issue in its submission and requested more details regarding access from its P5 carpark to the racecourse, in particular Gate 3.

Consideration

Safe temporary pedestrian access will be provided in consultation with ATC

The Proponent has committed to providing safe access in accordance with Condition D98 and that a new, safe alternative crossing of the former T6 Carlingford Line would be provided if the footbridge is removed, however there was no detail of how or what would be delivered.

The Rosehill Railway Station Footbridge (see **Figure 5**) provides direct pedestrian access across the decommissioned rail corridor to Rosehill Gardens Racecourse (Gate 3) and other industrial areas on the eastern side and aligns with the intersection of Weston Street and JRD, however there is no pedestrian crossing in this location.

The footbridge is regularly used during events by racecourse patrons and daily by staff. Staff use was observed by Department officers during a site visit in March 2022. Racing events occur two to three times per month and horse stabling and training is a constant activity at the site. Other showcase events,

conferences, conventions and hospitality events also occur regularly and therefore access is required across the decommissioned corridor at all times.

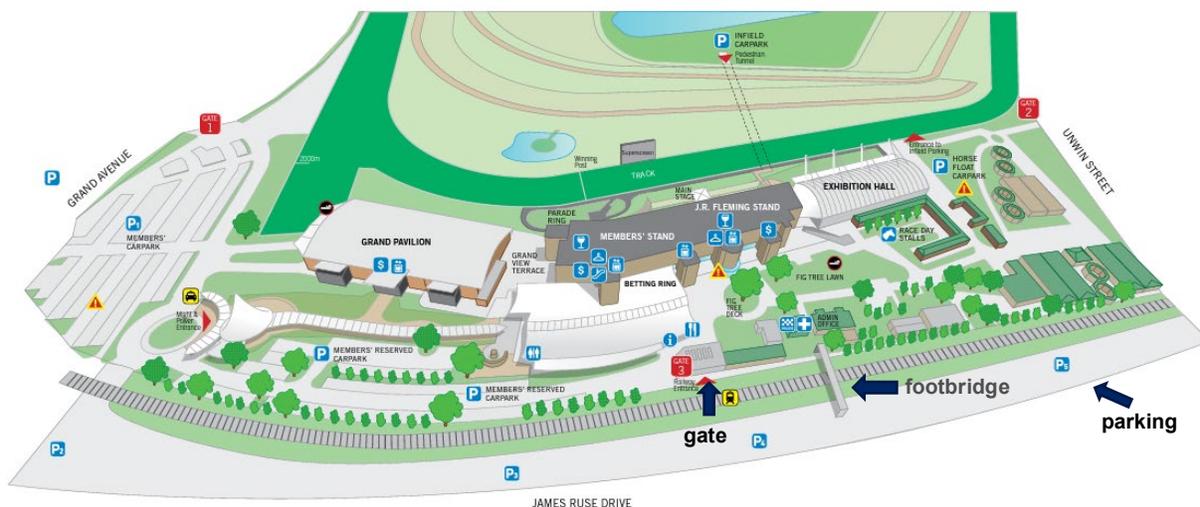


Figure 5 | Rosehill Gardens Racecourse (source: ATC website)

The current location of the footbridge aligns with the intersection of Weston Street and JRD, Existing fencing of the rail corridor means that the nearest crossing of the decommissioned corridor is approximately 350 metres to the north at the main entrance to Rosehill Gardens (Might and Power entrance). This would require pedestrians want to access the southern portions of the site or other industrial areas off Unwin Street to double back approximately 700 metres and make Gate 3 largely redundant if no replacement is provided in the same general location.

Bus stops on JRD in the vicinity of the footbridge provide direct access to Parramatta, Bankstown and Sutherland, in addition to the N61 NightRide bus, which is the only nighttime bus service operating to Rosehill Gardens Racecourse. The footbridge also provides the most direct access between the racecourse and the hotels on the western side of JRD.

While the Department acknowledges the proponent's commitment to consult with the ATC to provide an alternative crossing, the commitment is lacking in performance-based outcomes and detail to consider how the current access is used on a daily basis as well as for public race days and other key hospitality and conference events in developing its replacement. A new condition is therefore recommended which identifies performance outcomes in terms of location, safety and accessibility as well as design in consultation with the ATC, landowners and the relevant road authority. The Modification Report indicates that the temporary access will be made permanent at some future time. The Department has advised the proponent that where this occurs, the design must also consider relevant strategic planning documents and masterplans.

Realignment of Unwin and Kay streets must not preclude M4 connection identified in strategic plans

The *Draft Camellia-Rosehill Place Strategy* identifies a potential connection between the M4 Motorway and the Camellia-Rosehill precinct via Unwin Street. This connection was initially identified in the *Western Sydney Ring Road* strategy (Parramatta City Council 2012) and has since been identified in state and local planning studies and strategic plans, including *Future Transport 2056* (TfNSW 2018), the *Central City District Plan* (GSC 2018) and the *State Infrastructure Strategy 2018-2038* (INSW 2018). In 2014, the Department also required that the Proponent of the WestConnex M4 Widening project confirm that it would not preclude road upgrades identified in the *Western Sydney Ring Road* strategy.

The Department's Planning and Land Use Strategy Division raised concerns that the modification report did not demonstrate that future connections to the M4 as shown in the *Draft Camellia-Rosehill Place Strategy* (DPIE 2021) were not sterilised by the proposed Kay and Unwin streets realignment. Further information was sought to show that the proposed modification would not preclude the M4 connection.

The Proponent confirmed, in a letter dated 13 April, that the M4 connection as proposed in the draft strategy, could be delivered with the proposed realignment of Kay and Unwin streets. The Department has recommended a condition requiring the realignment design ensure this outcome, including retention of the road reserve of Unwin Street between Kay Street and the TfNSW Granville Depot for future use a connection to the M4 and provision of further detailed documentation to the Department's Planning & Land Use Strategy Division to inform master planning of the precinct.

The Department is satisfied that, while the proposed M4 connection does not form part of Sydney Metro West, the realignment of Kay and Unwin streets will not preclude its future delivery by others.

5.2 Non-Aboriginal heritage

Issue

Two locally listed heritage items, the Former Rosehill Railway Station (Local (potential heritage item)) (**Figure 6**) and Rosehill Railway Station Footbridge (S170 (SHI 4801762)) (**Figure 7**), would need to be removed or dismantled to enable construction of the relocated dive structure. Both are considered to hold high heritage significance and the potential impacts are major (demolition).

Significant archaeological remains are not expected within the proposed modified construction footprint. Work within the modified construction footprint would not result in impacts to significant non-Aboriginal archaeological remains or 'relics' as defined under the *Heritage Act*. An existing Unexpected Finds Procedure would apply in the unlikely event that archaeology is encountered within the proposed modified construction footprint. The Department considers the approved mitigation measures and conditions of approval appropriate to manage this matter.



Figure 6 | Former Rosehill Railway Station (source: Sydney Metro)



Figure 7 | Former Rosehill Railway Station Footbridge (source: Sydney Metro)

Submissions

City of Parramatta Council stated that Council's preferred option is for Sydney Metro to retain the Rosehill Railway Station Footbridge *in situ*, or if that is not possible, for the item to be dismantled and relocated, preferably in Clyde or elsewhere in Parramatta. Council outlined the processes, reports, and management plans that it would like to see if retention or relocation is considered.

Heritage NSW noted that the modification does not directly impact any items listed on the State Heritage Register (SHR) and does not appear to impact historical archaeological relics, resources or items of State Significance.

Heritage NSW also noted that the works will impact local heritage items, one of which is listed on the Sydney Trains Section 170 heritage register and another item identified as a 'potential' heritage item and recommended further consultation with the relevant State Agency and council.

Consideration

Removal of the station and footbridge cannot be avoided, but investigation of footbridge relocation is recommended

The Rosehill Railway Station Footbridge is a steel Warren truss footbridge that crosses the former Carlingford Line corridor, providing access between James Ruse Drive and the Rosehill Gardens Racecourse and to both platforms of the former Rosehill Railway Station. Dismantling and removal of the footbridge to enable construction of the relocated tunnel dive structure cannot be avoided.

The item is considered a rare and early example of its kind and is listed as an item of local heritage significance on the TfNSW section 170 Heritage Register. It was constructed in 1929 and has had minor non-significant and reversible modifications made, including the installation of a protective guard screen (c1999) and new decking installed c1996 (**Figure 6**). It is one of 24 Warren truss footbridges that remain in NSW and has been assessed as an item of high heritage significance in the 2016 *Railway Footbridges Heritage Conservation Strategy*.

While Rosehill Railway Station is currently unlisted, it meets the criteria for local heritage listing and listing on Transport Asset Holding Entity's section 170 register. The removal of the station would have a major direct impact, with the loss of an 1888 railway station; the first railway platform to be constructed from concrete in NSW; and a diminished understanding of the public transportation network and its relationship with Rosehill Gardens Racecourse. It would further accumulate the loss of heritage along the Carlingford Line, which still provides understanding and heritage interpretation of the development of the railway network.

The Department acknowledges that the impact of the extended construction footprint on the two structures is unavoidable and notes that they serve no operational purpose. Council's position of retaining the footbridge *in situ* cannot be achieved; however, the request to dismantle and relocate is supported. The Proponent has committed to considering alternative locations for the footbridge.

Due to the footbridge's significance, in particular its rarity, the Department has recommended a condition requiring that the Proponent engage with Council to seek a new location for the footbridge. If an

alternative location is found, the proponent must incur the cost of relocating the footbridge and funding preparation of a Heritage Asset Action Plan to guide ongoing maintenance. It is understood that ownership of the asset would be transferred to Parramatta City Council.

The dismantled bridge would be stored at the construction site until a new site is found. If a new location cannot be agreed upon, salvage will occur in accordance with the existing conditions of approval and as discussed further below.

Archival recording must occur before items are dismantled or demolished

Before work commences at Rosehill Railway Station, archival recording will be undertaken for the Rosehill Railway Station Footbridge and Rosehill Railway Station in accordance with the existing approval.

The Proponent has also committed to identification of significant heritage fabric for salvage and reuse opportunities. Salvaged items would also be considered for use as heritage interpretation for future project stages. These matters would be covered in the relevant construction management and heritage interpretation plans as required.

The proposed modified mitigation measures and existing conditions of approval are considered appropriate to address the issues of salvage and storage of materials without further amendment.

5.3 Other Issues

Contamination, traffic, transport and access, biodiversity, and landscape character and visual amenity were issues either assessed by the Proponent as part of the modification report or raised in submissions. These were assessed by the Department and are addressed in Table 1.

Table 1 | Consideration of other issues

Issue	Findings	Recommendations
Noise	Construction activities and resultant noise impacts from relocation of the tunnel dive and road realignment would be largely consistent with the approved project. Activities proposed were assessed as part of the approved project with the exception of the demolition of the Rosehill Railway Station and associated structures. Any change to impact would likely result from the additional activities and the relocation of construction workfaces.	The Department is satisfied that the predicted impacts are consistent with the approved project, likely to be conservative and the actual noise generated difficult to perceive for most users, taking into context the existing high noise environment adjacent to JRD. The proposed mitigation measures are considered appropriate and consistent with the approach adopted and commitments for noise management made in the EIS

Issue	Findings	Recommendations
	<p>Most work would be undertaken within the approved daytime construction hours (Mon to Fri 7 am to 6 pm and Sat 8 am to 6 pm). The relocation and realignment would result in additional receivers being affected by noise with some additional impacts as a result of removing the Rosehill Railway Station, however none would be highly noise affected (>75 dBA) and fewer would be exposed to noise >20 dBA above the relevant noise management level. Removal of the railway station is expected to take four to six weeks and would have the greatest impact. Traffic on JRD is likely to remain the dominant daytime noise source in this location. Up to 13 receivers may be subject to sleep disturbance during roadheader launch and support activities.</p> <p>Identified impacts are based on equipment operating simultaneously and is unlikely to be a realistic scenario. Construction would inevitably generate noise and minor exceedances of the noise management levels are expected. The levels provide a trigger at which point the proponent is required to consider the need and ability to mitigate that noise taking into account a range of factors, including the intensity, duration, alternatives and constructability.</p> <p>In a meeting on 24 February 2022, the Australian Turf Club noted concerns regarding the impact of construction noise on stables adjacent to the construction site and Unwin Street. It is understood that Sydney Metro has discussed this matter with the ATC and that an agreement has been made</p>	<p>which are carried into the Minister's approval.</p> <p>The Minister's approval provides for refinement of likely impacts as the project design progresses and provision of mitigation where a situation warrants it in line with the Interim Construction Noise Guideline (NSW EPA, 2009).</p> <p>No changes to or new conditions are considered necessary.</p>

Issue	Findings	Recommendations
	<p>to undertake monitoring ahead of construction commencing and a co-operative approach to managing impacts is proposed.</p> <p>Roadheader launch, support and spoil removal is proposed as an out of hours activity. Approximately 22 heavy vehicle movements per hour are expected out of hours associated with spoil removal, however there would be no highly noise affected receivers.</p>	
<p>Flooding and hydrology</p>	<p>Removal of road dive structures, introduction of bridge approach embankments and changes to the road alignment would result in a loss of floodplain storage. This could have minor additional impacts on flooding in the locality in the one per cent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events. Minor increases of 0.01 m are expected downstream of the maintenance facility and on the southern boundary of the Rosehill Gardens racecourse in the PMF.</p> <p>No change to the channelisation of A'Becketts and Duck creeks is proposed.</p> <p>Compared to the approved project, no change is expected to:</p> <ul style="list-style-type: none"> • flow velocity or scouring in the PMF • the number of properties subject to flooding <p>No consequential change to floodplain risk management plans, emergency management arrangements or cumulative flooding impacts are expected.</p>	<p>The Department is satisfied that the impact is likely to be negligible and within the margin of error of the model used. Further design refinement would consider options to further mitigate impacts. The current conditions to manage flooding are considered adequate to manage potential flooding and hydrology impacts.</p> <p>Community concerns regarding impacts to Duck Creek and already flooded streets upstream of the site in Parramatta and Clyde were considered; however, there is nil to negligible change to the approved project. Other matters such as requests to improve improvements to Duck Creek and its tributaries were addressed in the assessment of the approved project.</p>
<p>Contamination</p>	<p>The areas of environmental interest and receptors for the proposed</p>	<p>The Department has considered the proposed changes and is</p>

Issue	Findings	Recommendations
	<p>modification are consistent with those assessed in the EIS.</p> <p>No significant changes to the potential impacts to human health or the environment have been identified as a result of the modification.</p> <p>Construction activities for the modification would be generally consistent with the types of activities for the approved project. The revised dive structure relocation is not considered to change the potential exposure pathways for contamination to reach human health or environmental receptors.</p> <p>The proposed changes to the revised dive structure and realignment of Kay and Unwin streets are not considered to materially change compared to the approved project. However, the proposed modification would reduce the need to expose potentially contaminated soil.</p> <p>Overall, the potential contamination impacts of the proposed modification would be consistent with those detailed in the EIS.</p>	<p>satisfied that these reflect minor changes to the location with no increase in risk from contaminated land. The mitigation measures and current conditions of approval are considered appropriate to manage potential contamination impacts and no further changes are recommended.</p>
<p>Biodiversity</p>	<p>A Biodiversity Development Assessment Report (BDAR) assessed the additional area required for the proposed modification and the area within the approved project area where Downy Wattle is located (the “subject land”).</p> <p>The proposed modification requires the removal of 0.14 hectares of Downy Wattle, (0.13 hectares within the additional area required for construction and 0.01 hectares within</p>	<p>The Biodiversity Conservation Division (BCD) of the Department of Planning and Environment was consulted regarding the revised impacts and changes to offsetting requirements.</p> <p>The Department has recommended offset requirements consistent with the <i>BC Act 2016</i> for the additional species impacted by the proposed modification.</p>

Issue	Findings	Recommendations
	<p>the approved project area) or about 27 stems of downy wattle, but is not likely to result in a significant impact to species or communities listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>This represents a loss of about 0.6 per cent of the known population (at least 4,655) within a 15 kilometre radius of the site.</p> <p>In addition, approximately 0.44 hectares of low condition PCT 849 (Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion) would require removal. Given the existence of better quality resources nearby it is not expected to be utilised by threatened species such as the Swift Parrot or Grey-headed Flying Fox.</p> <p>An additional mitigation measure (B4) is proposed which requires that the feasibility of native seed collection, plant propagation program, translocation of juvenile and mature native plants and the reuse of vegetation be considered in the Flora and Fauna Management Plan.</p>	<p>The BCD recommended a range of conditions consistent with those applied to the approved project and mitigation measures committed to by the proponent. These include pre-clearance fauna surveys; seed collection and plant translocation; and tree replacement.</p> <p>The existing approval includes conditions requiring that the Proponent retain as many mature trees and as much tree canopy as practicable, and a net increase in the number of mature trees at a ratio of 2:1. The existing approval also requires that suitable habitat be inspected before vegetation clearing or demolition, an approach supported by DPE BDC.</p> <p>A range of other recommendations by the BCD relate to outcomes for the end state of the Clyde Maintenance Facility. These recommendations more appropriately sit with the assessment of Stage 3 of Metro West which will consider precinct planning, visual and landscaping outcomes for the line-wide project (SSI-22765520). That application has been exhibited and is currently under assessment by the Department. Further engagement has been and will be undertaken with the BCD (and more broadly with the Environment and Heritage Group of the Department of Planning and Environment) as part of that application.</p> <p>The Department is satisfied that the proposed and existing Conditions of Approval and mitigation measures</p>

Issue	Findings	Recommendations
<p data-bbox="201 405 448 468">Landscape Character & Visual Amenity</p>	<p data-bbox="521 405 935 680">The revised location of the Rosehill dive structure would have a moderate adverse landscape impact during construction on the former T6 Carlingford Line and Rosehill Railway Station due to the removal of the vegetation along the embankments, reducing the shade cover and amenity.</p> <p data-bbox="521 726 935 1182">The realignment of Unwin Street and Kay Street via an at-grade road and road bridge would still result in changes to the landform across the construction site, however the vegetation removal and scale of earthworks would be consistent with the approved project. Overall, the construction site would have minor adverse landscape impacts for the site and streetscapes of Unwin Street, Kay Street and Shirley Street which are consistent with the approved project.</p> <p data-bbox="521 1228 935 1751">The revised location of the Rosehill dive structure would include additional visual impacts further north compared to the approved project. This would be a result of the construction site extending further north-east and vegetation removal associated with establishing this site. However, much of these works would be seen in the existing context of the major road corridor and associated car parks. All views were assessed as having negligible to moderate adverse visual impacts as a result of the proposed modification.</p> <p data-bbox="521 1797 935 1860">The realignment of Unwin Street and Kay Street via an at-grade road and</p>	<p data-bbox="990 275 1365 373">would address additional impacts on Biodiversity without the need for further changes.</p> <p data-bbox="990 405 1365 680">The Department has assessed the visual impacts of the project and acknowledges the context of the work within a major road corridor or within an industrial area away from public viewing location and therefore considers them to be minor.</p> <p data-bbox="990 726 1365 968">Condition D110 of the existing approval requires that the Project be constructed in a manner that minimises visual impacts of construction sites including providing temporary landscaping and vegetative screening.</p> <p data-bbox="990 1014 1365 1213">The Department is satisfied that the requirements of Conditions the conditions of approval and the mitigation measures would mitigate the impacts to visual amenity and landscape.</p>

Issue	Findings	Recommendations
	<p>road bridge would be larger in scale and visually more prominent than proposed for the approved project, however there is no change to the visual impact levels.</p> <p>The Proponent has considered the potential impacts of the modification and committed to additional mitigation measures, including:</p> <ul style="list-style-type: none"> • investigating the opportunity for early installation of screening vegetation along the eastern boundary between the rail corridor and Rosehill Gardens Racecourse and west of the Kay Street and Unwin Street road bridge where feasible • providing vegetation that screens and softens views of the road, bridge and other permanent engineered structures where feasible. 	

6 Evaluation

The Department considers that the proposed modification should be approved subject to conditions. The relocation of the Rosehill dive structure will avoid the need to divert the Sydney Water sewer reducing potential impacts on nearby residents and businesses, and the modified Kay and Unwin St alignment would reduce the need to disturb potentially contaminated soils at the Clyde stabling and maintenance facility.

The Department has considered:

- the relevant matters and objects of the *Environmental Planning and Assessment Act 1979* as they relate to the modification, the principles of ecologically sustainable development, advice from government agencies and council, and strategic government policies and plans; and
- the Modification Report, community submissions, Response to Submissions and has assessed the key issues arising from the proposed changes to the approved project.

The key issues associated with the proposed modification are, non-Aboriginal heritage and transport, traffic and access. Other issues include impacts to noise and vibration, flooding and hydrology, landscape and visual amenity, biodiversity, and contamination. The Department considers that the modification will provide beneficial community outcomes whilst having a minor environmental impact.

Impacts associated with the relocation of the Rosehill dive structure and realignment of Kay and Unwin St are largely consistent with the approved project. Based on its assessment, the Department has recommended further conditions of approval to address stakeholder concerns about pedestrian access across the rail corridor, consideration of future road connections, heritage, and biodiversity.

The Department is satisfied that the issues raised in submissions have been appropriately considered and responded to by the Proponent and overall, the merits of the modification have been evaluated and it is concluded that the benefits of the proposed modification outweigh the potential impacts. As such, the Department considers the proposed modification should be approved, subject to conditions.

7 Recommendation

It is recommended that the Director, Transport Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application Sydney Metro West – Concept and Stage 1 Modification 2 (SSI-10038 MOD 2) falls within the scope of section 5.25 of the EP&A Act
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the approval SSI-10038
- **signs** the attached Notice of Modification (**Appendix C**).

Recommended by:



Sam Kelly
Planning Officer
Transport Assessments

Recommended by:



Lisa Mitchell
Team Leader
Transport Assessments

8 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:

A handwritten signature in blue ink, appearing to be 'Glenn Snow', written in a cursive style.

Glenn Snow

Director

Transport Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – Modification Report

<https://www.planningportal.nsw.gov.au/major-projects/project/43471>

Appendix B – Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/43471>

Appendix C – Submissions Report

<https://www.planningportal.nsw.gov.au/major-projects/project/43471>

Appendix D – Consolidated Approval

<https://www.planningportal.nsw.gov.au/major-projects/project/43471>

Appendix E – Notice of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/43471>

Appendix F – Community Views for Draft Notice of Decision

Issue	Consideration
<p><u>Traffic, Transport and Access</u></p> <ul style="list-style-type: none">• Removal of Rosehill Railway Station Footbridge and impacts on racecourse access• The need to provide connectivity, including road and active transport networks within and from the precinct• Inclusion of a shared path for cyclists and pedestrians on the western side up to Unwin Street and provision for a footpath on eastern side of the street• Pedestrian access to Unwin Street and Rosehill Racecourse• A regional scale walking and cycling path user path planned along the former T6 rail corridor	<p><i>Assessment</i></p> <ul style="list-style-type: none">• Removal of Rosehill Railway Station Footbridge will reduce pedestrian accessibility between James Ruse Drive and Rosehill Gardens Racecourse• The relocation of the dive structure necessitates the removal of Rosehill Railway Station and its footbridge• The realignment of Unwin and Kay Street will not preclude strategic future connections and will be designed to accommodate a shared path• Walking and shared users paths (other than the path constructed as part of the realignment) will be assessed under a future planning application. <p><i>Recommended Conditions / Response</i></p> <p>The Department has recommended conditions requiring further consultation with Australian Turf Club (ATC) and has recommended conditions to ensure that the realignment does not preclude a potential connection to the M4 Motorway.</p>

Issue	Consideration
<p><u>Non-Aboriginal Heritage</u></p> <ul style="list-style-type: none"> Rosehill Railway Station Footbridge should remain <i>in situ</i> Support for relocation of footbridge if retention in situ is not possible 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Footbridge cannot be retained in situ Consultation will be undertaken with Council before the removal of Rosehill Railway Station Footbridge to determine a potential site for relocation A Heritage Asset Action Plan (HAAP) will be prepared within 12 months of relocation Salvage will occur for the footbridge and railway station (potential item) <p><i>Recommended Conditions / Response</i></p> <p>The Department has recommended conditions requiring further consultation with Council and that the Proponent assist Council with preparation of an HAAP.</p>
<p><u>Flooding and Hydrology</u></p> <ul style="list-style-type: none"> Flooding impacts and mitigation measures to protect surrounding residents and structures Questions about how flooding risks from any excavation or new foundations will be mitigated Requests for support from Parramatta City Council and Sydney Water to clean debris from the waterways, creeks and rivers Consideration of alternative solutions at Clyde that do not have an adverse impact on flood levels 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Negligible changes to potential flooding impacts are anticipated as a result of the proposed modification compared to the approved project Proponent is consulting with relevant stakeholders about flooding at Clyde, including further design refinements to mitigate potential flooding impacts The Concept approval requires that parts of Duck Creek and A'Becketts Creek must be rehabilitated/renaturalised The approved project has implemented mitigation measures to manage water quality <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>
<p><u>Approved Project Design</u></p> <ul style="list-style-type: none"> Comments on approved project alignment between Sydney Olympic Park and North Strathfield Concern about property impacts for properties above approved alignment 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Sydney Metro West Concept, from Westmead to the Sydney CBD, as well as major civil construction work between Westmead and The Bays (Stage 1) was granted approval by the Minister for Planning and Public Spaces on 11 March 2021 The project alignment is not being assessed as part of this Modification <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>
<p><u>MOD 2 Justification</u></p> <ul style="list-style-type: none"> Justification for Modification, including relocation of dive structure and realignment of Kay and Unwin Street 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The location of the Rosehill dive structure as identified in the approved project would require diversion of a major Sydney Water sewer. The sewer runs parallel to the former T6 Carlingford Line and its diversion would involve intensive construction works adjacent to sensitive receivers and within an area that is at risk from flooding

Issue	Consideration
	<ul style="list-style-type: none"> The revised location of the Rosehill dive structure was selected to avoid further impacts to private property, public roads to the west, and commercial properties to the east by remaining within the former T6 Carlingford Line rail corridor Remaining within the rail corridor, with a revised location south or north of the revised location, would require relocation of the sewer and not allow sufficient space for other construction activities on site The modified Kay Street and Unwin Street realignment would reduce the need to disturb potentially contaminated soils at the Clyde stabling and maintenance facility. <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>
<p><u>Land use and Property</u></p> <ul style="list-style-type: none"> Impacts on future ATC land use Integration with Camellia-Rosehill Place Strategy 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Sydney Metro is consulting with the Department to ensure appropriate integration of the Sydney Metro West project with the <i>Camellia-Rosehill Place Strategy</i> that is currently under development Condition C-B2 requires that the Stage 3 Sydney Metro West planning application consider integration with strategic planning for the precinct at the Clyde stabling and maintenance facility site. <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>