

23 June 2023

Attn: Dominic Crinnion
Acting Director – Infrastructure Management
NSW Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Dominic,

**Sydney Metro West Stage 1
Request for the Planning Secretary's interpretation of Condition D37 (d) (iii)
under Condition A4**

Condition A4 of the Sydney Metro West – Concept and Stage 1 Conditions of Approval (SSI 10038) provides a mechanism for the Planning Secretary to provide its final interpretation of a condition for this approval if there are differing interpretations.

Sydney Metro is requesting the Planning Secretary under Condition A4 to provide its interpretation of Condition of Approval D37 (d) (iii) in relation to the delivery of material at the Westmead construction site between the hours of 10:00pm and 7:00am.

The Environmental Impact Statement for the Sydney Metro West – Concept and Stage 1 assessed the impact of material deliveries occurring 24 hours a day, seven days a week to support tunneling activities at the Westmead metro station construction site.

In the Sydney Metro West – Concept and Stage 1, Assessment Report (March 2021), the Planning Secretary noted that *“Although Westmead construction site would operate 24 hours a day, seven days a week to support tunnel boring, spoil would need to be stored on site overnight and deliveries occur before 10.00 pm unless low impact noise criteria can be achieved between 10.00 pm and 7.00 am.”*

The *“low impact noise criteria”* is referred to as, *“... noise levels that would not exceed night time or sleep disturbance criteria (i.e. deemed to meet low impact criteria)”*. As stated in the Sydney Metro West – Concept and Stage 1, Assessment Report (March 2021), *“The low impact noise criteria are based on acceptable noise limits identified in the ICNG”*.

Section 4.3 of the Interim Construction Noise Guidelines (ICNG) related to *“Sleep disturbance at residences”*, refers to the *NSW Environmental Criteria for Road Traffic Noise (EPA 1999)* for guidance around potential sleep disturbance which states: *“In all cases, traffic arising from the development should not lead to an increase in existing noise levels of more than 2 dB.”*. This is consistent with the *NSW EPA Road Noise Policy (RNP)* which is used to assess potential impacts from construction traffic on public roads.

Therefore, Sydney Metro interprets Condition of Approval D37 (d) (iii) as deliveries of material at the Westmead metro station construction site are not permitted between the hours of 10:00pm to 7:00am unless low impact noise criteria, as defined above, can be achieved.

Sydney Metro is looking forward to the Planning Secretary providing its interpretation on Condition D37 (d) (iii).

Should you have any questions please do not hesitate to contact Matthew Marrinan, Senior Manager Environment on 0475 966 938.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'B. Armstrong', with a stylized, cursive script.

Ben Armstrong
Director
Project Environment, Sustainability and Planning
Metro West