

Modification of Infrastructure Approval

Section 5.25 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under the Instrument of Delegation dated 11 October 2017, I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Glenn Snow
Director
Transport Assessments

Sydney 20 August 2018

SCHEDULE 1

Infrastructure Approval:

SSI 6788 granted by the Minister for Planning on 20 April 2016

For the following:

Development for the purposes of the WestConnex New M5 project being a new multi-lane road link between the M5 East Motorway (east of King Georges Road) and St Peters Interchange.

Modification:

Modification to amend condition B63 in relation to the size of replacement trees.

SCHEDULE 2

1. Delete condition B63 and replace with the following:

- B63** The Proponent must commission an independent experienced and suitably qualified arborist, to prepare a comprehensive Tree Report(s) prior to removing any trees on the periphery and/or outside the construction footprint as identified in the figures in Section 6 of the document referred to in condition A2(b), including any tree(s) removed along Euston Road. The Tree Report may be prepared for the entire SSI or separate reports may be prepared for individual areas where trees are required to be removed. The report(s) must identify the impacts of the SSI on trees and vegetation within and adjacent to the construction footprint. The report(s) must include:
- (a) a visual tree assessment with inputs from the design, landscape architect, construction team;
 - (b) consideration of all options to amend the SSI where a tree has been identified for removal, including realignment, relocation of services, redesign of or relocation of ancillary components (such as substations, fencing etc.) and reduction of standard offsets to underground services; and
 - (c) measures to avoid the removal of trees or minimise damage to existing trees and is to ensure the health and stability of those trees to be protected. This includes details of any proposed canopy or root pruning, excavation works, site controls on waste disposal, vehicular access, storage of materials and protection of public utilities.

A copy of the report(s) must be submitted to the Secretary for approval prior to the removal, damage and/or pruning of any trees, including those affected by site establishment works. All recommendations of the report must be implemented by the Proponent, unless otherwise agreed by the Secretary.

2. Insert new conditions B63A, B63B and B63C as follows:

- B63A** The SSI must be designed to retain as many trees as possible. Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees. Replacement trees must be planted within the SSI boundary or on public land up to 500 metres from the SSI boundary. Replacement tree plantings can be undertaken beyond 500 metres on public land within the local government areas to which the SSI approval applies if no more plantings are practicable within and up to 500 metres from the SSI boundary. The location of replacement trees must be determined in consultation with the relevant council(s).

- B63B** Replacement trees are to have a minimum pot size of 75 litres except where the plantings are consistent with the pot sizes specified in a relevant council's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant council. In areas not subject to council plans / programs / strategies, pot sizes should be informed through consultation with the relevant council(s).

Note:

- *For the purposes of condition B63A and B63B, consultation with relevant council(s) encompasses consultation undertaken with those councils on the Urban Design and Landscape Plan required by condition B61, and any agreements reached on replacement pot sizes during consultation.*

- B63C** The Proponent must submit to the Secretary a report which details the type, size, number and location of replacement trees. The report must demonstrate how any replacement plantings with a pot size less than 75 litres are consistent with the requirements of condition B63B. The report must be submitted to the Secretary prior to operation unless otherwise agreed by the Secretary.

Note:

- *The requirements of conditions B63A, B63B and B63C do not apply to tree planting initiatives implemented under condition B66.*

3. Delete condition B64 and replace with the following:

- B64** The Proponent must provide a pedestrian pathway and verge along Euston Road and must replace the perimeter plantings along the Euston Road frontage of Sydney Park commensurate with the type of plantings impacted by the SSI. Replacement plantings must be in accordance with the pot sizes specified in condition 63B.