

Notice of decision – Modification to WestConnex M4-M5 Link (SSI 7485 MOD 1)

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

Application type	State significant infrastructure modification
Application number and project name	SSI 7485 MOD 1 – Modification to WestConnex M4-M5 Link
Applicant	Roads and Maritime Services
Approving authority	Minister for Planning

Decision

The Minister for Planning has, under s.5.25 of the *Environmental Planning and Assessment Act 1979* (the Act) approved the modification subject to the recommended conditions.

A copy of the instrument of modification is available at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9612.

A copy of the Planning Secretary's Assessment Report is available at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9612.

Date of decision

25 February 2019

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, which include the findings and recommendations in the Planning Secretary's Assessment Report;
- all information submitted to the Department during the assessment of the application;
- the findings and recommendations in the Planning Secretary's Assessment Report; and
- 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 modification are as follows:

- the amendments to the project would –
 - avoid construction impacts on the community surrounding Darley Road at Leichhardt,
 - reduce construction noise impacts west of the Parramatta Road West construction ancillary facility due to the change in use of the site from tunnelling to parking, storage, laydown and offices,
 - provide improved noise management through noise monitoring against noise goals,
 - provide construction worker parking, reducing the potential for construction workers to park on local roads as has occurred during the construction of the M4 East project, and
 - avoid spoil haulage trucks utilising local roads, except under approved circumstances;
- the project has been endorsed by the NSW Government by being a key component of -
 - *Future Transport Strategy 2056*,
 - *State Infrastructure Strategy 2018-2038*,
 - *A Plan for Growing Sydney*, and
 - *Central City District Plan* and *Eastern City District Plan*.
- the impacts on the community and the environment can be appropriately minimised and managed to an acceptable level, in accordance with applicable NSW Government policies and standards. The key impacts include –
 - construction traffic associated with spoil haulage, which will be managed by a number of conditions, including limiting the use of spoil haulage through Haberfield (Route A),
 - construction noise which will be managed by the existing conditions of approval and new requirements relating to construction noise monitoring,

- pedestrian and cyclist safety which will be managed through the recommended condition requiring traffic controllers on access and egress points on the Parramatta Road East and West construction ancillary facilities, and
 - potential dust nuisance which will be managed under the approved construction air quality management plan and through the recommended requirement for dust deposition monitoring;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of approval; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification request from 12 September 2018 until 26 September 2018 (14 days) and received 31 submissions from the public and special interest groups, including 25 objections, primarily from residents living within proximity to the project site.

The Department also undertook the following consultation activities:

- a site visit at the proposed construction ancillary facility locations at Ashfield and Haberfield; and
- held a meeting with community members that lodged submissions.

The key issues raised by the community (including in submissions) and considered in the Planning Secretary’s Assessment Report and by the decision maker include traffic and access, noise and vibration, air quality, and surface water and drainage. Other issues are addressed in the Planning Secretary’s Assessment Report.

Issue	Consideration
<p>Construction Traffic and Access</p> <ul style="list-style-type: none"> • Concern over the volume of heavy vehicles traversing through residential areas and increased traffic during peak periods and ability of road network to accommodate the additional traffic • Spoil haulage vehicles should utilise the M4 East tunnels • Use of spoil haulage Route A • Road dilapidation arising from heavy vehicles traversing roads • Pedestrian safety around access and egress points on the Parramatta Road East and West construction ancillary facilities • Construction worker parking on local streets 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • Traffic impacts associated with the use of the two proposed spoil haulage routes (A and B) would be minimal. However, Route B is the preferred spoil haulage route. • Pedestrian safety can be appropriately managed around the Parramatta Road East and West construction ancillary facilities due to the low number of heavy vehicle movements and implementation of traffic control measures. • Use of the G-loop provides the opportunity for spoil haulage vehicles to directly access the M4 East tunnels, thereby avoiding the use of surface roads and subsequently reducing traffic (and noise) impacts. • The provision of over 200 parking spaces within the Parramatta Road East and West construction ancillary facilities would reduce the potential for construction workers to park on local streets. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> • The Department has recommended restrictions on the use of Route A for spoil haulage, including limiting its use to primarily peak periods. • The infrastructure approval sets out requirements relating to road dilapidation surveys and repairs. • To enhance pedestrian safety, the Department has recommended that traffic controllers staff the entry and exit points on the Parramatta Road East and West construction ancillary facilities whenever heavy vehicles are entering or exiting the sites, or there are shift changes, during school travel times.

Construction Noise and Vibration

- Traffic noise from spoil haulage trucks
- Night-time noise generated from activities on the Northcote Street and Parramatta Road East and West construction ancillary facilities
- Construction vibration from tunnelling under homes
- Inadequate noise attenuation offered by the Proponent to impacted sensitive receivers
- Cumulative noise impacts associated with the extended use of Northcote Street construction ancillary facility

Assessment

- The construction noise assessment predicted exceedances of noise management levels at residents adjacent to the Northcote Street construction ancillary facility. The Proponent has committed to manage noise and vibration impacts. Furthermore, the receivers have been identified as qualifying for acoustic treatment under the existing construction Noise Insulation Program.
- Noise impacts associated with the use of Route A would not be unreasonable and will be less than the 2 dBA criterion in the Road Noise Policy for noise mitigation.

Recommended Conditions/Response

- The approval requires the implementation of a construction Noise Insulation Program, periods of respite, and scheduling of out-of-hours works. Therefore, no other conditions are recommended in regard to the management of noise and vibration.
- The Department has recommended noise monitoring be undertaken to confirm the predicted noise levels.
- The Department has placed restrictions on the use of Route A for spoil haulage.

Air Quality

- Dust nuisance and potential health impacts
- Extended duration of air quality impacts in Haberfield / Ashfield
- Consistently high levels of particulate matter recorded during air quality monitoring at Haberfield and Ashfield

Assessment

- The assessment identified nuisance dust emissions from demolition, earthworks, construction and track-out activities as the main air quality issues. However, given that the modification does not require significant demolition work nor substantial surface excavations, the works are unlikely to generate significant air quality impacts.

Recommended Conditions/Response

- The Department considers that dust nuisance can be effectively managed by the measures proposed by the Proponent for the approved project including implementation of dust suppression techniques and covering of all loaded spoil haulage trucks.
- Notwithstanding, the Department has recommended that dust deposition monitoring be undertaken to gauge the potential for dust nuisance.

Surface Water, Flooding and Drainage

- Concerns over the discharges from the St Peters operational water treatment plant on water quality within Alexandra

Assessment

- The assessment concluded that the additional discharges would not adversely impact on the water quality of the

Canal and the potential to disturb contaminated sediments within the substrate

- Localised flooding and drainage issues arising from insufficient capacity of the existing stormwater system

receiving environments or be of sufficient quantity and velocity to disturb sediments within Alexandra Canal.

Recommended Conditions/Response

- The infrastructure approval sets out water quality criteria for construction and operational water treatment plant discharges.
- The Department has recommended that the scope of the Stormwater Drainage Report required by the infrastructure approval include review of the existing stormwater system to convey flows from operational water treatment plants.