

Modification of Infrastructure Approval

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

I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Minister for Planning

Sydney

25/2/

2019

SCHEDULE 1

Infrastructure Approval: SSI 7485 granted by the Minister for Planning on 17 April 2018.

For the following Critical State Significant Infrastructure:

Development for the purposes of the WestConnex M4-M5 Link project being a new multi-lane road link connecting the M4 East project at Haberfield with the New M5 project at St Peters comprising:

- new twin multi-lane tunnels between Wattle Street at Haberfield and the St Peters Interchange;
- new interchange at Rozelle which includes stub tunnels, ramps and related infrastructure for a potential future Western Harbour Tunnel;
- a twin tunnel connection from the Rozelle Interchange to the Iron Cove Bridge;
- an underground interchange at Leichhardt and Annandale linking the mainline tunnels with the Rozelle Interchange;
- five motorway operations complexes – one at Darley Road, Leichhardt, two within the former Rozelle Rail Yards, one adjacent to Victoria Road between Callan and Springside Streets, Rozelle and one adjacent to Campbell Road, St Peters Interchange;
- construction of three tunnel ventilation facilities – one at the former Rozelle Rail Yards, one associated with the Iron Cove Link and one at the Campbell Road motorway operations complex at St Peters;
- fit out of part of the Parramatta Road ventilation facility at Haberfield (constructed under the M4 East project) for use by the M4-M5 Link;
- emergency smoke extraction facilities at the motorway operations complexes;
- air intake facility at Rozelle West;
- new and upgraded pedestrian and cyclist infrastructure at Lilyfield / Rozelle / Annandale and along Victoria Road at Rozelle;
- landscaping, including the provision of new open space within the former Rozelle Rail Yards;
- new road works, widening road works and intersection modifications to facilitate connection between surface roads and the Rozelle Interchange, and along Victoria Road to accommodate the Iron Cove Link;

- tunnel support systems and ancillary services including electricity substations, water treatment facilities, fire and emergency systems, and tolling gantries;
- provisions of new and modified noise abatement facilities;
- temporary ancillary construction facilities; and
- utility adjustments, modifications, relocations and/or protection

Declaration as Critical State Significant Infrastructure:

The proposal is Critical State Significant Infrastructure by virtue of clause 4 of Schedule 5 of the *State Environmental Planning Policy (State and Regional Development) 2011* (NSW) and section 5.13 of the *Environmental Planning and Assessment Act 1979* (NSW).

Modification:

Change of use of the approved Northcote Street construction ancillary facility at Haberfield from a civil site to a civil and tunnel site.

Use of the approved Parramatta Road East and West construction ancillary facilities as civil sites.

Provision of a temporary pedestrian walkway connection above Parramatta Road to connect the Parramatta Road East and West civil sites for the use of project staff only.

Removal of 7 Darley Road, Leichhardt for construction and operational purposes from the project.

Relocation of the approved operational water treatment plant from 7 Darley Road, Leichhardt to the Campbell Road Motorway Operations Complex at the St Peters Interchange.

SCHEDULE 2

1. Delete condition A1 and replace with the following:

A1 The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the *WestConnex M4-M5 Link Environmental Impact Statement – Volumes 1A-C and 2A-J* (dated August 2017) (the EIS); the *WestConnex M4-M5 Link Submissions and Preferred Infrastructure Report* (dated January 2018) (the SPIR); and the *WestConnex M4-M5 Link Mainline Tunnel Modification Report* (dated September 2018) (Modification 1 Report) as amended by the *WestConnex M4-M5 Link Mainline Tunnel Modification Response to Submissions* (dated November 2018) (Modification 1 RtS).

2. Delete condition A2 and replace with the following:

A2 The CSSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS, SPIR, Modification 1 Report and Modification 1 RtS unless otherwise specified in, or required under, this approval.

3. Delete the table in condition C9 and replace with the following:

	Required Construction Monitoring Programs	Relevant authority(s) and council(s) to be consulted for each Construction Monitoring Program
(a)	Surface Water Quality Monitoring Program	DPI Water, Sydney Water and relevant council(s)
(b)	Groundwater Monitoring Program	DPI Water, Sydney Water and relevant council(s)
(c)	Noise and Vibration Monitoring Program	Relevant council(s), NSW Health
(d)	Blast Monitoring Program	EPA
(e)	Dust Deposition Monitoring Program	EPA

4. Delete condition C11 and replace with the following:

C11 The **Noise and Vibration Monitoring Program** must include:

- noise monitoring at agreed representative sensitive residential receiver locations adjacent to the Parramatta Road East and West construction ancillary facilities in Bland and Alt Streets to confirm that construction noise levels do not exceed the 'Noise affected' Noise Management Levels as identified in the ICNG;
- noise monitoring associated with condition E88 and Appendix E at agreed representative sensitive residential receiver locations alongside those properties bordering the Northcote Street construction ancillary facility that have been identified as eligible for construction noise treatment in Appendix E and in Paige Avenue and/or Earle Avenue located immediately outside, and to the east and west of the nominated boundary in Appendix E;
- for the purposes of (a) and (b), noise monitoring during the day, evening and night-time periods must be undertaken within the first month of operation of the construction ancillary facilities and must cover the range of activities (excluding activities associated with site establishment) being undertaken at the sites; and
- provision of real time noise and vibration monitoring data. The data must be readily available to the construction team, Proponent, **ER** and **AA**. The Department and EPA must be provided with access to the real-time monitoring data, on request.

5. Delete condition C19 and replace with the following:

C19 The Parramatta Road East and Parramatta Road West civil sites are to be used for parking and other works that do not exceed the 'Noise affected' Noise Management Levels as identified in the ICNG.

6. Delete Condition C20 and replace with the following.

C20 The Parramatta Road East and Parramatta Road West civil sites must not be used for spoil truck marshalling.

7. Delete Condition C21

8. Delete Condition E49 and replace with the following:

E49 Spoil haulage vehicles associated with the construction of the CSSI are not permitted to use local roads within one (1) kilometre of construction works and construction ancillary facilities, unless otherwise approved by the Secretary.

9. Insert new conditions E49A, E49B, E49C and E49D as follows:

E49A Use of Route A as the primary route for spoil haulage from the Northcote Street construction ancillary facility is limited to the first two (2) months of spoil haulage commencing at the Northcote Street facility or once the G-Loop is operational, whichever is the sooner, unless an alternative time period is agreed to by the Planning Secretary. During this time period, spoil haulage vehicles are permitted to use Route A only between the hours of 7:00 am and 7:00 pm.

E49B Once the G-Loop is operational, use of Route A by spoil haulage vehicles is limited to the following circumstances:

- (a) during the hours of 7:00 am to 9:00 am and 4:00 pm to 6:00 pm Monday to Friday (excluding public holidays) and 8:00 am to 9:00 am and 4:00 pm to 6:00 pm on Saturdays;
- (b) during periods of maintenance and/or unavailability of the G-Loop (such as repairs, signal failure, unauthorised standing of vehicles);
- (c) in the event that there is an incident or maintenance works on the road network in the vicinity of the Northcote Street construction ancillary facility and the G-Loop that prevents spoil haulage vehicles from accessing or travelling on Route B;
- (d) in the event that there is insufficient capacity for a spoil haulage vehicle to enter the Northcote Street construction ancillary facility and it must bypass the access gate; and
- (e) in peak spoil generating period(s) of no greater than six months approved by the Planning Secretary.

Notwithstanding the above, the use of Route A is restricted to 7:00 am to 7:00 pm daily.

E49C The Proponent must submit to the Planning Secretary the following information when seeking the approval of the Planning Secretary under condition E49B(e):

- (a) the estimated dates and duration of the peak spoil generating period;
- (b) the estimated hourly number of spoil haulage vehicle trips on Route A both during and outside the hours specified in condition E49B(a) each day during the peak spoil generating period;
- (c) at least six months of data as specified in condition E49D(a) and (b); and
- (d) analysis of the operational performance of the G-Loop, including the need to restrict the use of the G-Loop during the hours identified in condition E49B(a).

E49D Within four (4) months following the commencement of tunnelling at the Northcote Street construction ancillary facility, and at three (3) monthly intervals thereafter until the completion of tunnelling and backfilling from that site, the Proponent must submit to the Secretary data which details on an hourly basis:

- (a) the total number of spoil haulage vehicle trips associated with tunnelling and backfilling at the Northcote Street construction ancillary facility (inbound and outbound); and
- (b) the number of trips spoil haulage vehicles have made on Route A, and Wattle Street / Parramatta Road (instead of the M4 East Motorway tunnels) when exiting the G-Loop,

including the dates and times of use as well as the reasons for use of these routes noting the criteria for use specified in condition E49B.

Notes: For the purposes of conditions E49A and E49B:

1. *Spoil haulage vehicles includes vehicles removing spoil from the Northcote Street construction ancillary facility during tunnelling and delivering spoil to the site to backfill the construction access tunnel;*
2. *Route A from the Northcote Street construction ancillary facility is left turn onto Wattle Street, left turn on Ramsay Street, left turn on Fairlight Street, left turn on Great North Road; and*
3. *Route B from the Northcote Street construction ancillary facility is left turn onto Wattle Street, continue along Wattle Street/Dobroyd Parade and left turn into G-Loop, right-hand turn onto Dobroyd Parade from G-Loop, continue along Dobroyd Parade / Wattle Street into M4 East tunnel or onto Parramatta Road.*

10. Insert new condition E50A as follows:

E50A All heavy vehicles must only access and exit the Parramatta Road East and Parramatta Road West construction ancillary facilities via Parramatta Road during the operation of the facilities, except for when exiting the Parramatta Road West site and they need to travel east. In these circumstances the site may be exited via Bland Street or as otherwise approved by the Planning Secretary.

11. Delete condition E57 and replace with the following:

E57 Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, an alternate route which complies with the relevant standards must be provided and signposted prior to the restriction or removal of the relevant pedestrian and cyclist access.

12. Insert new condition E57A as follows:

E57A A traffic controller must be present at entry and exit points on the Parramatta Road East and West construction ancillary facilities between the hours of 7:30 am to 9:30 am and 2:30 pm to 4:30 pm during school terms whenever:

- (a) a heavy vehicle is to enter or exit the site via that point; and
- (b) light vehicles are entering and exiting the site at that point during staff shift change over periods.

13. Delete condition E59 and replace with the following:

E59 Enhanced cycle facilities at the Rozelle Bay light rail stop must be investigated and implemented if possible, in consultation with Transport for NSW and incorporated into the **Pedestrian and Cycle Implementation Strategy** required by **Condition E60**.

14. Delete condition E71

15. Delete the note under condition E73 and replace with the following:

Note: Section 5.24(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Conditions E73(c) and (d) must be justified and include an assessment of mitigation measures.

16. Insert new condition E122A as follows:

E122A The Proponent must implement measures, in consultation with affected residents, to prevent headlights from vehicles exiting the G-Loop spilling onto residences in the vicinity of the intersection of Dobroyd Parade / Wattle Street / Waratah Street.

17. Delete condition E154 and replace with the following:

E154 The Proponent must not destroy, modify or otherwise physically affect any heritage items, including human remains, outside of the CSSI boundary, or undertake works in or on Alexandra Canal.

18. Delete condition E195 and replace with the following:

E195 The Proponent must undertake further hydrological and hydraulic modelling based on the detailed design of the CSSI to determine the ability of the receiving drainage systems to effectively convey pavement drainage from the CSSI and include wastewater flows from operational water treatment plants where it is proposed to discharge these flows to the receiving drainage systems. The modelling must be undertaken in consultation with the relevant council(s) and Sydney Water and the outcomes documented in the **Stormwater Drainage Report** required under **Condition E196**.

19. Delete condition E196 and replace with the following:

E196 The **Stormwater Drainage Report** must be prepared at least one (1) month prior to the commencement of any new drainage works, modifications or connections to existing drainage works, construction of hard surfaces that are associated with the operation of the project and would result in runoff to existing stormwater drainage systems, and the discharge of wastewater flows from operational water treatment plants to existing stormwater drainage systems. The **Stormwater Drainage Report** must:

- (a) assess the potential impacts of pavement drainage discharges from the CSSI drainage systems and wastewater flows from operational water treatment plants on the receiving environment and capacity of council or Sydney Water drainage infrastructure;
- (b) identify all mitigation measures to be implemented where pavement drainage from the CSSI drainage systems or wastewater flows from operational water treatment plants is predicted to adversely impact on the receiving environment or capacity of council or Sydney Water drainage infrastructure; and
- (c) set out a clear time frame for the implementation of mitigation measures.

Nothing in this condition prevents the Proponent from preparing separate Stormwater Drainage Reports for pavement discharges or wastewater discharges from operational water treatment plants to the drainage system provided that each report is prepared at least one month prior to the subject works/discharges commencing.