

Notice of decision - Modification to WestConnex M4-M5 Link (SSI 7485 MOD 2)

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 2 – Modification to WestConnex M4-M5 Link
Applicant	Transport for New South Wales (Roads and Maritime Services)
Approving authority	Minister for Planning and Public Spaces

Decision

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

A copy of the instrument of modification is available at:
www.planningportal.nsw.gov.au/major-projects/project/16516

A copy of the Planning Secretary's Assessment Report is available at:
www.planningportal.nsw.gov.au/major-projects/project/16516

Date of decision

30 September 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the matters identified in the statutory context section of the Planning Secretary's assessment of the application;
- all information submitted to the Department of Planning, Industry and Environment during the assessment of the application;
- the objects of the EP&A Act;
- 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:
 - allow eastbound traffic to bypass the intersection of The Crescent / City West Link and continue east towards Victoria Road and the Anzac Bridge, resulting in reduced queue lengths along Johnston Street, Annandale;
 - improve or maintain capacity and performance at intersections in the vicinity of the Rozelle Interchange when compared to the approved EIS design;
 - accommodate traffic generation from future development, including the Western Harbour Tunnel (if approved);
 - provide pedestrian and cycle connectivity between the future open space at the Rozelle Rail Yard, Rozelle Bay light rail stop and Rozelle Bay foreshore via a landscaped bridge (green link) linking the rail yards to the light rail stop and a ramp along the western side of

The Crescent from the light rail stop leading to an upgraded pedestrian crossing at the intersection of The Crescent / Johnston Street / Chapman Road. This connection would offset the removal of the approved land bridge and is driven by engineering constraints that do not allow for the undergrounding of the proposed overpass;

- the project has been endorsed by the NSW Government by being a key component of:
 - *Future Transport Strategy 2056,*
 - *State Infrastructure Strategy 2018-2038,* and
 - *Central City District Plan and Eastern City District Plan.*
- the impacts on the community and the environment can be appropriately managed to an acceptable level, in accordance with applicable NSW Government policies and standards. The key impacts include:
 - construction noise and vibration which will be managed by the existing conditions of approval, including extending the number of residences that would receive at-property noise mitigation to reduce noise impacts during out-of-hours works,
 - disruptions to traffic during construction which will be managed by existing conditions of approval and the Proponent's committed traffic management measures aimed at safely directing and guiding traffic through the work zones,
 - visual amenity impacts of the overpass and green link which will be managed through the recommended conditions which set minimum design parameters for the green link, require the Proponent to implement measures to enhance the amenity of the interface between the light rail stop / green link / shared user path ramp to provide a sense of place, and
 - removal of the direct active transport connection from the future open space at the Rozelle Rail Yards with the Rozelle Bay foreshore which will be offset by the proposed green link, shared user path ramp and upgraded pedestrian crossing at the intersection of The Crescent / Johnston Street / Chapman Road;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the Proponent's responses to the submissions and recommended conditions of approval; and
- weighing all relevant considerations, the proposal is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification request from 21 August until 25 September 2019 (35 days) and received 1,278 submissions, including 904 objections.

Based on the concerns raised by the Department, and in submissions on the design of the proposed modification, the Proponent revisited the design. This involved an independent review process through the Government Architect's office, and consultation with local community groups and key stakeholders (e.g. Bicycle NSW). The revised design was documented in a Design Amendment Report which was exhibited by the Department from 29 April to 13 May 2020 (14 days). A total of 247 submissions were received from the community the majority of which objected to the proposal.

The Department visited the site on four occasions and met with community members in September 2019 and March 2020.

The key issues raised by the community and considered in the Planning Secretary's Assessment Report and by the decision maker include traffic and access, noise and vibration, and design and public space (including active transport and visual amenity). Other issues, including heritage, are addressed in detailed in the Planning Secretary's Assessment Report.

Issue	Consideration
<p><i>Traffic and Transport impacts</i></p> <ul style="list-style-type: none"> • Traffic impacts (congestion and increased journey times) during construction due to increased project footprint. • Induced traffic demand and increased congestion due to the overpass. • Worsened operational traffic performance. • No access to James Craig Road. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The proposed civil works for the overpass and green link will be constructed within the project footprint and would not generate a noticeable increase in construction traffic volumes. • The level of service at the majority of intersections is predicted to be comparable or better when compared with the approved project. • The proposed network changes will accommodate traffic generation from future development proposed in the vicinity of the project (including the Western Harbour Tunnel, if approved). • Vehicles using the overpass will not be able to access the at-grade right turn movement onto James Craig Road as it would require motorists to cut across multiple lanes of traffic within a short distance on the exiting overpass, posing a high risk of collisions. Alternate routes are available, and James Craig Road will still be accessible by motorists originating from the west using the City West Link. • A Metro stop is proposed near the former White Bay Power Station at Rozelle as part of Sydney Metro West, which would also provide access to Glebe Island. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • The existing Infrastructure Approval includes conditions for managing construction traffic and access and requires the Proponent to prepare a road network performance review prior to operation and undertake operational road network performance reviews. Therefore, no further conditions are proposed.

<p><i>Noise and Vibration</i></p> <ul style="list-style-type: none"> • Impacts from construction noise, particularly out-of-hours works along The Crescent and Johnston Street. • Increased operational traffic noise at residents adjacent to the overpass. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • Construction will cause noise and vibration impacts at adjacent residences. A comprehensive suite of construction noise mitigation measures are required to be implemented under the existing Infrastructure Approval. • The overpass will increase traffic noise to residents living along Bayview Crescent at Annandale. The approved project requires the Proponent to undertake an operational noise and vibration review to confirm operational noise and vibration impacts and identify any new residences that may be eligible for at-property noise mitigation. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • The existing Infrastructure Approval requires the implementation of a construction Noise Insulation Program for properties identified as highly noise affected by out-of-hours works. The Department has recommended a condition requiring the extension of out-of-hours construction noise mitigation to an additional 19 residences located along Kentville Avenue and the northern end of Johnston Street to mitigate against construction noise generated by out-of-hours works.
<p><i>Design and Public Space</i></p> <ul style="list-style-type: none"> • Removal of the approved land bridge. • Proposed active transport connection provides a compromised outcome compared to the approved land bridge. • Proposal prioritises motorists over pedestrians. • Inadequate pedestrian and cyclist access to wider open space, facilities, existing and future public transport. • Visual impact of overpass on existing character of the area. • View loss from surrounding properties. • Poor visual amenity at the interface of the green link and light rail stop. • Inadequate visual representation of proposed design. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The removal of the approved land bridge is driven by engineering constraints that do not allow for the undergrounding of the proposed overpass. • The loss of the land bridge connection will be offset with an alternate path, including a green link, shared user path ramp and upgraded pedestrian crossing at the intersection of The Crescent / Johnston Street / Chapman Road. The Department is satisfied that the Proponent has provided adequate access and connections to pedestrians and cyclists to wider open space and facilities. • To reduce the visual impact of the overpass, the Proponent has reduced the height at its apex by two metres and provided a wider separation between the green link and overpass. • Although the overpass will be visible by residents along Bayview Crescent at Annandale, the visual impact would be softened by existing trees, and the light rail corridor will provide separation from the overpass. Views to Rozelle Bay, Anzac Bridge and the City skyline will be maintained. • Under the Infrastructure Approval, the final form and design of the overpass and active transport infrastructure would be subject to the Urban Design and Landscape Plan (UDLP) process under the guidance of a Design Review Panel. However, to improve the pedestrian and cyclists experience at ground level and along the green link, it is considered that additional design objectives are required. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • The Department has recommended minimum design requirements for the green link and requirements in the UDLP regarding landscaping of the green link, traffic islands and medians and inclusion of public art opportunities.

- The Department has also recommended a condition to ensure visualisations of the proposed modification including of the at-grade pedestrian and cyclist crossing of The Crescent are included in the UDLP.
- A condition requiring the active transport network be enhanced to facilitate north-south connectivity through the future open space at the Rozelle Rail Yards has also been recommended to address community concerns regarding poor connectivity between the light rail stop and Rozelle.