

Notice of decision

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 10038-MOD 2 Sydney Metro West - Concept and Stage 1 (major civil construction between Westmead and The Bays) Modification 2
Applicant	Sydney Metro
Approving authority	Minister for Planning

Decision

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

A copy of the instrument of modification is available at <https://pp.planningportal.nsw.gov.au/major-projects/projects/modification-2-clyde-stabling-and-maintenance-facility>

A copy of the Planning Secretary's Assessment Report is available at <https://pp.planningportal.nsw.gov.au/major-projects/projects/modification-2-clyde-stabling-and-maintenance-facility>

Date of decision

03 June 2022

Reasons for decision

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

- the Planning Secretary's Assessment Report on the infrastructure and the reports, advice and recommendations contained in the report;
- all information submitted to the Department during the assessment of the modification application;
- the objects of the EP&A Act; 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 project is consistent with NSW Government policies including the *Draft Camellia-Rosehill Place Strategy* (2021);
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of approval. Engagement on the project is considered to be in line with the *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; 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 24 November 2021 until 8 December 2021 (15 days) and received four submissions, two from community members, one from an organisation (Australian Turf Club (ATC)), and one from the local council, City of Parramatta. One submission from a community member objected to the proposed modification and the others provided comments.

The Department met with ATC at Rosehill Railway Station to discuss their concerns around access.

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 non-Aboriginal heritage and traffic and transport. Other issues are addressed in detailed in the Planning Secretary's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Traffic, Transport and Access</i> <ul style="list-style-type: none"> Removal of Rosehill Railway Station Footbridge and impacts on racecourse access The need to provide connectivity, including road and active transport networks within and from the precinct Inclusion of a shared path for cyclists and pedestrians on the western side up to Unwin Street and provision for a footpath on eastern side of the street Pedestrian access to Unwin Street and Rosehill Racecourse A regional scale walking and cycling path user path planned along the former T6 rail corridor 	<i>Assessment</i> <ul style="list-style-type: none"> Removal of Rosehill Railway Station Footbridge will reduce pedestrian accessibility between James Ruse Drive and Rosehill Gardens Racecourse The relocation of the dive structure necessitates the removal of Rosehill Railway Station and its footbridge The realignment of Unwin and Kay Street will not preclude strategic future connections and will be designed to accommodate a shared path Walking and shared users paths (other than the path constructed as part of the realignment) will be assessed under a future planning application.. <i>Recommended Conditions / Response</i> <p>The Department has recommended conditions requiring further consultation with Australian Turf Club (ATC) and has recommended conditions to ensure that the realignment does not preclude a potential connection to the M4 Motorway.</p>
<i>Non-Aboriginal Heritage</i> <ul style="list-style-type: none"> Rosehill Railway Station Footbridge should remain <i>in situ</i> Support for relocation of footbridge if retention in situ is not possible 	<i>Assessment</i> <ul style="list-style-type: none"> The Footbridge cannot be retained in situ Consultation will be undertaken with Council before the removal of Rosehill Railway Station Footbridge to determine a potential site for relocation A Heritage Asset Action Plan (HAAP) will be prepared within 12 months of relocation Salvage will occur for the footbridge and railway station (potential item) <i>Recommended Conditions / Response</i> <p>The Department has recommended conditions requiring further consultation with Council in investigating an alternate location to reconstruct the footbridge and requiring that the Proponent assist Council with preparation of an Heritage Asset Action Plan to guide ongoing maintenance and management if an alternate location is found.</p>
<i>Flooding and Hydrology</i> <ul style="list-style-type: none"> Flooding impacts mitigation measures to protect surrounding residents and structures Questions about how flooding risks from any excavation or new foundations will be mitigated Requests for support from Parramatta City Council and Sydney Water to clean debris from the waterways, creeks and rivers Consideration of alternative solutions at Clyde that do not have an adverse impact on flood levels 	<i>Assessment</i> <ul style="list-style-type: none"> Negligible changes to potential flooding impacts are anticipated as a result of the proposed modification compared to the approved project Proponent is consulting with relevant stakeholders about flooding at Clyde, including further design refinements to mitigate potential flooding impacts The Concept approval requires that parts of Duck Creek and A'Becketts Creek must be rehabilitated/renaturalised The approved project has implemented mitigation measures to manage water quality <i>Recommended Conditions / Response</i> <p>No further conditions are required</p>

<i>Issue</i>	<i>Consideration</i>
<p><i>Approved Project Design</i></p> <ul style="list-style-type: none"> Comments on approved project alignment between Sydney Olympic Park and North Strathfield Concern about property impacts for properties above approved alignment 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Sydney Metro West Concept, from Westmead to the Sydney CBD, as well as major civil construction work between Westmead and The Bays (Stage 1) was granted approval by the Minister for Planning and Public Spaces on 11 March 2021 The project alignment is not being assessed as part of this Modification <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>
<p><i>MOD 2 Justification</i></p> <ul style="list-style-type: none"> Justification for Modification, including relocation of dive structure and realignment of Kay and Unwin Street 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The location of the Rosehill dive structure as identified in the approved project would require diversion of a major Sydney Water sewer. The sewer runs parallel to the former T6 Carlingford Line and its diversion would involve intensive construction works adjacent to sensitive receivers and within an area that is at risk from flooding The revised location of the Rosehill dive structure was selected to avoid further impacts to private property, public roads to the west, and commercial properties to the east by remaining within the former T6 Carlingford Line rail corridor Remaining within the rail corridor, with a revised location south or north of the revised location, would require relocation of the sewer and not allow sufficient space for other construction activities on site The modified Kay Street and Unwin Street realignment would reduce the need to disturb potentially contaminated soils at the Clyde stabling and maintenance facility. <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>
<p><i>Land-use and Property</i></p> <ul style="list-style-type: none"> Impacts on future ATC land use Integration with Camellia-Rosehill Place Strategy 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Sydney Metro is consulting with the Department to ensure appropriate integration of the Sydney Metro West project with the <i>Camellia-Rosehill Place Strategy</i> that is currently under development Condition C-B2 requires that the Stage 3 Sydney Metro West planning application consider integration with strategic planning for the precinct at the Clyde stabling and maintenance facility site. <p><i>Recommended Conditions / Response</i></p> <p>No further conditions are required</p>