

Notice of decision [SSI modification]

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 7400 MOD 8 Sydney Metro City & Southwest – Chatswood to Sydenham - Blues Point Acoustic Shed
Applicant	Sydney Metro
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 (the Act)* approved the modification subject to the recommended conditions.

A copy of the instrument of modification is available at:

A copy of the Planning Secretary's Assessment Report is available at:
<https://www.planningportal.nsw.gov.au/major-projects/project/38021>

Date of decision

25 November 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 Modification Assessment Report;
- all information submitted to the Department of Planning, Industry and Environment during the assessment of the application;
- the findings and recommendations in the Planning Secretary's Modification Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for approving the modification are as follows:

- Blues Point temporary site has been assessed to be the only viable option to allow for tunnel fit out works to be undertaken between Victoria Cross station and Barangaroo
- the impacts on the community and the environment can be appropriately managed, consistent with applicable NSW Government policies and standards. The key impacts of the modification are noise including delivery outside of standard hours, traffic and transport, particularly involving heavy vehicles using Blues Point Road, public access to Henry Lawson Reserve and visual impact. These impacts can be suitably managed and mitigated through the conditions of approval.
- the project has been endorsed by the NSW Government by being a key component of the *Future Transport Strategy 2056*
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the existing and 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 22 July 2020 until 5 August 2020 (15 days) and received 16 submissions from the public, including 14 objections, primarily from residents living close to the project site.

The key issues raised by the community (including in submissions) and considered in the Planning Secretary's Assessment Report and by the decision maker were noise, traffic, restricted access to Henry Lawson Reserve and visual impacts.

Issue	Consideration
<p><i>Noise impacts</i></p> <ul style="list-style-type: none"> Concern for sleep disturbance and poor amenity due to late-night noise. Noise impacts associated with construction workers Noise impacts exacerbated due to the significant grade of Blues Point Road 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> construction noise, including traffic noise, is consistent with the approved project (as modified by MOD 5) out of standard construction hours deliveries restricted to 6.00 pm to 10.00 pm the proponent has committed to eight vehicle movements between 6.00 pm and 10.00 pm only oversized vehicle deliveries directed/authorised by the NSW Police or road authority between 10:00 pm and 7:00 am construction and site management plans in accordance with existing condition of approval to address construction worker behaviour generally only materials delivery outside of standard construction hours
<p><i>Traffic and transport impacts</i></p> <ul style="list-style-type: none"> Construction vehicles are too large to traverse along Blues Point Road Concerns of damage from construction vehicles to parked vehicles, road infrastructure and road surface Clarification on, or consideration of, delivery of material by barge Concern construction vehicles will restrict access to local business 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> oversized construction deliveries are restricted to 10:00 pm to 7:00 am on requirement of NSW police and Transport for NSW existing conditions include road dilapidation surveys and requirements to rectify damage attributable to the project any concerns regarding damage to vehicles and private assets (not including buildings/property) should be addressed directly with the proponent concrete delivery is time dependent. Barging is dependent on other harbour activities and tides and does not provide the certainty required that concrete can be delivered when required and will not cure during transport. Concrete is a significant proportion of the traffic movements and therefore barging is not a feasible consideration construction vehicles would be passing traffic and not likely to have a significant effect on physical access to local businesses. Workers may access local businesses for lunch; however this is consistent with current activities and benefits the local economy and business
<p><i>Community and amenity impacts</i></p> <ul style="list-style-type: none"> Dominance of the acoustic shed in the environment, compromising residential views and the loss of broader community views (particularly for Sydney New Year fireworks) Loss of green public open space 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> visual impacts of the acoustic shed would not change but would be present for a longer period of time, including a second Christmas/New Year period visual impacts and loss of public open space are temporary and would be restored once tunnel fit out is complete the proponent has provided safe public access to the harbour foreshore and beach adjacent to the construction site other unaffected public areas remain available to the public with unrestricted views to the east of the construction site around to McMahons Point as well as Blues Point Reserve/Warungeerah