



WestConnex M4-M5 Link

*State Significant
Infrastructure
Modification
Assessment
(SSI-7485 MOD 4)*

July 2020

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Cover photo

M4-M5 Link Mainline Tunnel at Iron Cove (Source: TfNSW)

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Glossary

Abbreviation	Definition
Approval	Infrastructure Approval
CNVMP	Construction Noise and Vibration Management Plan
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
Minister	Minister for Planning and Public Spaces
MOD	Modification
Proponent	Transport for NSW (formerly Roads and Maritime Services)
Secretary	Secretary of the Department of Planning, Industry and Environment
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
The approved project	WestConnex M4-M5 Link (SSI-7485)



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1. Introduction

This report provides an assessment of an application to modify the State significant infrastructure (SSI) approval for the WestConnex M4-M5 Link (SSI-7485) (the approved project). The modification application seeks approval for the establishment and use of a construction ancillary facility on Glebe Island. Transport for NSW (TfNSW) (the Proponent) lodged the application on 17 June 2020 pursuant to section 5.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The proposed modification site is a 4,000 square metre sealed area located in the middle of Glebe Island, Rozelle in the Inner West Council local government area (**Figure 1**). Glebe Island connects to Rozelle to the west and is surrounded by White Bay, Johnstons Bay, Jones Bay and Rozelle Bay. The island is currently used as an industrial port facility and is owned by the Port Authority of NSW (Port Authority).

The proposal seeks to establish and use a construction ancillary facility to receive and assemble construction materials (in particular steel bridge girders) for the Rozelle Interchange.

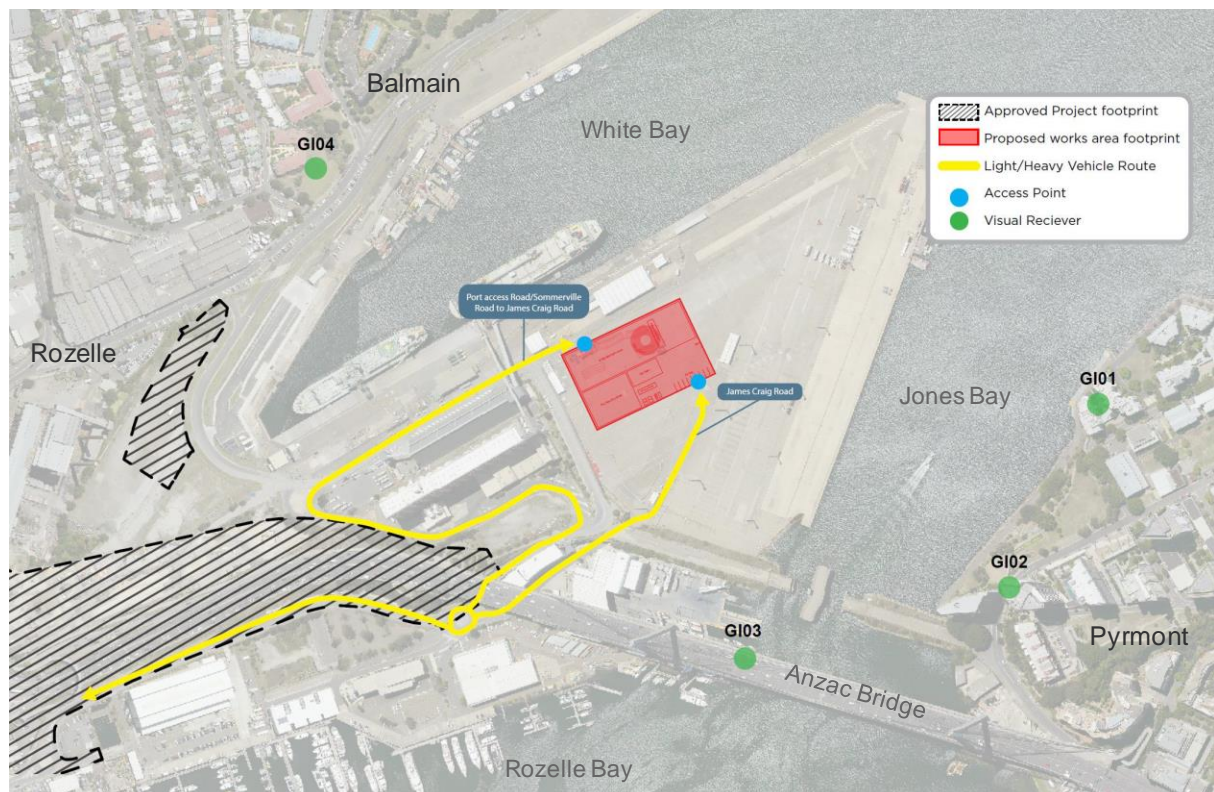


Figure 1 | Location of Glebe Island construction ancillary facility (outlined in red)
(Source: Glebe Island Construction Ancillary Facility Modification Report, TfNSW, 2020)

1.2 Approval history

The M4-M5 Link (SSI 7485) was approved on 17 April 2018 by the then NSW Minister for Planning. The project approval has been modified on two occasions and one other modification is currently under assessment (see **Table 1**).

Table 1 | Summary of modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Civil Sites & Ancillary Facilities	Minister	5.25	25 February 2019
MOD 2	The Crescent overpass and active transport links	Minister	5.25	Under assessment
MOD 3	Iron Cove ventilation underground	Minister	5.25	28 July 2020

1.3 Other projects

Glebe Island is currently undergoing a period of change, with additional uses likely to occupy the area, in the vicinity of the proposed modification:

- Glebe Island Multi-user Facility (Review of Environmental Factors) – approved 2019 (**Figure 2**); and
- Glebe Island Concrete Batching Plant and Aggregate Handling Facility (State Significant Development 8544) – under assessment (**Figure 3**).

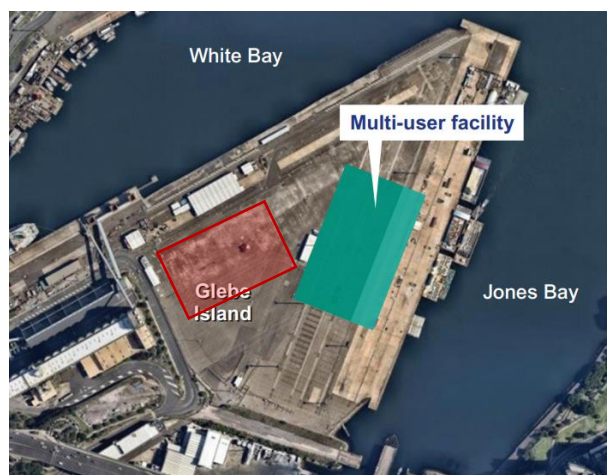


Figure 2 | Location of Multi-user Facility project (approximate location MOD 4 site in red)
(Source: Factsheet of the project, Port Authority of NSW, 2019, <https://www.portauthoritynsw.com.au/media/3840/muf-factsheet.pdf>)



Figure 3 | Location of Glebe Island Concrete Batching Plant and Aggregate Handling Facility (SSD-8544) (approximate location MOD 4 site in red)
(Source: EIS, Hanson Construction Materials Pty Ltd, 2018)

1.4 Relevant Conditions

The following two conditions of approval are relevant to this modification request.

Condition 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) as amended by:

- (a) the *WestConnex M4-M5 Link Submissions and Preferred Infrastructure Report* (dated January 2018) (the SPIR);
- (b) 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); and
- (c) the *WestConnex M4-M5 Link Rozelle Interchange Iron Cove Ventilation Underground Modification Report* (dated November 2019) as amended by the *WestConnex M4-M5 Link Rozelle Interchange Iron Cove Ventilation Underground Modification Response to Submissions Report* (dated March 2020).

Condition E50 - Construction vehicles must not use Robert Street, Rozelle to access the White Bay Civil Site.



2. Proposed Modification

The proposed modification relates to Stage 2 (Rozelle Interchange) of the approved project. The Proponent seeks approval to:

- establish the site in quarter three 2020 by placing a demountable office/lunchroom, portable ablutions, containers and generator(s) and demarcating eight on-site parking spaces and a laydown space (**Figure 4**);
- use the site for equipment preparation and transportation, equipment/girder storage and assembly, and girder export to approved project work areas;
- demobilise and reinstate the site at the completion of project works; and
- undertake works of oversize deliveries and road signage removal outside of standard construction hours.

The modification does not propose any increase in employment, heavy vehicle movement or ground disturbance.



Figure 4 | Indicative site layout

(Source: Glebe Island Construction Ancillary Facility Modification Report, TfNSW, 2020)



3. Statutory Context

3.1 Scope of modification

In accordance with section 5.25 of the EP&A Act, a proponent may request the Minister to modify the approval for State significant infrastructure. The Minister's approval for modification is not required if the infrastructure as modified will be consistent with the existing approval.

The proposed site is outside the approved project boundary and not used for any construction works in the approved project. The proposed changes are not consistent with the existing approval. Consequently, modification of the Minister's approval under section 5.25 of the EP&A Act is required.

3.2 Minister's approval and delegations

Under the Instrument of Delegation dated 11 October 2017, the functions and powers of the Minister for Planning under section 5.25 of the EP&A Act to determine a modification of the Minister's approval may be delegated whereby:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- there are less than 25 public submissions in the nature of objections.

The proposed modification meets the terms of this delegation. As such, the Director, Transport Assessments, is the delegated authority to determine the modification request.



4. *Engagement*

4.1 Department's engagement

Under section 5.28(1)(g) of the EP&A Act, the Planning Secretary is required to make requests for modifications of approvals determined by the Minister publicly available. Accordingly, the Department made the Modification Report publicly available on its website.

The modification request was referred to the NSW Environment Protection Authority (EPA) and the Port Authority of NSW for comment.

The Department visited the site of the proposed construction ancillary facility on 22 June 2020 to better understand the characteristics of the local environment.

4.2 Summary of submissions

No public submissions on the modification request or recommended conditions of approval were received.

4.3 Key issues raised by government agencies

Environment Protection Authority advised that the mitigation measures in the Construction Noise and Vibration Management Plan (CNVMP) for WestConnex should be applied to the proposed construction ancillary facility. EPA also required the Proponent to engage with the community on the entire WestConnex works including this facility.

Port Authority of NSW advised that they had no comments on the proposed modification.



5. Assessment

The Department has reviewed the Applicant's Modification Report and supporting information and considered the potential impacts of the proposed modification as set out below. The key issues for assessment are noise and vibration, and urban design and visual amenity. As the proposed modification does not extend to the operational phase of the approved project, there will be no operational impacts.

5.1 Noise and vibration

The impact of construction air-borne noise as a result of site establishment and use of the ancillary construction facility is a key issue for consideration, particularly as there are some works proposed to be undertaken outside of standard construction hours. The proposed modification would not be vibration intensive, so the impacts of vibration and ground-borne noise would be negligible.

The Proponent has undertaken a Noise Impact Assessment which included a quantitative assessment of potential noise impacts for five Noise Catchment Areas (NCA) around the site. Four NCAs were identified in the approved project (NCA25, 27, 28, 29), and one was added in the Modification Report (NCA55¹).

The noise impact assessment predicted that worst-case noise levels would be below the Noise Management Levels (NML) in all but one NCA. The NML of NCA 29 is predicted to be exceeded by 2 dBA due to site establishment works occurring during the night time period. The Department is satisfied that the proposed modification would not result in significant noise impacts, and notes that the predicted 2 dBA exceedance would not be discernible at the closest residences. The Department considers that the impacts are acceptable and can be managed by the existing conditions of approval which include requirements for complying with noise management levels and providing out-of-hours works noise mitigation and respite.

The Department has also considered the cumulative noise impacts of the proposed modification, having regard to the construction of the approved project at Rozelle Interchange (and associated ancillary construction facilities), the approved (not constructed) Multi-user Facility at Glebe Island, and the proposed Glebe Island Concrete Batching Plant and Aggregate Handling Facility (currently undetermined). Due to the existing elevated background noise levels experienced at residences and other sensitive receivers most susceptible to potential cumulative construction noise impacts, it is not anticipated that there would be discernible noise impacts as a result of the modification/construction of other nearby projects.

¹ The new NCA should be referred to as NCA 57 as the EIS identified a total of 56 NCAs.

5.2 Urban design and visual amenity

The proposed ancillary facility includes fencing, a demountable office, portable ablutions and lighting and will be used as an assembly area for large equipment such as bridge girders and drainage pipework. These facilities may introduce visual amenity changes from locations surrounding the site. The key receivers are located approximately 350-500 metres away and labelled as GI01, GI02, GI03 and GI04 in **Figure 1**.

Visual impacts on the receivers at GI04 would be limited as views to the site are restricted by Ausbarge Wharf at White Bay and existing structures to the north and west of the site (**Figure 5**). Although the facility would be visible from GI01, GI02 and GI03, the views would be mitigated by distance. In addition, the facility would be located in the middle of an existing hardstand area which is surrounded by industrial activities, and the built elements would be visually consistent with the existing industrial infrastructure on Glebe Island. Depending on timing, construction of the Multi-user Facility and Glebe Island Concrete Batching Plant and Aggregate Handling Facility maybe underway while the facility is in use and would provide further screening of the construction ancillary facility.



Figure 5 | Existing views looking at the site from GI01 (Left) and GI04 (Right)
(Source: Site visit photos, DPIE, dated 22 June 2020)

Therefore, the Department considers that the proposed modification would not result in any significant impacts on the visual amenity of residents located across from Glebe Island in Rozelle and Pyrmont. Any potential for night-light impacts would be managed by the existing conditions of approval which set out requirements relating to light spill.

5.3 Other Issues

The Proponent assessed the potential impacts of the proposed modification in relation to the issues in **Table 2**. The Department considers that the Proponent has undertaken an adequate assessment of the issues, and the impacts can be managed through the existing conditions of approval.

Table 2 | Summary of other issues

Issue	Findings	Recommendations
Traffic and transport	<p>The modification proposes no increase to construction traffic volumes from the approved project. Instead, the proposal will redistribute a low number of heavy and light vehicles from other approved construction sites. As such, the Department considers that construction traffic can be managed by existing conditions. The Proponent proposes to access the site via James Craig Road (Figure 1). However, the Department notes that access could also be obtained via Robert Street, Rozelle. This local road is a 40 km zone with an on-road cycle path and is not considered suitable for access by construction heavy vehicles.</p> <p>Although there would be no overall increase in the construction workforce, eight on-site parking spaces are proposed to accommodate workers on the site.</p> <p>No changes to pedestrian and cycling routes from the approved project are proposed.</p>	To ensure that Robert Street is not used by construction vehicles to access and egress the construction ancillary facility, the Department has recommended a condition to this effect
Soil and water	<p>The site comprises hardstand, and the modification proposes no ground disturbance, vegetation removal or material stockpiling. Therefore, the risk of acid sulfate soils disturbance, contamination encounter, stormwater overflows, and groundwater drawdown is negligible.</p> <p>The construction worker amenity facilities would be connected to existing sewerage, so the wastewater from the facilities would not be discharged to waterways.</p> <p>The Department is satisfied that the modification would unlikely result in adverse impacts on soils, surface water and groundwater. The conditions of the approved project are considered appropriate to manage residual impacts.</p>	Nil
Air quality	<p>The Modification Report has undertaken a four-step air quality assessment in line with the UK Institute of Air Quality Management methodology.</p> <p>The Department is satisfied that the impacts of the modification on air quality during construction are negligible.</p>	Nil
Aboriginal and non-Aboriginal heritage	<p>No registered Aboriginal heritage sites or places were identified within 200 metres of the modification site. No registered non-Aboriginal heritage items were identified within the proposed construction ancillary site.</p> <p>Five listed items are located in the vicinity of the site, but the proposed activities will not require excavation and may only have temporary indirect impacts on the visual settings of these items. Therefore, the existing conditions of approval remain appropriate.</p>	Nil
Socio-economic, land use and property	<p>Use of land will be subject to a license agreement with Port Authority so no property acquisition would be required.</p>	Nil



6. *Evaluation*

The Department has reviewed the Modification Report and other supporting information and evaluated the merits of the modification. It is concluded that the benefits of the modification outweigh potential negative impacts. The Department considers the modification should be approved, subject to conditions. The key reasons are as follows:

- the modification request complies with relevant statutory provisions and remains consistent with the EP&A Act (refer to **Section 3**);
- the proposed works would not result in an unacceptable increase in noise levels;
- the visual impacts are considered to be minor as the visual change would be consistent with the existing and likely future uses, and be partly obscured by existing and potential future structures;
- the modification would not result in any other adverse impacts on the environment, and the risks can be managed through conditions of consent; and
- the modification would provide several direct benefits, including reducing out-of-hours works at the approved project sites and minimising delays to the construction program.



7. Recommendation

It is recommended that the Director, Transport Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **determines** that the application WestConnex M4-M5 Link Modification 4 – Glebe Island Construction Ancillary Facility (SSI-7485 MOD 4) falls within the scope of section 5.25 of the EP&A Act;
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to approve the modification;
- **modifies** the approval SSI-7485;
- **signs** the attached Notice of Modification (**Appendix D**).

Recommended by:

Jennie Yuan

Planning Officer

Transport Assessments

Recommended by:

Andrew Beattie

Team Leader

Transport Assessments



8. Determination

The recommendation is: **Adopted/ ~~Not Adopted~~** by:

Glenn Snow

Director

Transport Assessments

as delegate of the Minister for Planning and Public Spaces



Appendices

Appendix A – Modification Report

<https://www.planningportal.nsw.gov.au/major-projects/project/35926>

Appendix B – Comments from government agencies



DOC20/493643

24 June 2020

Ms Jennie Yuan
Planning Officer
Transport Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Yuan

**WestConnex M4-M5 Link – Modification 4 –
Glebe Island Construction Ancillary Facility (SSI 7485 Mod 4)
EPA Advice on Modification**

I am writing to you in reply to your invitation to the Environment Protection Authority (EPA) to provide comment on the above modification request for a new ancillary facility.

The EPA has reviewed the *Noise and Vibration Technical Report*, dated 27.05.20, prepared by Renzo Tonin & Associates and notes that the purpose of the site is to receive and assemble equipment such as steel bridge girders, throw screens, and pipework, for works at the Rozelle Interchange, that would have associated low-volume transport delivery activity.

The EPA notes that cumulative noise levels would not be affected by the night-time operation of the Glebe Island surface work area, and that noise levels from the establishment and use of the site are predicted to be below the relevant noise management levels (NMLs) for all sensitive receivers.

The EPA considers that the mitigation measures detailed in the CNVMP for WestConnex should be applied to the temporary facility as appropriate, including for any out-of-hours work, and that the proponent must engage with the community on the entire WestConnex works, including the temporary ancillary facility.

The EPA makes no recommendations for additional or modified conditions for this SSI project to encompass the additional facility.

Should you require clarification of any of the above please contact Anna Timbrell on 9274 6345 or email anna.timbrell@epa.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Aleksandra Young'.

ALEKSANDRA YOUNG
Unit Head, Regional Operations – Metro South
Environment Protection Authority

Phone 131 555
Phone 02 9995 5555
(from outside NSW)

Fax 02 9995 6900
TTY 133 677, then
ask for 131 155

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12 Darcy Street
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ABN 43 692 285 758

From: [Ryan Bennett](#)
To: [Jennie Yuan](#)
Cc: [Jagjeet Shergill](#)
Subject: RE: Port Authority of NSW - Request for Advice - M4-M5 Link MOD4
Date: Wednesday, 24 June 2020 3:57:54 PM

Hello Jennie

Port Authority does not have any comments on M4-M5 Link MOD4.

I tried to manage this via the Portal but this doesn't seem to be possible.

Kind regards,
Ryan

Ryan Bennett | Senior Planning and Sustainability Manager

Port Authority of New South Wales

Level 4, 20 Windmill Street | Walsh Bay NSW 2000 Australia

T: +61 2 9296 4674 | M: +61 437 078 817

www.portauthoritynsw.com.au

From: Jennie Yuan <Jennie.Yuan@planning.nsw.gov.au>
Sent: Wednesday, 24 June 2020 3:19 PM
To: Ryan Bennett <rbennett@portauthoritynsw.com.au>
Subject: FW: Port Authority of NSW - Request for Advice - M4-M5 Link MOD4
Importance: High

Good Afternoon,

The Department is contacting you to remind you that the due date for your comments is currently 24/06/2020.

If you feel this task cannot be completed by this date please request an extension with the forecast date by emailing me.

Look forward to your input. If you have any enquiries, please feel free to contact me.

Kind regards,

Jennie Yuan
Planning Officer
Transport Assessments

Planning and Assessment | Department of Planning, Industry and Environment

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Appendix C – Consolidated Approval

<https://www.planningportal.nsw.gov.au/major-projects/project/35926>

Appendix D – Notice of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/35926>