



Mr Dominic Crinnion
Director – Infrastructure Management DPIE
Department of Planning Industry and Environment
4 Parramatta Square
Parramatta NSW 2150

Dear Dominic

Re: Request for approval for OOHW application (CoA E36) for SSI 9364

The M12 project requests approval from the Planning Secretary to conduct OOHW in order to construct a temporary roundabout at the intersection of Devonshire Rd and Elizabeth Drive.

Transport for NSW (Transport) is proposing to construct a temporary roundabout at the intersection of Elizabeth Drive and Devonshire Road, Kemps Creek. The roundabout has been proposed to address the M12 Revised Environmental Management Measure (REMM) TT10 to investigate and develop an appropriate traffic solution to manage expected traffic delays during construction in the vicinity of Devonshire Road.

This request is made in accordance with the following Condition of Approval:

- *E36 ... Work may be undertaken outside the hours specified in any of the following circumstances:*
 - *(c) By approval, including*
 - *(ii) works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol; or*
 - *(iii) negotiated agreements with directly affected residents and sensitive land user(s)*

An Out-of-Hours Work application has been prepared in accordance with the approved M12 Motorway Overarching OOHW Protocol (Rev K). The ER has reviewed the application and confirms it to be a high risk activity due to the request for OOHW for 5 nights per week, and the noise levels which exceed 15dBA.

Transport for NSW has consulted with potentially affected receivers in an effort to achieve Negotiated Agreements, which requires agreements to be attained with 100% of the directly affected residents and sensitive land users. However it was not possible to achieve this 100% requirement as some residents did not respond despite multiple contact attempts.

A Consultation Report has been prepared and is attached. Two doorknocks and a letter drop resulted in seven responses, all of which were supportive of the work being undertaken 5 nights per week, on the understanding that this would result in a shorter overall construction period. Other potentially noise affected properties have been reviewed, and all either have never responded to M12 engagement, or have previously stated that they have no objections to the roundabout as they would not be affected

TfNSW is therefore requesting approval for the OOHW to be undertaken up to five nights per week. This request is supported by the following documents:

- Out of Hours Work Application
- Traffic Management Plan
- Construction Noise and Vibration Impact Statement
- Consultation Report

- Email by the ER confirming that the works are considered high risk

We confirm that should the five nights per week OOHW be approved, no work will be undertaken over the Christmas period.

If you require further details or have questions, please contact Sheila Anderson, Senior Manager Environment and Sustainability.

Yours sincerely

A handwritten signature in black ink that reads "Dforrest". The signature is written in a cursive, slightly slanted style.

Deanne Forrest
M12 Project
Director Date:
19/09/2023