



Westlink M7 Widening

Division 5.2 Approval

Minor consistency assessment report

Bernera Road and Cowpasture Road
boundary adjustment

Transport for NSW | August 2024

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| Revision | Date | Description | Prepared by | Reviewed by |
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| Rev A | 31/05/2024 | Draft for review. | Katie Baxter | Rob Muir |
| Rev B | 18/06/2024 | Updated in response to comments for approval. | Katie Baxter | Rob Muir |
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1. Introduction

1.1 Background

Transport for NSW (Transport) completed an environmental assessment for the construction and operation of the Western Sydney Orbital in 2002 (the approved project). Approval was granted on 28 February 2002 under Division 4, Part 5 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) (DPE reference number SSI-663). The Environmental Impact Statement (EIS) (Roads and Transport Authority (RTA), 2000) identified a range of environmental, social, and planning issues associated with the construction and operation of the approved project and outlined measures to mitigate and manage those potential impacts.

The EIS was publicly exhibited between January 2001 and March 2001. Following public exhibition, submissions from stakeholders were received and addressed by Transport in the Submissions Report. Construction activities commenced in 2003, and the Western Sydney Orbital opened to traffic in December 2005.

By Order of the Minister for Planning, the original approval for the Western Sydney Orbital (now known as the Westlink M7) was made subject to the current State Significant Infrastructure (SSI) provisions of the EP&A Act (Division 5.2, Part 5) on 26 April 2019. As such, the Westlink M7 is considered to be State Significant Infrastructure under the EP&A Act.

Six modifications to the approved project have been approved, as follows:

- Modification 1: Approved 19 June 2003 under the then section 115BAA of the EP&A Act to correct several minor misdescriptions in the Conditions of Approval (CoA) relating to pre-construction requirements, and to clarify the timing of stormwater management requirements
- Modification 2: Approved 4 May 2004 under the then section 115BAA of the EP&A Act to correct several minor errors resulting in inconsistencies between CoA
- Modification 3: Approved 25 August 2004 under the then section 115BAA of the EP&A Act to correct a minor error resulting in an inconsistency between CoA and to correct references to the Minister
- Modification 4: Approved 24 January 2006 under the then section 75W of the EP&A Act to delete condition 115(a), requiring the grade separated pedestrian/bicycle access (shared path) within the road reserve at Mavis Street, Rooty Hill (incorporating Angus Creek crossing and access to Aquilina Reserve), thus removing this access point
- Modification 5: Approved 18 July 2019 under section 5.25 of the EP&A Act to delete condition 66 which prohibits commercial advertising within the road reserve
- Modification 6: Approved 17 February 2023 under section 5.25 of the EP&A Act to construct and operate an additional lane in both directions within the existing Westlink M7 median from Prestons to Oakhurst/Glendenning, excluding at the Westlink M7/M4 Motorway (Light Horse) Interchange (M7 Widening).

The approval of Modification 6 incorporated revised conditions of approval (CoA). Modification 6 (referred to herein as M7 Widening) must be carried out in accordance with the CoA as described in CoA 1A and generally in accordance with the Westlink M7 Widening Modification 6 Report (Modification Report) (August 2022) and Westlink M7 Widening Submissions Report (November 2022).

For the purposes of this consistency assessment, the Approval issued by the NSW Minister for Planning for the M7 Widening is referred to as the Division 5.2 Approval.

For the purposes of this consistency assessment, the Modification Report, the Submissions Report and subsequent consistency assessments are considered together to be the relevant M7 Environmental Assessment Documentation (M7 EAD).

A description of the M7 Widening is provided in Section 1.2 and a description of the Proposed Change is discussed in Section 2.

1.2 M7 Widening description

The implementation of the M7 Widening would permit the addition of a trafficable lane in both directions of the Westlink M7 between Prestons and Oakhurst/Glendenning, excluding at the Westlink M7/M4 Motorway (Light Horse) Interchange.

The M7 Widening would include the following key features:

- Widening of the motorway into the existing median for a length of about 26 kilometres along the Westlink M7, from about 140 metres south of the Kurrajong Road overhead bridge at Prestons (southern end) to the Richmond Road interchange in Oakhurst/Glendenning (northern end), excluding at the Westlink M7/M4 Motorway (Light Horse) Interchange
- Widening the exit from the Westlink M7 northbound onto the M4 Motorway westbound from one lane to two lanes
- Widening of 43 existing northbound and southbound bridges on the Westlink M7 at 23 locations within the centre median, and on the outside of the bridges on the approach to the M4 Motorway from Old Wallgrove Road
- Upgrades, additions and modifications to noise walls
- Utility works and upgrades to drainage
- Intelligent Transport System (ITS) installations, adjustments and relocations to cover the new lane configurations.

The following activities would be required to facilitate construction of the M7 Widening:

- Establishment of 'zone' construction ancillary facilities within and adjacent to Westlink M7 for stockpiling, construction support at bridge and median widening locations, project offices and compounds, as well as 'site' ancillary facilities within the existing motorway alignment
- Vegetation clearing within the median/widening areas and within construction ancillary facilities (including for construction access)
- Demolition of existing structures and infrastructure within the widening areas
- Provision of temporary water management infrastructure including the maintenance of stormwater drainage and establishment of waterway crossings and diversions
- Utility works within Westlink M7 and adjoining roads, particularly around existing motorway bridge sub-structures
- Earthworks for bridge and road widening within the existing median, and placement and compaction of fill material likely to result in a net amount of spoil material
- Bridge widening including establishment of sub-structures such as piles, abutments, piers and headstocks and super-structures including beams, girders, decks and barriers
- Pavement widening works within the road median
- Finishing works including asphaltting the carriageway surface, line marking, signage, permanent barriers and median infill, installation of communications infrastructure and landscaping treatments.

1.3 Purpose of consistency assessment

The purpose of this consistency assessment is to:

- Describe the Proposed Change relative to the Division 5.2 Approval
- Assess the environmental impacts associated with the Proposed Change relative to the Division 5.2 Approval
- Determine if the Proposed Change is consistent with the Division 5.2 Approval or whether further approval is required either for a modification application or a new project.

2. Proposed Change

2.1 Description of Proposed Change

The Modification Report contemplated that access to Bernera Road and Cowpasture Road bridges for construction purposes would be via the median. Following detailed construction planning, it has been identified that this is not possible due to the steep gradient of the median in these locations, and other engineering constraints. Heavy vehicle use of Bernera Road and Cowpasture Road (and other surrounding roads) was contemplated in the Modification Report for the purposes of haulage and access to and from ancillary facilities C2@B9825 and C3@B9825 (via Bernera Road) and C2@Cowpasture Road Bridge and C3@Cowpasture Road Bridge (via Cowpasture Road).

John Holland proposes to temporarily amend the construction footprint at Bernera Road and Cowpasture Road to facilitate safe and efficient access to the underside of the bridges in these two locations.

John Holland proposes to track heavy vehicles over the existing kerbs and footpaths in these locations to access the bridges. In order to achieve this, the construction footprint needs to be temporarily increased. This increase would vary between approximately two (2) metres at its narrowest point and nine (9) metres at its widest point.

No works are required to facilitate access in these locations as construction vehicles can drive up and over the kerb and footpath with assistance from traffic control, as required by the Traffic Management Plan (TMP) and Traffic Guidance System (TGS) as relevant. Works are anticipated to be required to reinstate areas that have been damaged by the project. Together these elements are referred to as the Proposed Change.

No vegetation clearing is required outside of the construction footprint to facilitate the Proposed Change.

The Proposed Change would directly interface with the shared user path (SUP) at Bernera Road near Jedda Road. This SUP provides regional connectivity to and from the north (Table 5-7, Appendix of the Modification Report (Traffic and Transport Technical Paper)).

Refer to Figure 1 and Figure 2 for an overview of the Proposed Change.

The works subject to this Proposed Change will not commence until this consistency assessment is approved by Transport and all other non-environmental and environmental obligations are fulfilled under the Contract.

The Proposed Change is scheduled to commence in August 2024 and will be required until bridge construction is completed (2026).

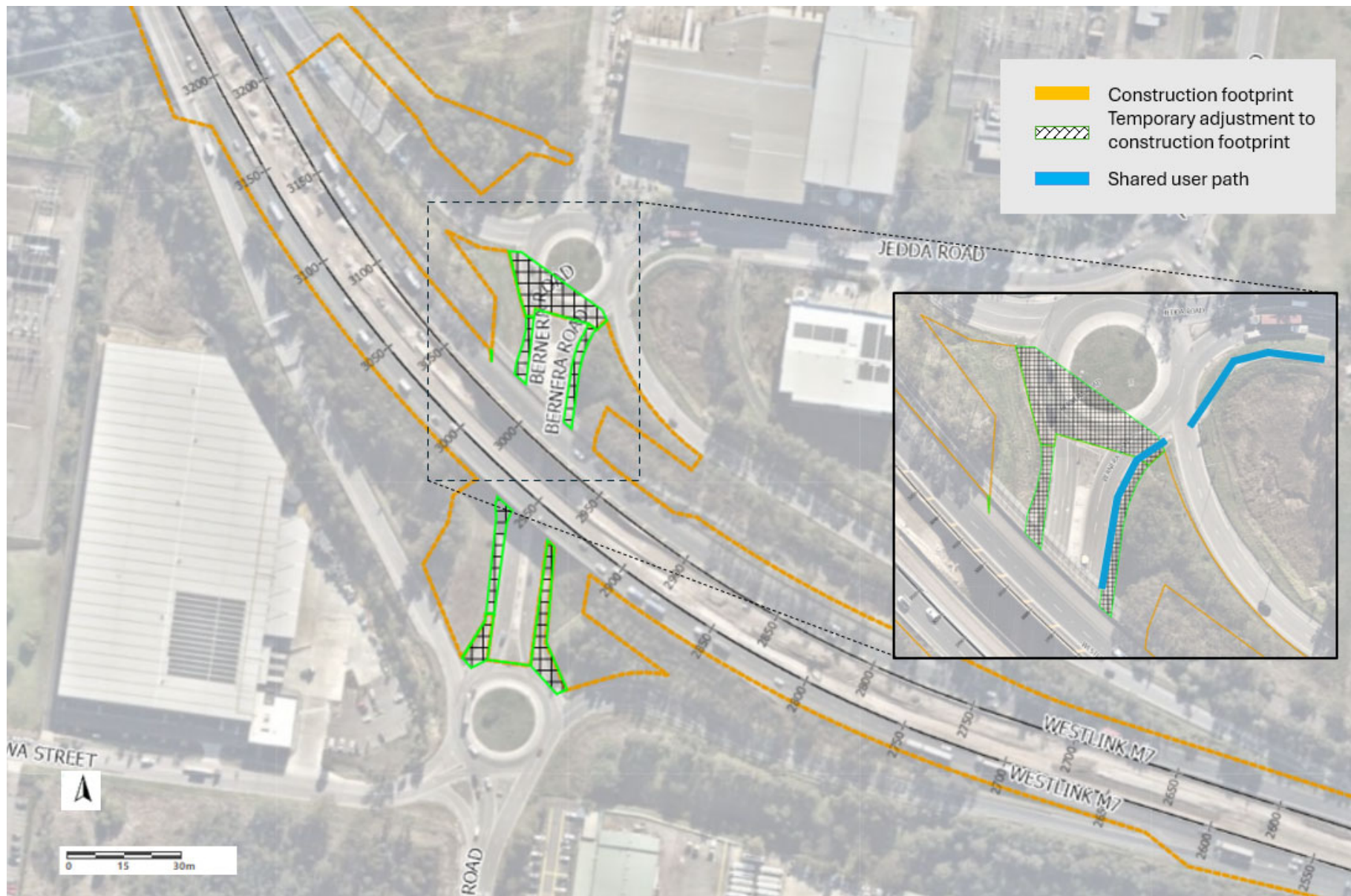


Figure 1: Proposed Change at Bernera Road

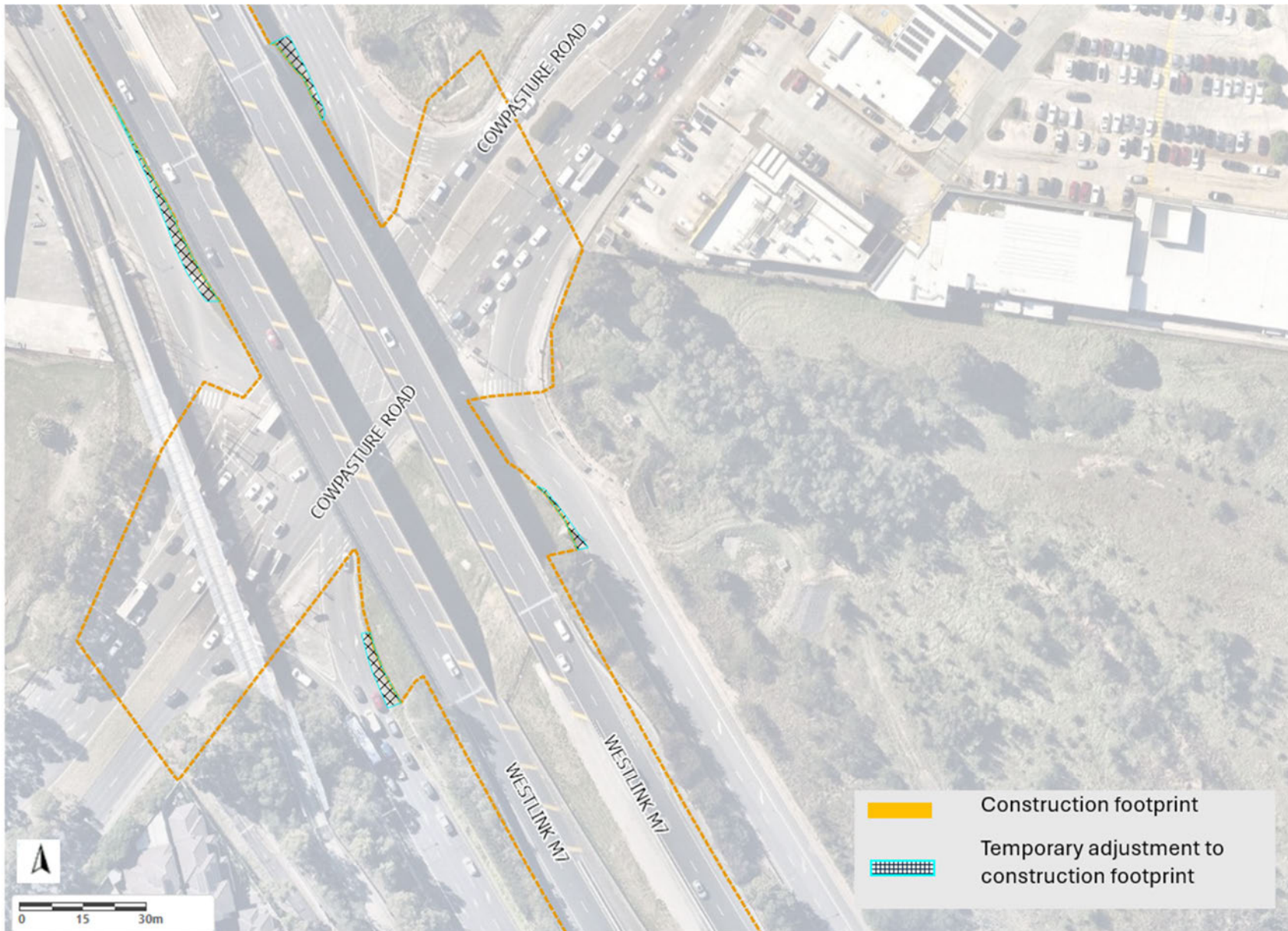


Figure 2: Proposed Change at Cowpasture Road

2.2 Construction methodology and equipment

Methodology

The Proposed Change will involve:

- Tracking heavy vehicles and light vehicles over existing kerb, gutter, and footpath
- Reinstatement works as required, including:
 - Establishing traffic control
 - Removing sections of damaged footpath and kerb and gutter
 - Installing concrete reinforcement, as required
 - Establishing new pavement, kerb, and gutter sections
 - Remediating any other damaged areas as required (e.g. grass verges)
 - Demobilisation.

Construction equipment

Construction equipment for the Proposed Change includes:

- Concrete saws
- Concrete trucks
- Concrete pumps
- Hand tools
- Delivery trucks
- Telehandlers / Franna cranes
- Jackhammers
- 18 tonne excavators.

2.3 Need

The Modification Report contemplated that access to Bernera Road and Cowpasture Road bridges for construction purposes would be via the median. Following detailed construction planning, it has been identified that this is not possible due to the steep gradient of the median in these locations, and other engineering constraints such as space.

The Proposed Change provides heavy vehicles with access to the underside of the bridges without the engineering constraints.

3. Consultation

As the Proposed Change is so minor, no specific consultation has been undertaken. Additionally, no local roads are required for the Proposed Change beyond those assessed in Table 6-6 of Appendix of the Modification Report (Traffic and Transport Technical Paper), meaning that consultation in that respect is also not required.

Should heavy vehicles tracking over the footpath, kerb, and gutter cause damage, the subject area will be rectified to its prior condition or better, in agreement with Liverpool City Council.

If approved, this consistency assessment would be placed on Transport's project website:

<https://www.transport.nsw.gov.au/projects/current-projects/project-documents-m12-motorway>

4. Environmental assessment

An assessment has been undertaken to compare the environmental impacts of the Proposed Change relative to the environmental impacts of the project subject to the Division 5.2 Approval. This includes reference to environmental impacts detailed in the M7 EAD including:

- Westlink M7 Widening Modification Report prepared by Transport for NSW and dated August 2022
- Westlink M7 Widening Submissions Report prepared by Transport for NSW and dated November 2022
- Transport for NSW (December, 2023) M7 Widening, Incident Response Bays Consistency Assessment
- Transport for NSW (December, 2023) M7 Widening, Changes to the Approved Construction Footprint Tranche 1 Consistency Assessment
- Transport for NSW (February 2024) M7 Widening, Crushing and screening at AF9
- Transport for NSW (May, 2024) M7 Widening, Changes to the Approved Construction Footprint – Tranche 2 Consistency Assessment
- John Holland (June, 2024) M7 Widening, Northern Bridges Access Consistency Assessment.

Table 4-1: Environmental assessment of the Proposed Change

| Environmental aspect | Comparative environmental assessment |
|-----------------------|--|
| Traffic and transport | <p><i>Assessment of potential impacts</i></p> <p>Construction traffic</p> <p>The Modification Report contemplated that access to Bernera Road and Cowpasture Road bridges for construction purposes would be via the median. Following detailed construction planning, it has been identified that this is not possible due to the steep gradient of the median in these locations, and other engineering constraints.</p> <p>Heavy vehicle use of Bernera Road and Cowpasture Road (and other surrounding roads) was contemplated in the Modification Report for the purposes of haulage and access to and from ancillary facilities C2@B9825 and C3@B9825 (via Bernera Road) and C2@Cowpasture Road Bridge and C3@Cowpasture Road Bridge (via Cowpasture Road and Westlink M7 on/off ramp). 180 light vehicles and 50 heavy vehicles were estimated to use Bernera Road daily, and 180 light vehicles and 50 heavy vehicles were estimated to use Cowpasture Road daily.</p> <p>The Proposed Change would see up to 10 light vehicles and 30 heavy vehicles accessing the underside of the two bridges via the footpaths and verges. Half of these volumes would be required for remediation works. These light and heavy vehicle numbers can be accommodated within the approved vehicle numbers for the approved project.</p> <p>No additional road closures would be required beyond those contemplated for the approved project.</p> <p>Therefore, construction traffic impacts are considered consistent with the EAD.</p> <p>Active transport</p> <p>The Proposed Change would directly interface with the SUP at Bernera Road near Jedda Road (refer Figure 1). This SUP provides regional connectivity to and from the north (Table 5-7, Appendix of the Modification Report (Traffic and Transport Technical Paper)). Access would be temporarily interrupted by heavy vehicles and light vehicles tracking over the footpath. This would typically last for a short period of time (less than a few minutes) and traffic control would be in place to provide a 'stop-slow' mechanism for any impacted pedestrians and cyclists.</p> <p>Therefore, the Proposed Change is expected to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for traffic and transport identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Biodiversity | <p><i>Assessment of potential impacts</i></p> <p>No clearing of vegetation is required to facilitate the Proposed Change. The grass verges that heavy vehicles are proposing to track over is classed as planted and does not conform to any Plant Community Type (PCT) type or a threatened ecological community (TEC). If damaged, the grass verge would be replaced in consultation with the relevant asset owner.</p> |

| Environmental aspect | Comparative environmental assessment |
|------------------------|---|
| | <p>Nearby trees and vegetation both within and outside of the construction footprint have been mapped as Southern Myotis habitat. Given that the Proposed Change does not involve the clearing of trees or vegetation and would potentially just damage grass verge (PCT 0), it is considered that the impacts of the Proposed Change would be no greater than the EAD and are therefore consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for biodiversity identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Air quality | <p><i>Assessment of potential impacts</i></p> <p>Air quality impacts associated with the Proposed Change would be minor. Activities associated with the Proposed Change that would be likely to affect air quality include:</p> <ul style="list-style-type: none"> • Ground disturbance causing dust emissions • Mud tracking from vehicles causing dust emissions • Operation of plant and equipment resulting in particulate emissions. <p>This is consistent with activities and potential impacts identified and assessed in the EAD. Therefore, given the minimal additional land to be disturbed compared with the project footprint, and limited construction plant and vehicles to be operated to facilitate the Proposed Change, there are no additional air quality impacts associated with the Proposed Change over and above those identified in the EAD.</p> <p>As such, the Proposed Change is considered to be consistent with the approved project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for air quality identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Hydrology and flooding | <p><i>Assessment of potential impacts</i></p> <p>Overland flow is conveyed in a northerly direction along Bernera Road during a 1 per cent Annual Exceedance Probability (AEP) event. The Modification Report (Appendix G (Surface water and flooding)) anticipated that the Bernera Road bridge construction area would become inundated in relatively localised areas to depths of 0.1 metres or less.</p> <p>The Modification Report anticipated that the Cowpasture Road bridge construction area would be subject to shallow inundation during extreme storm events.</p> <p>Given that the Proposed Change is relatively minor and would not change the existing levels, it is highly unlikely that it would worsen the existing flooding behaviour as anticipated by the Modification Report. As such, the Proposed Change is considered to be consistent with the approved project.</p> |

| Environmental aspect | Comparative environmental assessment |
|-------------------------------|---|
| | <p><i>Environmental management measures</i></p> <p>Management measures for hydrology and flooding identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Soils and contamination | <p><i>Assessment of potential impacts</i></p> <p>The nearest waterway to Bernera Road is Cabramatta Creek which is approximately 315 metres to the north of the Proposed Change. The nearest waterway to Cowpasture Road is a tributary of Hinchinbrook Creek which runs under the existing Westlink M7 and Cowpasture Road. The nearest surface portion of the tributary is approximately 35 metres to the north of the south-east portion of the Proposed Change at Cowpasture Road.</p> <p>The Proposed Change is located within the contamination assessment study area in the Modification Report. The areas subject to the Proposed Change were not identified as potentially contaminating land uses and were not identified as either moderate or high risk for contamination.</p> <p>Given that the Proposed Change would only involve ground disturbance if reinstatement work is required, and it would be a minor disturbance should that work be required, it is considered that the Proposed Change would not result in greater impacts to soils and contamination as contemplated in the EAD. As such, the Proposed Change is considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for soils and contamination identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Surface water and groundwater | <p><i>Assessment of potential impacts</i></p> <p>The primary potential for impacts on surface water during construction is through erosion and mobilisation of sediments and associated nutrients, heavy metals and toxicants into waterways. Given that the nearest waterways are 315 metres and 35 metres away from the Proposed Change, respectively, it is considered highly unlikely that impacts to surface water would occur as a result of the Proposed Change.</p> <p>Primary impacts to groundwater during construction relates to construction activities that may intersect groundwater and/or where construction impacts on the surface water regimes which are hydraulically connected to shallow groundwater. Given that any remediation work would be shallow and not intersect with groundwater, or impact on surface water regimes, it is highly unlikely that impacts to groundwater would occur as a result of the Proposed Change.</p> <p>No additional watercourses would be impacted over what was described in the EAD.</p> <p>Therefore, the proposed change is considered to be consistent with the approved project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for Surface water and groundwater identified in the EAD are considered appropriate for the Proposed Change.</p> |

| Environmental aspect | Comparative environmental assessment |
|----------------------|---|
| Noise and vibration | <p><i>Assessment of potential impacts</i></p> <p>Noise</p> <p>The Proposed Change involves some construction activities occurring outside of the construction footprint. As a result, in some cases construction activities would extend closer to receivers (by up to nine (9) metres).</p> <p>The nearest receivers are as follows:</p> <ul style="list-style-type: none"> • Residential receivers at 870 metres away from the Proposed Change at Bernera Road • Industrial receiver at 85 metres away from the Proposed Change at Bernera Road • Residential receivers at 59 metres away from the Proposed Change at Cowpasture Road • Industrial receiver at 40 metres away from the Proposed Change at Cowpasture Road. <p>The Modification Report contemplated impacts to receivers in the two bridge locations occurring during construction due activities associated with bridge construction. These impacts were predicted at surrounding noise catchment areas (NCAs) including M7_NCA11, M7_NCA08, M7_NCA10, M7_NCA09, M7_MCA01, M7_NCA07, M7_NCA12. While the Proposed Change would increase the construction boundary, this distance would constitute a marginal increase of up to nine (9) metres.</p> <p>The activities associated with the Proposed Change are no noisier when compared to the approved project in those locations; the noisiest plant and equipment (jackhammers and concrete saws) for the Proposed Change (remediation works) form part of the approved project on the bridge deck. In fact, plant and equipment approved for works on the bridge deck would be operating at height (i.e., on the elevated bridge structure), meaning that those works would cause more noise impacts than the Proposed Change. In summary, remediation works associated with the Proposed Change would not increase the noise impacts to nearby receivers, and can therefore be considered to be consistent with the approved project.</p> <p>Consistent with the approved project, activities associated with the Proposed Change would occur during and outside standard construction hours. Tracking of vehicles over the footpaths, kerb and gutters would occur both during and outside standard construction hours when work is occurring on the bridges. Any remediation works that occur would need to be undertaken outside of standard construction hours under a Road Occupancy License (ROL).</p> <p>As such, the Proposed Change is considered to be consistent with the EAD.</p> <p>Vibration</p> <p>No vibration intensive plant and equipment is required to facilitate the Proposed Change.</p> <p>As such, the Proposed Change is considered to be consistent with the EAD.</p> |

| Environmental aspect | Comparative environmental assessment |
|-------------------------|---|
| | <p><i>Environmental management measures</i></p> <p>Management measures for noise and vibration identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Aboriginal heritage | <p><i>Assessment of potential impacts</i></p> <p>The area subject to the Proposed Change has been highly disturbed by the original construction of the Westlink M7 and other localised projects. The land is located within an existing road easement which has been subject to extensive vegetation clearing and landscape modification.</p> <p>The Modification Report did not identify any Aboriginal heritage sites within 50 metres of the Proposed Change. An AHIMS search was performed on 31 May 2024 and found no Aboriginal heritage sites within 50 metres of the Proposed Change. A copy of the AHIMS search is included in Appendix B.</p> <p>As a result, it is concluded that no known Aboriginal sites would be impacted by the Proposed Change, and it is not expected that potential subsurface objects would be present.</p> <p>As such, the Proposed Change is considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for Aboriginal heritage identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Non-Aboriginal heritage | <p><i>Assessment of potential impacts</i></p> <p>A search of relevant statutory heritage registers, the Modification Report and the M7-M12 CCHMP has not identified any listed heritage items within 100 metres of the proposed works. As a result, the Proposed Change would not cause any impacts to heritage items.</p> <p>A review of the Modification Report has not identified any known areas of non-Aboriginal archaeological potential in the location of the Proposed Change. In addition, the Proposed Change would be located within and immediately adjacent to the existing road corridor, and it is expected that previous construction and ongoing land use would have heavily disturbed the area.</p> <p>As a result, it is assessed that there is generally no potential for significant non-Aboriginal archaeological remains to be present, and it is not expected that the proposed works would cause any impacts to significant archaeological remains.</p> <p>As such, the Proposed Change is considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for non-Aboriginal heritage identified in the EAD are considered appropriate for the Proposed Change.</p> |

| Environmental aspect | Comparative environmental assessment |
|--|--|
| Landscape character and visual amenity | <p><i>Assessment of potential impacts</i></p> <p>Landscape character and visual impacts associated with the proposed change would be temporary and viewpoints are the same as those described in the EAD.</p> <p>Impacts to landscape character and visual amenity would be limited to any construction works required to remediate the disturbed area, including the presence of plant and equipment and temporary fencing. Given that there is extensive construction works approved to occur immediately adjacent to the Proposed Change, these impacts are considered consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for landscape character and visual amenity identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Land use and property | <p><i>Assessment of potential impacts</i></p> <p>Areas outside of the construction footprint assessed for the EAD would be required for the Proposed Change. These areas would be located within existing road verge and footpaths adjacent to the construction footprint. The Proposed Change would not impact on the future land use and it will be remediated . As such, impacts to land use and property would be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for land use and property identified in the EAD are considered appropriate for the Proposed Change.</p> |

| Environmental aspect | Comparative environmental assessment |
|----------------------|--|
| Socio-economic | <p><i>Assessment of potential impacts</i></p> <p>Key social impacts that were identified for the approved project include how the project may affect:</p> <ul style="list-style-type: none"> • Health and wellbeing • People's way of life and livelihoods • Surroundings (including natural values) and culture, including the connection and value place on the land by local Aboriginal communities • Affected communities, including composition, cohesion and people's sense of place • access to and use of infrastructure, local services, and facilities. <p>The proposed change may impact social aspects due to the following:</p> <ul style="list-style-type: none"> • Lane closures, detours and an increase in construction traffic would decrease road network performance and add traffic volumes to surrounding roads in the social locality • Changes to the shared path may cause disruptions to SUP users, decreased safety, deter the use of active transport options, and affect movement patterns and accessibility if not managed appropriately. <p>Remediation works requiring full or partial closure of lanes would be undertaken on night shift when traffic volumes are low to minimise impacts to road users and surrounding localities.</p> <p>Impacts to the SUP would be minor, with temporary pedestrian and cyclist management to be undertaken for the construction works associated with the Proposed Change affecting the SUP.</p> <p>As such, the social impacts of the Proposed Change are expected to be minor therefore and consistent with those outlined in the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for socio-economic identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Waste | <p><i>Assessment of potential impacts</i></p> <p>No new waste types would be generated by the Proposed Change as the equipment and methodology is consistent with the approved project. Where additional volumes of waste are produced by activities related to the Proposed Change, this waste would be appropriately disposed of and managed.</p> <p>The waste impacts that result from the Proposed Change would be minor in nature in comparison to the wider approved project. Additional waste related impacts are not expected. As such, the Proposed Change is considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for waste identified in the EAD are considered appropriate for the Proposed Change.</p> |

| Environmental aspect | Comparative environmental assessment |
|---|---|
| Sustainability, climate change and greenhouse gas | <p><i>Assessment of potential impacts</i></p> <p>As the Proposed Change would not result in changes to the timing, equipment or methodology of the approved project, relevant sustainability aims and objectives still apply. Key policies, goals and guidelines that have directed the consideration and integration of sustainability into the construction and assessment of the approved project, have similarly directed the Proposed Change.</p> <p>The key climate change risks of concern for the Proposed Change are those related to extreme rainfall and flooding and greenhouse gas emissions. Potential climate change risks associated with the Proposed Change would be minor in nature in comparison to the greater approved project.</p> <p>As such, the Proposed Change is considered to be consistent with the EAD.</p> <p><i>Environmental management measures</i></p> <p>Management measures for Sustainability, climate change and greenhouse gas identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Hazard and risk | <p><i>Assessment of potential impacts</i></p> <p>Hazard and risk construction impacts include potential impacts on the local population's health and safety, including workplace and environment hazards, road and pedestrian safety, bushfire risk and dangerous good handling risks.</p> <p>As the Proposed Change includes minor ground disturbance as assessed for the approved project, hazard and risk construction impacts of the Proposed Change would be consistent with the EAD. Additional hazard and risk related impacts are not expected.</p> <p>As such, the Proposed Change is considered to be consistent with the approved project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for hazard and risk identified in the EAD are considered appropriate for the Proposed Change.</p> |
| Cumulative impacts | <p><i>Assessment of potential impacts</i></p> <p>The scale and required for the Proposed Change would not impact upon other projects in the surrounding area. Given the very minor scale of the Proposed Change in the context of the wider project, no increases to cumulative impacts would occur as a result of the Proposed Change.</p> <p>As such, the Proposed Change is considered to be consistent with the approved project.</p> <p><i>Environmental management measures</i></p> <p>Management measures for cumulative impacts identified in the EAD are considered appropriate for the Proposed Change.</p> |

5. Consistency assessment – the Division 5.2 Approval

5.1 Minister's Conditions of Approval and Environmental management measures

The Proposed Change has been assessed in Appendix A in relation to the relevant conditions of approval and revised environmental management measures for the M7 Widening.

The Proposed Change can be accommodated within the M7 Widening conditions of approval. The Proposed Change is consistent with the environmental management measures incorporated as part of the Division 5.2 Approval.

5.2 Project objectives

The M7 Widening project objectives are to:

- Provide additional capacity on the Westlink M7 to meet future traffic growth, reduce congestion and improve connectivity and reliability
- Avoid and minimise impacts on the road network, the community and environment during construction
- Integrate with the new M12 Motorway, minimising disruption during construction and providing safe and efficient connectivity in the operations phase
- Deliver a design that integrates with and respects the existing urban design and landscape features of the Westlink M7
- Provide a cost effective / affordable solution.

The Proposed Change supports the M7 Widening project objectives by enabling the construction of the road that achieves these project objectives. As such the Proposed Change is consistent with the M7 Widening project objectives.

5.3 Consistency questions – the Division 5.2 Approval

Table 5-1 presents a set of questions that assist Transport to determine whether the Proposed Change can be considered consistent with the Division 5.2 Approval.

Table 5-1: Division 5.2 Approval consistency questions

| Consistency question | Discussion | Consistent |
|---|--|------------|
| 1 Is the Proposed Change likely to result in changes to the scope and impacts of the project to an extent that would be considered a radical transformation of the project as a whole, as to be, in reality, an entirely new project? | As detailed in Section 2 and assessed in Section 4, the Proposed Change would not result in a significant change to the M7 Widening project. The impacts associated with the Proposed Change are minor in nature and would be managed in accordance with the CEMP and Sub-plans. | Yes |
| 2 Would any conditions of approval need to be amended in light of the change? | The Proposed Change would not impact upon the conditions of approval such that a change would be required. A review of relevant M7 Widening CoA against the Proposed Change is provided in Appendix A. | Yes |
| 3 Would the statement of commitments or environmental management measures need to change? | The Proposed Change would not require the statement of commitments or environmental management measures to be amended. A review of the REMMs against the Proposed Change is provided in Appendix A. | Yes |

| Consistency question | Discussion | Consistent |
|---|--|------------|
| 4 Would the Proposed Change be 'generally in accordance with' the documents incorporated in Standard Condition A1 (or A2)? | As described in Appendix A, the Proposed Change is considered generally in accordance with the EAD listed in M7 Widening Condition A1. | Yes |
| 5 Would the environmental impacts of the project as a whole be altered by the Proposed Change to the extent that the Proposed Change would not be consistent with the Approval? | As described in Section 4, the environmental impacts associated with the Proposed Change are consistent with the impacts described in the M7 Widening EAD. Management measures detailed in the M7 Widening EAD would be implemented for the Proposed Change. | Yes |
| 6 Considering the project as a whole, would the magnitude of the change be viewed as consistent with the project? | The magnitude of the Proposed Change is minor in comparison to the M7 Widening. The Proposed Change is consistent with the M7 Widening project objectives. | Yes |

6. Conclusion

This memo provides a true and fair consistency review of the scope and potential impacts of the Proposed Change compared with the scope and potential environmental impacts of the approved projects.

Based on the consistency assessment in this report, the Proposed Change is considered

☒ Consistent with the Division 5.2 Approval

☐ ~~Not consistent with the Division 5.2 Approval. A modification to the project approval must be prepared and submitted for approval by the Minister.~~

☐ ~~A radical transformation of the project and as such a new project should be developed with new and separate planning approvals obtained as necessary.~~

The CEMP and relevant sub-plans will be updated to incorporate the Proposed Change as relevant.

7. Other considerations

7.1 Permits, licenses and other approvals

The Environmental Protection License (EPL) for the M7-M12 Integration project covers the approved project. Prior to works subject to the Proposed Change commencing, premise maps within the EPL would be amended to display the changes to the construction footprint.

A ROL would be required for works within the road corridor.

8. Certification

Author

This consistency assessment provides a true and fair review of the Proposed Change for the M7-M12 Integration project.

Name

[Redacted]

Signature

[Redacted]

Position

Senior Environment and
Sustainability Advisor

Date

20/08/2024

Organisation

John Holland

Transport for NSW

The Proposed Change, subject to the implementation of all the environmental requirements of the project, is consistent with the Division 5.2 Approval.

I have examined the Proposed Change by reference to the Division 5.2 Approval in accordance with Section 5.25(2) of the EP&A Act. I consider that the proposal is consistent with the Division 5.2 Approval.

Name

[Redacted]

Name

[Redacted]

Signature

Signature

Position

Transport Senior Environment and
Sustainability Officer (M12/M7)

Position

Transport Senior Environment and
Sustainability Manager (M12/M7)

Date

21/08/2024

Date

21/08/2024

Appendix A - Assessment of consistency with conditions of approval and revised environmental management measures

Table A 1: Consistency against relevant Minister's conditions of approval

| No. | Conditions of Approval | Discussion | Consistent |
|---|---|---|------------|
| 1A. | <p>The Proponent must carry out Modification 6 in accordance with the terms of this approval (the conditions listed in Condition 1B of Schedule 1, and all Conditions listed in Schedule 2) and generally in accordance with the:</p> <p>(a) Westlink M7 Widening Modification Report prepared by Transport for NSW and dated August 2022; and</p> <p>(b) Westlink M7 Widening Submissions Report prepared by Transport for NSW and dated November 2022.</p> | The Proposed Change will not impact on compliance with this condition. | Yes |
| Modification 6 Specific Conditions | | | |
| D13 | Modification 6 must be constructed in a manner that minimises visual impacts of construction ancillary facilities, including providing screening of ancillary facilities, minimising light spill, and incorporating finishes within key elements of temporary structures that reflect the context within which the construction sites are located, including recognition of Country. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D32 | All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D34 | Where previously unidentified Aboriginal objects are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects and places must not recommence until Heritage NSW has been informed. The measures to consider and manage this process must be specified in the Unexpected Heritage Finds and Human Remains Procedure required by Condition D35 and include registration in the Aboriginal Heritage Information Management System (AHIMS). | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|---|------------|
| D36 | The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of Work. | The Proposed Change would not impact on compliance with this condition. | Yes |
| | Where archaeological investigations have been undertaken as a result of Unexpected Finds notifications then a Final Archaeological Report must be provided in accordance with Heritage Council guidance and standard requirements for final reporting under Excavation Permits. | | |
| | Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. | | |
| D38 | Work must be undertaken during the following hours: | The Proposed Change would not impact on compliance with this condition. | Yes |
| | (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; | | |
| | (b) 8:00 am to 6:00 pm Saturdays; and | | |
| | (c) at no time on Sundays or public holidays. | | |
| D39 | Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable NML at the same receiver must only be undertaken: | The Proposed Change would not impact on compliance with this condition. | Yes |
| | (a) between the hours of 8:00 am to 6:00 pm Monday to Friday; | | |
| | (b) between the hours of 8:00 am to 1:00 pm Saturday; and | | |
| | (c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one hour. | | |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|--|------------|
| | For the purposes of this condition, 'continuously' includes any period during which there is less than one hour between ceasing and recommencing any of the work. | | |
| D40 | Notwithstanding Conditions D38 and D39 work may be undertaken outside the hours specified in the following circumstances (a, b or c): | The Proposed Change would not impact on compliance with this condition. | Yes |
| | (a) Safety and Emergencies, including: | Out of hours work required for the Proposed Change would obtain the necessary approvals in accordance with processes outlined in the Construction Noise and Vibration Management Plan. | |
| | (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or | | |
| | (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm. | | |
| | On becoming aware of the need for emergency work in accordance with Condition D40(a), the AA, the ER, the Planning Secretary and the EPA must be notified of the reasons for such work. Best endeavors must be used to notify all noise and/or vibration affected residents and owners/occupiers of properties identified sensitive land use(s) of the likely impact and duration of those work. | | |
| | (b) Work that meets any of the following criteria: | | |
| | (i) Work that causes LAeq(15 minute) noise levels: <ul style="list-style-type: none">• no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and• no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land use(s); or | | |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|---|------------|
| | <p>(ii) LAFmax(15 minute) noise levels no more than 15 dB(A) above the rating background level at any residence during the night time period; and; (iii) Work that causes:</p> <ul style="list-style-type: none"> • continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), or • intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006). <p>(c) By Approval, including:</p> <p>(i) where different construction hours are permitted or required under an EPL in force in respect of Modification 6; or</p> <p>(ii) works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by Condition D41; or</p> <p>(iii) negotiated agreements with directly affected residents and sensitive land use(s).</p> | | |
| D41 | <p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of work which is outside the hours defined in Condition D38, and that are not subject to an EPL. The Protocol must be prepared in consultation with the ER and AA. The Protocol must include:</p> <p>(a) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:</p> <p>(i) the ER and AA review all proposed out-of-hours activities and confirm their risk levels,</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|------------|------------|
| | <p>(ii) low risk activities can be approved by the ER in consultation with the AA, and</p> <p>(iii) high risk activities that are approved by the Planning Secretary;</p> <p>(b) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;</p> <p>(c) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of Condition D60. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land use(s) would be exposed to, including the number of noise awakening events;</p> <p>(d) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and</p> <p>(e) notification arrangements for affected receivers for approved out-of-hours work and notification to the Planning Secretary of approved low risk out-of-hours works.</p> <p>The Protocol must be submitted to and approved by the Planning Secretary before commencement of the out-of-hours work and implemented during Work which is outside the hours defined in Conditions D38 and not subject to an EPL.</p> <p>Adherence to the Protocol does not apply if the requirements of Condition D40(a) or (b) are met.</p> <p>Notes: 1. Conditions D54 and D55 provide additional parameters to be considered.</p> | | |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|---|------------|
| | Notes: 2. If the Work is subject to an EPL and the EPA does not endorse extended hours as part of the EPL, the extended hours cannot be considered under this Protocol. | | |
| D42 | <p>Mitigation measures must be implemented with the aim of achieving the following construction noise and vibration outcomes:</p> <p>(a) construction 'Noise affected' NMLs established using the Interim Construction Noise Guideline (DECC, 2009);</p> <p>(b) vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure);</p> <p>(c) Australian Standard AS 2187.2 - 2006 "Explosives - Storage and Use - Use of Explosives";</p> <p>(d) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and</p> <p>(e) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage).</p> <p>Work that exceeds the noise management levels and/or vibration criteria must be managed in accordance with the Noise and Vibration CEMP Sub-plan.</p> <p>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|---|------------|
| D45 | Noise generating work in the vicinity of community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the NMLs must not be timetabled during sensitive periods, unless other reasonable arrangements with the affected institutions are made at no cost to the affected institution. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D46 | At no time can noise generated by construction exceed the National Standard for exposure to noise in the occupational environment of an eight-hour (8hr) equivalent continuous A-weighted sound pressure level of LAeq,8h of 85 dB(A) for any employee working at a location near Modification 6. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D49 | <p>Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise levels are minimised. Practices must include, but are not limited to:</p> <p>(a) use of regularly serviced low sound power equipment;</p> <p>(b) early occupation and later release of road carriageways and construction sites;</p> <p>(c) scheduling of noisiest works before 11.00 pm Sunday to Thursday and before 12 midnight Friday and Saturday;</p> <p>(d) temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rock hammering and concrete cutting; and (e) use of alternative construction and demolition techniques.</p> | The Proposed Change would not impact on compliance with this condition. | Yes |
| D53 | All work undertaken for the delivery of Modification 6, including those undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. This must include: | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|---|------------|
| | <p>(a) rescheduling work to provide respite to impacted noise sensitive land use(s) so that the respite is achieved in accordance with Condition D54; or</p> <p>(b) the provision of alternative respite or mitigation to impacted noise sensitive land use(s); and</p> <p>(c) the provision of documentary evidence to the AA in support of any decision made in relation to respite or mitigation.</p> <p>The consideration of respite must also include all other CSSI, SSI and SSD projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of Modification 6.</p> | | |
| D54 | <p>In order to undertake out-of-hours work outside the hours specified under Condition D38, the appropriate respite periods must be identified for the out-of-hours work in consultation with the community at each affected location on a regular basis.</p> <p>This consultation must include (but not be limited to) providing the community with:</p> <p>(a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours work;</p> <p>(b) a description of the potential work, location and duration of the out-of-hours work;</p> <p>(c) the noise characteristics and likely noise levels of the work; and</p> <p>(d) likely mitigation and management measures which aim to achieve the relevant noise management levels and vibration criteria under Condition D42 (including the circumstances of when respite or relocation offers will be</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|---|------------|
| | <p>available and details about how the affected community can access these offers).</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour work must be provided to the AA, ER, EPA and the Planning Secretary for information prior to undertaking the work scheduled for the subject period.</p> <p>Note: Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the rating background noise level at any residence.</p> | | |
| D55 | <p>Work outside the hours specified in Condition D38 which result in an exceedance of the relevant NML at the same sensitive land use(s) can only be undertaken in accordance with the following:</p> <p>(a) two consecutive evenings and/or nights per week; or</p> <p>(b) three non-consecutive evenings and/or nights per week; or</p> <p>(c) 10 evenings and/or nights per month; or</p> <p>(d) except as identified by an EPL; or</p> <p>(e) in accordance with an agreement with a potentially impacted receiver(s) as required by Condition D40(c)(iii).</p> | The Proposed Change would not impact on compliance with this condition. | Yes |
| D56 | Mitigation measures such as temporary alternative accommodation or other agreed mitigation measures, must be offered/ made available to residents affected by out-of-hours Work (including where utility works are being undertaken for Modification 6 or under a road occupancy licence) where the construction noise levels between: | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|--|------------|
| | <p>(a) 10:00 pm and 7:00 am, Monday to Friday;</p> <p>(b) 10:00 pm Saturday to 8:00 am Sunday; and</p> <p>(c) 6:00 pm Sunday and public holidays to 7:00 am the following day unless that day is Saturday then to 8:00 am,</p> <p>are predicted to exceed the NML by 25 dB(A) or are greater than 75 dBA (LAeq(15 min)), whichever is the lesser and the impact is planned to occur for more than two (2) nights over a seven (7) day rolling period.</p> <p>The NML must be reduced by 5 dB where the noise contains annoying characteristics and may be increased by 10 dB if the property has received at-property noise treatment. The noise levels and duration requirements identified in this condition may be changed through an EPL applying to Modification 6.</p> | | |
| D58 | <p>The Proponent must offer pre-construction surveys to the owners of surface and sub-surface structures and other relevant assets identified at risk from vibration, including all listed heritage items and buildings/structures of heritage significance as identified in the documents listed in Condition 1A of Schedule 1. Where the offer is accepted, the survey must be undertaken by a suitably qualified and experienced engineer and/or building surveyor prior to the commencement of vibration generating works that could impact on the structure/asset. The results of each survey must be documented in a Pre-construction Condition Survey Report and the report must be provided to the owner of the item(s) surveyed no later than one month before the commencement of all other potentially impacting works.</p> | <p>The Proposed Change would not impact on compliance with this condition.</p> | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|---|---|------------|
| D59 | Where pre-construction surveys have been undertaken in accordance with Condition D58, subsequent post-construction surveys of the structure / asset must be undertaken by a suitably qualified and experienced engineer and/or building surveyor to assess damage that may have resulted from the vibration-generating works. The results of the post-construction surveys must be documented in a Post-Construction Condition Survey Report for each item surveyed. The Postconstruction Condition Survey Reports must be provided to the owner of the structures/assets surveyed, and no later than four months following the completion of construction activities that have the potential to impact on the structure / asset. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D60 | Where damage has been determined to occur as a result of Modification 6, the Proponent must carry out rectification at its expense and to the reasonable requirements of the owner of the structure/asset within nine months of the completion of construction activities that have the potential to create damage unless another timeframe is agreed with the owner. Alternatively, the Proponent may pay compensation for the damage as agreed with the owner. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D65 | Prior to the commencement of any Work that results in the disturbance of land in any particular area, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D75 | <p>An Unexpected Finds Procedure for Contamination must be prepared before the commencement of Work. The procedure must:</p> <p>(a) be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered;</p> <p>(b) include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved; and</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|--|------------|
| | <p>(c) be prepared, (or reviewed and approved), by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.</p> <p>Note: Should any unexpected moderate to high risk contamination be identified during Work, the contamination process identified in the conditions above applies.</p> | | |
| D76 | The Unexpected Finds Procedure for Contamination must be implemented during Work. | The Unexpected Finds Procedure for Contamination would be implemented during work involved with the Proposed Change. | Yes |
| D81 | Any property access physically affected by Modification 6 must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D85 | <p>Before any local road is used by a heavy vehicle for the purposes of the modification, a Road Dilapidation Report must be prepared for the road unless otherwise agreed to by the relevant road authority. A copy of the Road Dilapidation Report must be provided to the relevant council within three weeks of completion of the survey and no later than two weeks before the road being used by heavy vehicles associated with Modification 6.</p> <p>If damage to roads occurs as a result of the construction of the modification, the Proponent must rectify the damage to restore the road to at least the condition it was in pre-construction in consultation with the relevant road authority. Rectification works must be undertaken within three months of the subject road no longer being used for the construction of Modification 6 unless an alternative timeframe is agreed to by the relevant road authority.</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|-----|--|---|------------|
| D87 | Safe pedestrian and cyclist access must be maintained around work sites during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, a proximate alternative route which complies with relevant standards, unless otherwise endorsed by an independent, appropriately qualified and experienced person, must be provided (including signposting) prior to the restriction or removal of the impacted access. | <p>The Proposed Change would not impact on compliance with this condition.</p> <p>Appropriate traffic control measures would be put in place where the construction activities cross the SUP to maintain pedestrian and cyclist safety.</p> | Yes |
| D89 | <p>During construction, all practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions are to be avoided, and where avoidance is not possible, minimised. Where disruption cannot be minimised, alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses and implemented prior to the disruption.</p> <p>Adequate signage and directions to businesses must be provided prior to, and for the duration of, any disruption.</p> | The Proposed Change would not impact on compliance with this condition. | Yes |
| D91 | <p>Temporary active transport facilities and detours must be designed, constructed and/or rectified in accordance with:</p> <p>(a) the process set out in the Movement and Place Framework (NSW Government) and the Cycleway Design Toolbox: Designing for Cycling and Micromobility (TfNSW, 2020);</p> <p>(b) the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads 2017) where not otherwise covered by (a);</p> <p>(c) relevant Australian Standards (AS) such as AS 1428.1-2009 Design for access and mobility;</p> <p>(d) relevant Crime Prevention Through Environmental Design (CPTED) principles; and</p> | Any temporary adjustments or rectification to active transport facilities due to the Proposed Change will be carried out in accordance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|------|---|---|------------|
| | <p>(e) recommendations arising from consultation with relevant Councils, Bicycle NSW, Bike North, the CAMWEST Bicycle User Group and other relevant local bicycle user groups, where reasonable.</p> <p>Where site constraints prevent the provision of temporary active transport facilities that achieve the requirements of (a) - (e) listed above, the Proponent must write to the Planning Secretary identifying:</p> <p>(i) where the temporary active transport facilities are located; and</p> <p>(ii) which elements of the requirements of Condition D91 (a) - (e) cannot be met and why this is acceptable.</p> <p>Note: In the event of an inconsistency, the latest guidance document prevails to the extent of the inconsistency.</p> <p>(a) A description of all utility Work to be undertaken; and</p> <p>(b) Management measures to be implemented to manage dust, noise, traffic, access, lighting and other relevant impacts associated with utility Work.</p> <p>The Utilities Management Strategy must be submitted to the Planning Secretary for approval at least one month before the commencement of utility Work.</p> | | |
| D101 | <p>Waste generated during construction and operation must be dealt with in accordance with the following priorities:</p> <p>(a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;</p> <p>(b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and</p> | The Proposed Change would not impact on compliance with this condition. | Yes |

| No. | Conditions of Approval | Discussion | Consistent |
|------|---|---|------------|
| | (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of. | | |
| D102 | The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of the EPL for Modification 6, or be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D103 | Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste, except in accordance with Condition D10. | The Proposed Change would not impact on compliance with this condition. | Yes |
| D104 | All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes. | The Proposed Change would not impact on compliance with this condition. | Yes |
| | <p>(a) meet the capacity constraints of any council's drainage system to receive and convey the proposed flows from the Project, or otherwise upgrade council's drainage system at the Proponent's expense where it is identified that Modification 6 will have an adverse impact on the capacity of council's drainage system, in consultation with the relevant council(s);</p> <p>(b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and</p> <p>(c) ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment.</p> | | |

Table A 2: Consistency against relevant Statement of Commitments / environmental management measures

| No. | Mitigation Measure | Discussion | Consistent |
|------|--|---|------------|
| T3 | Movements of haulage vehicles will be planned to minimise movements on the road network during the AM and PM peak periods where practicable. | The Proposed Change would not impact on compliance with this measure. | Yes |
| T4 | An active transport strategy will be developed to document planned shared path detours and recommend upgrades to these facilities to safely accommodate shared path users. | <p>The Proposed Change would not impact on compliance with this measure.</p> <p>There would be no permanent changes to the SUP. Appropriate traffic control measures would be put in place where the construction activities cross the SUP to maintain pedestrian and cyclist safety.</p> | Yes |
| NV 2 | <p>All residents affected by noise from the proposed modification which are expected to experience an exceedance of the construction noise management levels should be consulted about the proposed modification prior to the commencement of the particular activity, with the highest consideration given to those that are predicted to be most affected as a result of the works.</p> <p>The information provided to the residents should include:</p> <ul style="list-style-type: none"> • Programmed times and locations of construction work • The hours of the proposed modification works • Construction noise and vibration impact predictions • Construction noise and vibration mitigation measures being implemented on site. <p>Community consultation regarding construction noise and vibration will be detailed in the Community and Stakeholder Engagement Plan for the construction of the proposed modification and will include a 24-hour hotline and complaints management process.</p> <p>Consultation will also be undertaken with all schools likely to be affected.</p> <p>For out of hours works, consultation will take place with consideration to Practice note vii of the Environmental Noise Management Manual (RTA, 2001) and Strategy 2 of the Interim Construction Noise Guidelines (DECC, 2009).</p> | <p>The Proposed Change would not impact on compliance with this measure.</p> <p>Nearby residents would be consulted as required by this measure.</p> | Yes |
| NV3 | Induction and training will be provided to relevant staff and sub-contractors outlining their responsibilities with regards to noise and vibration. | The Proposed Change would not impact on compliance with this measure. | Yes |

| No. | Mitigation Measure | Discussion | Consistent |
|-------|---|---|------------|
| NV 9 | <p>The selection of plant and equipment can have a significant impact on construction noise levels.</p> <p>Appropriate plant will be selected for each task to minimise the noise contributions.</p> <p>Alternative works methods such as use of hydraulic or electric-controlled units in place of diesel units will be considered and implemented where feasible and reasonable. The use of alternative machines that perform the same function (such as rubber wheeled plant) will be considered in place of steel tracked plant.</p> <p>Equipment will be regularly inspected and maintained to ensure it is in good working order.</p> <p>Plant should be located on site with as much distance as possible between the plant and noise sensitive receivers. Noisy equipment will be orientated away from residential receivers where feasible and reasonable.</p> | The Proposed Change would not impact on compliance with this measure. | Yes |
| NV 11 | <p>Additional mitigation measures are provided in CNVG. These measures are applied after standard noise mitigation measures have been applied and where the noise levels are still exceeding the noise management levels.</p> <p>Additional mitigation measures include:</p> <ul style="list-style-type: none"> • Notification (letterbox drop or equivalent) to give advanced warning of works • Specific notifications to identified stakeholders • Phone calls • Individual briefings • Respite offers, to be considered where there are high noise and vibration generating activities near receivers • Respite Period One where there is out of hours construction noise • Respite Period Two where there is high time construction noise • Duration respite where long periods of noise and vibration will be generated • Alternative accommodation for residents where there are highly intrusive noise levels • Verification, such as noise monitoring. | The Proposed Change would not impact on compliance with this measure. | Yes |
| NV 12 | <p>Equipment size will be selected taking into account the minimum working distances and the distance between the area of construction and the most affected sensitive receiver.</p> <p>The use of less vibration intensive methods of construction or equipment will</p> | The Proposed Change would not impact on compliance with this measure. | Yes |

| No. | Mitigation Measure | Discussion | Consistent |
|-------|---|---|------------|
| | be considered where feasible and reasonable when working in proximity to existing structures. Equipment will be maintained and operated in an efficient manner, in accordance with manufacturer's specifications, to reduce the potential for adverse vibration impacts. | | |
| NV 16 | The Contractor must conduct a detailed construction noise and vibration assessment and implement reasonable and feasible mitigation measures in accordance with the Roads and Maritime Services Construction Noise and Vibration Guideline (2016b). Mitigation measure that may be implemented include the following: <ul style="list-style-type: none"> • Traffic diversions limited in duration as noted above • Notification (letterbox drop or equivalent) • Specific notifications • Individual briefings and/or community consultations | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 2 | On a regular basis, the stages of other major constructions within 500 metres of the proposed modification will be assessed, to determine any cumulative impacts. The possibility of co-ordinating activities between sites will be assessed to avoid potentially high impact activities occurring at the same time. | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 4 | All vehicles and plant will be switched off engines when stationary and not be allowed to idle. | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 5 | During periods of high potential for increased air quality impacts and/or prolonged dry or windy conditions the frequency of site inspections will be increased by the person accountable for air quality and dust issues. | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 6 | At each construction zone, the site arrangement will be planned so that dust generating activities are undertaken to minimise dust at nearby receptors. Measures may include stockpiles located as far away from receptors as possible; dust barriers being erected around dusty activities/ site boundary, or similar. | The Proposed Change would not impact on compliance with this measure. | Yes |

| No. | Mitigation Measure | Discussion | Consistent |
|-------|--|---|------------|
| AQ 8 | Adequate water supply will be provided on the site for effective dust/ particulate matter suppression/ mitigation, using non-potable water where possible and appropriate. | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 9 | Earthworks and exposed areas/ soil stockpiles will be re-vegetated or stabilised as soon as practicable | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 10 | Water-assisted dust sweeper(s) will be used on access and local roads, to remove, as necessary, any material tracked out of the site. | The Proposed Change would not impact on compliance with this measure. | Yes |
| AQ 11 | Vehicles entering and leaving sites will be covered to prevent escape of materials during transport. | The Proposed Change would not impact on compliance with this measure. | Yes |
| SW 3 | A soil conservation specialist will be engaged for the duration of construction of the proposed modification to provide advice on the planning and implementation of erosion and sediment control measures, including review of Erosion and Sediment Control Plans ESCPs. | The Proposed Change would not impact on compliance with this measure. | Yes |
| B10 | Monitoring and maintenance of all established erosion and sedimentation controls | The Proposed Change would not impact on compliance with this measure. | Yes |
| AH4 | All standard environment site inductions prepared for the proposed modification will include an Aboriginal heritage component. At a minimum, this will outline current protocols and responsibilities with respect to the management of Aboriginal heritage within the construction footprint (including unexpected finds) and provide an overview of the diagnostic features of potential Aboriginal site types/ objects. | The Proposed Change would not impact on compliance with this measure. | Yes |
| LUP1 | A survey of all areas to be leased during construction will be completed to document the pre-leased condition. | The Proposed Change would not impact on compliance with this measure. | Yes |
| LUP2 | All areas leased for the modification will be rehabilitated upon completion of construction and restored to their existing condition, or as otherwise agreed | The Proposed Change would not impact on compliance with this measure. | Yes |

| No. | Mitigation Measure | Discussion | Consistent |
|------|--|---|------------|
| | with the landowner. This will occur within six months of completion of the construction phase. | | |
| LUP3 | Terms and conditions of private land use for construction access will be determined in consultation and agreement with relevant landowners. | The Proposed Change would not impact on compliance with this measure. | Yes |
| LV 3 | Provide cut-off or directed lighting within and outside of the construction site, with lighting location and direction considered to ensure glare and light spill is minimised. | The Proposed Change would not impact on compliance with this measure. | Yes |
| LV 4 | Keep construction areas clean and tidy and place refuse in appropriate receptacles. | The Proposed Change would not impact on compliance with this measure. | Yes |
| GG4 | Construction plant and equipment will be well maintained to allow for optimal fuel efficiency | The Proposed Change would not impact on compliance with this measure. | Yes |
| GG5 | Raw materials will be managed to reduce energy requirements for their processing. For example, stockpiled materials will be covered or provided undercover storage where possible to reduce moisture content of materials, and therefore the process and handling requirements | The Proposed Change would not impact on compliance with this measure. | Yes |
| GG7 | E10 bioethanol and B5 biodiesel will be utilised where feasible | The Proposed Change would not impact on compliance with this measure. | Yes |
| W2 | Wherever feasible and reasonable, construction materials will be sourced locally from within the Sydney region | The Proposed Change would not impact on compliance with this measure. | Yes |
| HR8 | Storage, handling and use of dangerous goods and hazardous substances will be in accordance with the Work Health and Safety Act 2011 and the Storage and Handling of Dangerous Goods Code of Practice (WorkCover NSW, 2005). | The Proposed Change would not impact on compliance with this measure. | Yes |

| No. | Mitigation Measure | Discussion | Consistent |
|------|--|---|------------|
| HR9 | Storage areas for oils, fuels and other hazardous liquids will be located outside of identified floodprone areas identified in Section 6.2.1 of Appendix G (Surface water and flooding assessment). Secure, bunded areas will be provided around storage areas. | The Proposed Change would not impact on compliance with this measure. | Yes |
| HR10 | A register and inventory of dangerous goods and hazardous substances will be kept at each storage location. This register will be maintained as part of an incident response management plan developed for the proposed modification. The register will include Safety Data Sheets which will be obtained for dangerous goods and hazardous substances prior to their delivery onsite and stored in an accessible place. | The Proposed Change would not impact on compliance with this measure. | Yes |
| HR11 | All hazardous substances will be transported in accordance with relevant legislation and codes, including the Dangerous Goods (Road and Rail Transport) Regulation 2014 and the 'Australian Code for the Transport of Dangerous Goods by Road and Rail' (National Transport Commission, 2020). | The Proposed Change would not impact on compliance with this measure. | Yes |
| Cu1 | Consultation with other project owners, operators, and/ or contractors to understand construction programmes and ensure that conflicting requirements for access, traffic lane closures, high noise and vibration generating activities, and nightworks are avoided or minimised as much as reasonably practical, in order to prevent construction fatigue for local sensitive receptors. Communication with other project owners, operators, and/ or contractors should be an iterative process and continue throughout the construction phase. These management measures to prevent construction fatigue should be captured in the Construction Environment Management Plan (CEMP). They should also be presented in the topic-specific environmental management plans, such as Construction Traffic and Access Management Plan (see Mitigation Measure T1) and Construction Noise and Vibration Management Plan (CNVMP) (see Mitigation Measure NV1). | The Proposed Change would not impact on compliance with this measure. | Yes |
| Cu2 | Clear communication will be undertaken with the community when required, which is coordinated with other projects so that similar projects retain consistent messaging and complaint mechanisms. | The Proposed Change would not impact on compliance with this measure. | Yes |

Appendix B – AHIMS search



Client Service ID : 897191

Date: 31 May 2024

AHIMS Web Service search for the following area at Lat. Long From : -33.9356, 150.8657 - Lat. Long To : -33.9311, 150.8735, conducted by Rachel Gray on 31 May 2024.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

| | |
|---|---|
| 0 | Aboriginal sites are recorded in or near the above location. |
| 0 | Aboriginal places have been declared in or near the above location. * |



AHIMS Web Services (AWS)

Search Result

Your Ref/PO Number : Cowpasture

Client Service ID : 897194

JBS&G Australia Pty Ltd

Level 1, 50 Margaret St
Sydney New South Wales 2000

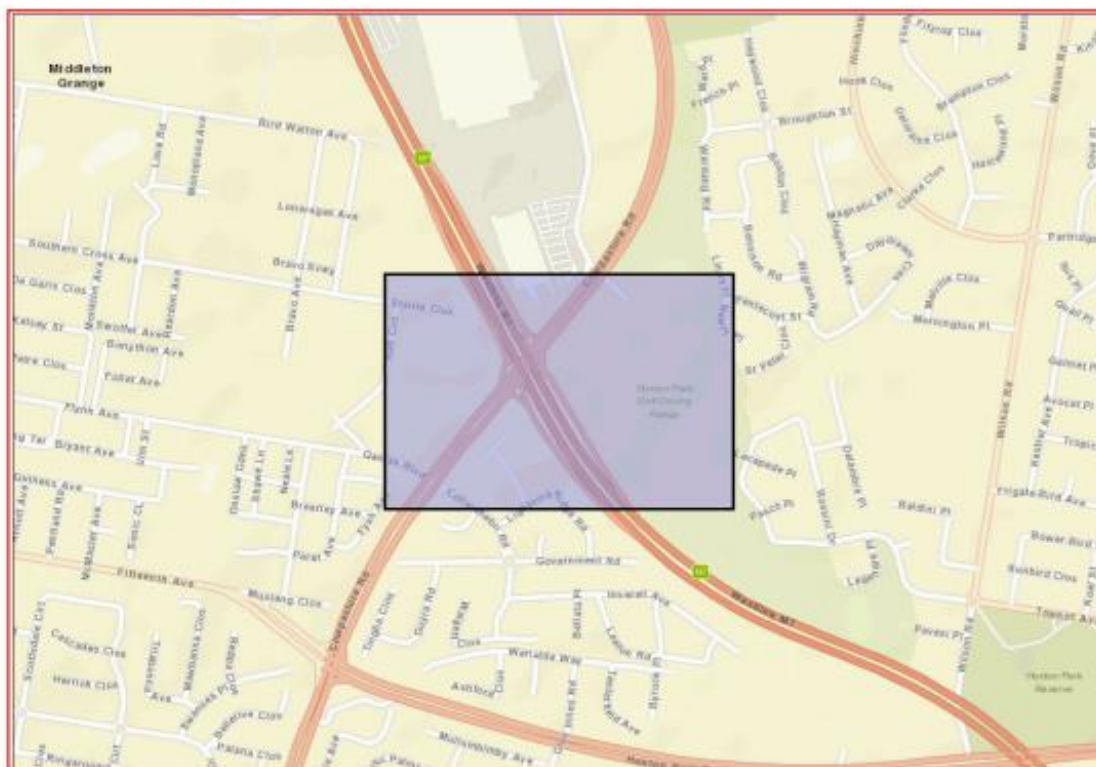
Attention: Rachel Gray

Email: rgray@jbsg.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat. Long From : -33.9216, 150.8496 - Lat. Long To : -33.9172, 150.8573, conducted by Rachel Gray on 31 May 2024.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

| | |
|---|---|
| 0 | Aboriginal sites are recorded in or near the above location. |
| 0 | Aboriginal places have been declared in or near the above location. * |