

Concept Plan Approval

Section 75O and Section 75P of the *Environmental Planning and Assessment Act 1979*

ERSKINE PARK LINK ROAD NETWORK CONCEPT PLAN

I, the Minister for Planning, under the *Environmental Planning and Assessment Act 1979* determine:

- a) pursuant to section 75O of the *Environmental Planning and Assessment Act 1979*, to grant concept plan approval for the proposal referred to in Schedule 1, subject to the modifications in Schedule 2;
- b) pursuant to section 75P(1)(b) of the *Environmental Planning and Assessment Act 1979*, the further environmental assessment requirements for approval to construct components of the concept plan, referred to in Schedule 1, under Part 5 of the *Environmental Planning and Assessment Act 1979* (if carried out by or on behalf of a public authority) or Part 4 of the *Environmental Planning and Assessment Act 1979* in all other instances.



Kristina Keneally MP
Minister for Planning

Sydney

4/8/09

2009

File No: ICU/01243

SCHEDULE 1

Application No:	MP 06_0166
Proponent:	NSW Roads and Traffic Authority
Approval Authority:	Minister for Planning
Land:	Land required for the construction and operation of the proposal with Precinct 2, 6 and 7 of the Western Sydney Employment Hub, and including Archbold Road, Minchinbury, Old Wallgrove Road, Eastern Creek and the M7 Interchange, located within the Blacktown and Penrith local government areas.
Proposal:	<p>The Erskine Park Link Road Network Concept Plan, being the road network within the north-west precinct of the Western Sydney Employment Hub that connects the employment lands with the M4, M7 and Mamre Road, comprising of:</p> <ul style="list-style-type: none">▪ an east-west route (the 'Erskine Park Link Road') to connect Mamre Road and Erskine Park Road to Old Wallgrove Road and extends to the M7 Motorway and Old Wallgrove Road interchange;▪ two north-south routes (North-South Link Road and Old Wallgrove Road) to connect the Erskine Park Link Road to the south-west precinct of the Western Sydney Employment Hub; and▪ a north-south route (Archbold Road) that connects the Erskine Park Link Road to the M4 Motorway and extends to Sargents Road, Minchinbury.

SCHEDULE 2

DEFINITIONS

Concept Plan	The Erskine Park Link Road Network proposal described in Schedule 1.
Construction	All pre-operation activities associated with the projects related to the concept plan approval other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor adjustments to services / utilities, or minor clearing (except where threatened species, populations or ecological communities would be affected).
DECC	Department of Environment and Climate Change.
Director-General, the	Director-General of the Department of Planning (or delegate).
DWE	Department of Water and Energy.
DPI	Department of Primary Industries.
MoT	Ministry of Transport.
Project	The Stage A (Glenfield rail corridor) project, the Stage B1 (Glenfield Station) project, and the Stage B2 (remaining works) project(s) as described in Schedule 1.
Proponent	NSW Roads and Traffic Authority
Reasonable and Feasible	Consideration of best practise taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and nature and extent of potential improvements.
Relevant Council(s)	Blacktown City Council, Fairfield City Council and Penrith City Council
SoC	Statement of Commitments

1. ADMINISTRATIVE CONDITIONS

Terms of Concept Approval

- 1.1 The Proponent shall carry out the concept plan and all related projects generally in accordance with the:
- a) Major Project Application MP 06_0166;
 - b) *Western Sydney Employment Hub Proposed Erskine Park Link Road Network – Concept Plan Environmental Assessment*, dated February 2008, and prepared by National Environmental Consulting Services Pty Ltd;
 - c) *Western Sydney Employment Hub Proposed Erskine Park Link Road Network – Concept Plan Environmental Assessment – Submissions Report and Preferred Project Report*, dated February 2009 and prepared by National Environmental Consulting Services Pty Ltd;
 - d) the conditions of approval.
- 1.2 In the event of an inconsistency between:
- a) the conditions of approval and any document listed in condition 1.1a) to 1.1c) inclusive, the conditions of approval shall prevail to the extent of the inconsistency; and
 - b) any documents listed in condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.

Limits of Approval

- 1.3 To avoid any doubt, this approval does not permit the construction of any component of the Concept Plan described in Schedule 1, which will be subject to separate approval(s).

2. MODIFICATIONS

Archbold Road

- 2.1 The use of the Archbold Road extension (from the M4 ramps to Sargents Road) shall not occur until arrangements have been made for the upgrade of the entire length of Archbold Road to the Great Western Highway intersection.

Old Wallgrove Road (North-South Link)

- 2.2 Approval for the upgrade of Old Wallgrove Road to four lanes (to act as the second north-south link to the south-west precinct) shall be deferred pending further detailed consideration on the appropriate location of the second north-south link.

Note: This is being considered as part of the draft State Environmental Planning Policy (Western Sydney Employment Area).

3. FUTURE ASSESSMENT REQUIREMENTS

- 3.1 Pursuant to section 75P(2)(c) of the *Environmental Planning and Assessment Act 1979*, the following environmental assessment requirements apply the components of the Erskine Park Link Road Network as described in documentation listed in condition 1.1:
- a) a detailed proposal description, including the design and location of relevant ancillary infrastructure, bus infrastructure, and pedestrian/cycleway shared paths;
 - b) a demonstration that the proposal is consistent with the requirements of this concept plan approval, generally consistent with the scope and intent of the concept plan outlined in the documents under condition 1.1 of this approval, and is generally consistent with any strategic planning associated with areas south of the pipeline;
 - c) a detailed proposal-specific commitments, consistent with the statement of commitments prepared for the concept plan, clearly identifying any new or amended commitments relating to the proposal;
 - d) assessment of the following key issues for the proposal (including relevant ancillary infrastructure) in consultation with relevant agencies including (but not limited to) DECC, MoT, DECC, RTA and the relevant Council:

- **Property and Landuse:** confirm the footprint of the project, identifying any additional land required for ancillary infrastructure not identified in the documents referred to in conditions 1.1 (a) to (c). The assessment shall also detail what arrangements or changes are required for access to adjoining properties.
- **Traffic and Transport:**
 - review the operational traffic impacts of the proposal including:
 - an assessment of the impacts of the surrounding/external road network as a result of the proposal;
 - where the proposal includes intersection works, the environmental assessment shall present an analysis of the intersection to demonstrate that it has capacity to cater for the future traffic volumes, with consideration to the traffic assumptions presented within documents referred to within condition 1.1. Any such assessment shall be conducted in consultation (where relevant) with the RTA, the Department of Planning, the relevant Council and the operator of the M7 Orbital (if applicable);
 - detail what arrangements or changes are required for access to adjoining properties to ensure the network performance and safety of the proposed road network is maintained. In undertaking this assessment, consideration should be given to any Precinct Plan, Development Control Plan or similar strategic plan (where relevant) that has been prepared for adjoining land holdings.
 - review construction traffic impacts of the project considering cumulative impacts from surrounding development, haulage routes, and disruptions to traffic and access.
- **Noise and Vibration:**
 - an assessment of operational road traffic noise and vibration impacts. Should criteria be exceeded, the assessment must consider all reasonable and feasible mitigation options;
 - for all aspects of the project (as relevant), describe construction noise and vibration impacts, considering all reasonable and feasible measures for minimising impacts.
 - the assessment must take into account the following guidelines as relevant: *Environmental Criteria for Road Traffic Noise* (EPA, 1999), *Environmental Noise Management Manual* (RTA, 2001), *Draft New South Wales Construction Noise Guideline* (formerly published as chapter 171 of the EPA's *Environmental Noise Control Manual*), *Assessing Vibration: A Technical Guideline* (DEC, 2006);
- **Public Transport:** describe what bus infrastructure would be provided as part of the application or how the design of the road would not inhibit the future provision of bus infrastructure. This assessment shall be undertaken in consultation with MoT.
- **Flora and Fauna:**
 - describe the ecological impacts of the project including (as relevant): impacts on threatened species, populations and ecological communities; riparian and stream ecology; and existing or planned biodiversity corridors, including the Erskine Park Biodiversity Corridor. This assessment shall reflect / consider *Erskine Park Link Road Concept Plan – Flora and Fauna Impact Assessment for the Department of Planning* (SKM, November 2008);
 - describe measures to avoid, minimise or offset impacts including opportunities for conserving/ enhancing riparian and biodiversity corridors;
 - describe how the effectiveness of the measures would be monitored and what actions shall be taken if measures are identified to be ineffective; and
 - describe the maintenance responsibilities and timing of implementation of measures.
- **Hydrology:** include an assessment of the impacts on flooding regimes in accordance with the *Floodplain Development Manual* (2005), and describe the impacts of flow alterations at each crossing on upstream and downstream ecology and riparian zones.

- **Heritage:** identify areas of indigenous and non-indigenous heritage that could be impacted directly or in-directly, including potential archaeological deposits. The assessment shall detail how any impacts on heritage items would be avoided through road design and/or mitigated. This shall be supported by further consultation with Aboriginal representatives, DECC, relevant Council(s) and the Heritage Branch of the Department.
 - **Visual and Urban Design:**
 - detail the urban design of the proposal, including lighting, landscaping, bus infrastructure (where applicable) and pedestrian/cyclist facilities.
 - describe the visual impacts and mitigation requirements for the proposal. In particular, the assessment must provide details on the urban design of any elements of the proposal that can be viewed from residential areas;
 - describe the timing of implementation of urban design and landscaping measures, how the effectiveness of landscaping measures would be monitored and maintenance responsibilities for relevant urban design and landscape measures.
 - **Soil and Water**
 - Provide a contamination assessment for areas to be disturbed by the proposal, detailing what remediation activities may be required;
 - Identify any potential disturbance of saline or acid sulphate soils. Should these types of soils be detected, the assessment must demonstrate how these impacts would be avoided, minimised and managed.
 - Identify the stormwater infrastructure associated with the proposed road corridor and demonstrate how runoff would be collected, treated and discharged. Any such infrastructure shall be consistent with the relevant Council requirements.
- e) assessment at an appropriate level of detail the impacts and mitigation measures associated with any additional issues of relevance to the project, identified during further design development, that are not specifically identified in this concept plan approval, in consultation with relevant agencies;
- f) evidence of consultation with Government agencies, relevant Councils, landowners, community and other stakeholders (such as utility and service providers, bus companies and businesses), as relevant during the preparation of the environmental assessment.

North-South Link Road (Erskine Park)

3.2 In addition to the requirements specified in condition 3.1, any application that includes the construction of the North-South Link (Erskine Park) shall provide an assessment on the feasibility of relocating the alignment to the east to avoid the population of the Juniper Leaved Grevillea (*as identified in Erskine Park Link Road Concept Plan – Flora and Fauna Impact Assessment for the Department of Planning (SKM, November 2008)*). This shall be consideration to the environmental and utility constraints in the area, and the connectivity to future planned road networks south of the pipeline.

Archbold Road, Minchinbury

3.3 In addition to the requirements specified in condition 3.1, any application that includes the Archbold Road extension into Minchinbury shall:

- a) identify what upgrades or modifications would be required for Archbold Road, Sargents Road and/or Robinson Road to achieve adequate network performance and road safety; and
- b) assess the impacts associated with the upgrade of Archbold Road between Sargents Road and the Great Western Highway.