The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park

Division 5.2 and EPBC Act Approval Consistency assessment report
Proposed changes between Eaton Road, Luddenham and Littlefields Road, Luddenham

Roads and Maritime Services | December 2018
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<thead>
<tr>
<th>Revision</th>
<th>Date</th>
<th>Prepared by</th>
<th>Reviewed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft 1</td>
<td>11/12/2018</td>
<td>Ella Muema, Henry Luo</td>
<td>John McManus</td>
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<td>19/12/2018</td>
<td>Ella Muema, Henry Luo</td>
<td>John McManus</td>
</tr>
</tbody>
</table>
Contents

1. Introduction.................................................................................................................. 1
   1.1 Background.............................................................................................................. 1
   1.2 Purpose of consistency assessment ..................................................................... 2

2. Proposed change........................................................................................................... 3
   2.1 Description of proposed change .......................................................................... 3
   2.2 Need ......................................................................................................................... 4

3. Consultation.................................................................................................................. 5

4. Environmental assessment............................................................................................. 6
   4.1 Noise and vibration ............................................................................................... 8
   4.2 Soils, water and contamination ............................................................................. 9
   4.3 Aboriginal heritage ............................................................................................... 9

5. Consistency assessment – the Division 5.2 Approval ....................................................... 10
   5.1 Minister’s Conditions of Approval ................................................................. 10
   5.2 Statement of Commitments / environmental management measures .............. 12
   5.3 Project objectives ............................................................................................... 15
   5.4 Consistency questions – the Division 5.2 Approval ........................................... 15

6. Consistency assessment – EPBC Approval .................................................................... 17
   6.1 Commonwealth Minister’s Conditions of Approval ......................................... 17
   6.2 EPBC Approval consistency questions .............................................................. 17

7. Conclusion..................................................................................................................... 18

8. Other considerations..................................................................................................... 19
   8.1 Permits, licenses and other approvals ............................................................... 19

9. Certification..................................................................................................................... 20

Tables

Table 2-1 Location of groundwater monitoring wells ......................................................... 3
Table 4-1 Environmental assessment of the proposed change .......................................... 6
Table 5-1: Consistency against relevant Minister’s conditions of approval for the project .... 10
Table 5-2: Consistency against relevant Statement of Commitments / environmental management measures .................................................................................................................. 13
Table 5-3: Division 5.2 Approval consistency questions .................................................... 15
Table 6-1: Consistency against relevant Commonwealth Minister’s CoA for the project .... 17
Table 6-2: EPBC Approval consistency questions ........................................................... 17

The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park – Proposed changes between Eaton Road, Luddenham and Littlefields Road, Luddenham
Division 5.2 and EPBC Act Approval consistency assessment report
### Appendices

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix A</td>
<td>Location of proposed groundwater monitoring wells</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Aboriginal heritage Pre-Works Heritage Checklist</td>
</tr>
</tbody>
</table>
1. Introduction

1.1 Background

Roads and Maritime Services (Roads and Maritime) completed an environmental impact statement of The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park (the Project EIS) in June 2017. The EIS identified a range of environmental, social and planning issues associated with the construction and operation of The Northern Road Upgrade and proposed measures to mitigate and manage those potential impacts.

The EIS was publicly exhibited from 21 June to 2 August 2017. Following public exhibition, submissions from stakeholders were received and addressed by Roads and Maritime in the Submissions and Preferred Infrastructure Report (SPIR) and the Final EIS in December 2017.

The Environmental Planning and Assessment Act 1979 (EP&A Act) was updated in March 2018 following determination of the EIS and SPIR. Reference to Part 5.1 has been replaced with Division 5.2 under the new EP&A Act.

The Minister for Planning approved The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park under section 5.19 of the EP&A Act on 30 May 2018. The approval incorporated the Minister’s Conditions of Approval (CoA).

For the purposes of this consistency assessment, the Approval issued by the NSW Minister for Planning for The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park is referred to as the Division 5.2 Approval.

The project must be carried out in accordance with the Division 5.2 Approval and all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR. The project must be carried out generally in accordance with the project description in the EIS as amended by the SPIR.

The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park was referred to the Australian Government Minister for the Environment and Energy under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) as the project may have a significant impact on Matters of National Environmental Significance (MNES), including significant impact on Commonwealth land (i.e. Defence Establishment Orchard Hills (DEOH) and the Western Sydney Airport site) and was subject to separate assessment under the EPBC Act.

The Commonwealth Minister’s approval was received on 15 June 2018 subject to a number of conditions being met. For the purposes of this consistency assessment, the approval issued by the Commonwealth Minister for the Environment for The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park is referred to as the EPBC Approval.

As identified in Section 5.5 of the EIS, the project would be delivered in six stages. There has been one consistency assessment to the project since the Division 5.2 Approval and the EPBC Approval to date, which addressed proposed changes to Stage 4 of the project between Mersey Road, Bringelly and Eaton Road, Luddenham (Roads and Maritime, July 2018).

This consistency assessment report relates to the proposed changes to Stage 6 of the project between Eaton Road, Luddenham and Littlefields Road, Luddenham. For the purpose of this report, Stage 6 of the project is referred to as The Northern Road Upgrade Stage 6 or TNR6.
1.2 Purpose of consistency assessment

The purpose of this consistency assessment is to:

- Describe the proposed change relative to the Division 5.2 Approval and the EPBC Approval
- Assess the environmental impacts associated with the proposed change relative to the Division 5.2 Approval and the EPBC 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
- Determine if the proposed change is consistent with the EPBC Approval, or whether a variation to the conditions of approval / a conditioned action management plan or a new referral is required.
2. Proposed change

2.1 Description of proposed change

The project as described in the Division 5.2 Approval and the EPBC Approval is detailed in Chapter 5 of the EIS and is amended in Chapter 4 of the SPIR and Final EIS.

The proposed changes to TNR6 are as follows:

- Drilling and installation of groundwater monitoring wells to support the groundwater monitoring and investigation of groundwater between Eaton Road, Luddenham and Littlefields Road, Luddenham
- Placement of groundwater level data loggers to existing and newly installed monitoring wells for a period of two months
- Collection of groundwater samples from existing and newly installed groundwater monitoring wells for laboratory analysis.

The locations of the proposed groundwater monitoring wells are shown in Appendix A and detailed in Table 2.1.

<table>
<thead>
<tr>
<th>Groundwater monitoring well</th>
<th>Location</th>
<th>Location relevant to project construction and operational footprint assessed in the SPIR and Final EIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>BH601</td>
<td>On road shoulder, Elizabeth Drive</td>
<td>Within project construction footprint</td>
</tr>
<tr>
<td>BH602</td>
<td>On road shoulder, Elizabeth Drive</td>
<td>Within project construction and operational footprint</td>
</tr>
<tr>
<td>BH603</td>
<td>In a private property, Lot 101 DP 846962</td>
<td>Outside project construction and operational footprint</td>
</tr>
<tr>
<td>BH604</td>
<td>In a private property, Lot 102 DP 846962</td>
<td>Outside project construction and operational footprint</td>
</tr>
<tr>
<td>BH605</td>
<td>In a private property, Lot 103 DP 846962</td>
<td>Outside project construction and operational footprint</td>
</tr>
<tr>
<td>BH606</td>
<td>In a private property, Lot 2 DP 519034</td>
<td>Within project construction footprint</td>
</tr>
<tr>
<td>BH607</td>
<td>In a private property, Lot 105 DP 846962</td>
<td>Within project construction footprint</td>
</tr>
<tr>
<td>BH608</td>
<td>On road shoulder, Adams Road</td>
<td>Outside project construction and operational footprint</td>
</tr>
<tr>
<td>BH609</td>
<td>On road shoulder, Adams Road</td>
<td>Outside project construction and operational footprint</td>
</tr>
<tr>
<td>BH610</td>
<td>In a private property, Lot 2 DP 250030</td>
<td>Within project construction and operational footprint</td>
</tr>
</tbody>
</table>
Generally, the proposed changes can be accommodated within the assessment undertaken in the SPIR and Final EIS. As shown in the above table, five out of ten proposed groundwater monitoring wells are located outside the construction footprint assessed in the SPIR and the Final EIS.

The proposed changes are generally consistent with the project as described in the Division 5.2 Approval and EPBC Approval.

2.2 Need

Roads and Maritime are planning to place materials impacted by the construction of The Northern Road Upgrade project as encapsulated materials under the upgraded TNR6 road pavement at a number of locations between Elizabeth Drive and Adams Road.

Geotechnical investigations indicated that information on groundwater at these locations is limited. Without adequate information on the subsurface condition, there is a risk that the encapsulated materials could intersect groundwater. This may result in potential impacts to the groundwater systems and the geotechnical integrity of the materials.

As a consequence, Roads and Maritime proposes to undertake groundwater assessment to characterise groundwater status and inform the project on:

- Locations where encapsulated materials can be located and the depths at which it can be placed
- Design of encapsulation of materials and drainage systems to minimise interaction of these materials with groundwater.
3. Consultation

The proposed change includes installation of groundwater wells in three private properties that fall outside the project construction and operational footprint assessed in the SPIR and the Final EIS.

Consultation has been undertaken with the affected property owners regarding installation of groundwater monitoring wells in their property, as well as groundwater monitoring activities.

During November and December 2018, Roads and Maritime consulted two property owners (owning 3 properties) on The Northern Road and Adams Road to obtain permission for this work.

The owners did not raise any objection to this and were happy to provide ongoing access for monitoring.

The proposed changes would be communicated as part of the changes to the wider project via briefings to stakeholders, ongoing consultation with affected property owners and community updates.
4. Environmental assessment

An assessment has been carried out to compare the environmental impacts of the proposed change relative to the environmental impacts of the project subject to the Division 5.2 Approval and the EPBC Approval. The assessment focuses only on the environmental issues and impacts relevant to the proposed change. The proposed changes do not relate to traffic and transport, biodiversity, urban design and visual impact, socio-economic and land use, non-Aboriginal heritage, climate change and greenhouse gas, hazards and risks and cumulative impacts so these have not been considered as part of the assessment.

Table 4-1 provides a summary of the environmental assessment of the proposed changes.

Table 4-1 Environmental assessment of the proposed change

<table>
<thead>
<tr>
<th>Environmental issue</th>
<th>Consideration of the relative environmental impacts of the proposed modification compared to the Division 5.2 Approval and EPBC Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic and transport</td>
<td>The proposed monitoring wells would not result in changes to the construction and operational traffic assessment presented in the SPIR/Final EIS.</td>
</tr>
<tr>
<td>Noise and vibration</td>
<td>The drilling of the monitoring wells has the potential to introduce additional noise and vibration impacts to residential receivers within Noise Catchment Area 4 (NCA 4). The nearest residential receiver to the proposed works is located approximately 50 metres south of BH601. As BH601 is located within the marked project construction footprint, the noise impact from drilling activities is not considered as an additional impact at this location. Drilling would be undertaken within standard construction hours only and would take approximately three hours (with continuous noise and vibration for up to 20 minutes at a time). Given the short duration and the nature of the work, the noise and vibration impact of the installation of groundwater monitoring wells is considered to be low. The proposed additional groundwater monitoring wells would not result in changes to the construction and operational noise impact assessment presented in the SPIR/Final EIS. This is discussed further in Section 4.1.</td>
</tr>
<tr>
<td>Biodiversity</td>
<td>The Biodiversity Assessment Report undertaken as part of the SPIR/Final EIS included a 550 metres buffer from the proposed construction corridor. All the proposed monitoring wells are located within this buffer zone and therefore these locations have been included in the biodiversity assessment. A site inspection undertaken by a GHD environmental engineer on 29th November 2018 observed the proposed locations of groundwater monitoring wells to be either on roadside or in areas of grassed paddock. The proposed monitoring wells would not require any vegetation removal nor result in any additional impact on Biodiversity, and therefore the impacts are deemed consistent with the impacts</td>
</tr>
<tr>
<td>Environmental issue</td>
<td>Consideration of the relative environmental impacts of the proposed modification compared to the Division 5.2 Approval and EPBC Approval</td>
</tr>
<tr>
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<tr>
<td>Socio-economic and land use</td>
<td>identified in the SPIR/Final EIS. Some of the proposed groundwater monitoring wells would be located within private properties, resulting in a landuse impact for the landowners of these properties. The proposed monitoring wells would not result in any additional socio-economic land use impacts to those identified in the SPIR/Final EIS.</td>
</tr>
<tr>
<td>Hydrology and flooding</td>
<td>The proposed monitoring wells would not result in additional hydrology and flooding impacts to those assessed in the SPIR/Final EIS.</td>
</tr>
<tr>
<td>Soils, water and contamination</td>
<td>The proposed groundwater monitoring wells would contribute to providing additional information on groundwater levels and characteristics in the project area. The proposed monitoring wells would not result in any additional impact on soils, water and contamination and are consistent with the impacts identified in the SPIR/Final EIS. Further discussion on soils, water and contamination impacts is provided in Section 4.3.</td>
</tr>
<tr>
<td>Aboriginal heritage</td>
<td>The proposed changes would not result in any additional impact on Aboriginal heritage and are consistent with the impacts identified in the SPIR/Final EIS and the Aboriginal Cultural Heritage Assessment Report (CHAR). Further discussion on Aboriginal heritage impacts is provided in Section 4.4. A pre-works heritage checklist to assess impacts of the proposed changes on Aboriginal heritage is provided in Appendix B.</td>
</tr>
<tr>
<td>Non-Aboriginal heritage</td>
<td>The SIPR/Final EIS has identified all non-Aboriginal heritage items within and immediately adjacent to the project area. A Desktop assessment was carried out based on previous studies undertaken in the area and within a search radius of 500 metres. All the proposed monitoring wells are located within 500 metres from the project area and therefore these locations have been included in the Non-Aboriginal heritage assessment. The proposed monitoring wells are not located in the vicinity of any non-Aboriginal heritage item. The proposed changes would not result in any additional impact on non-Aboriginal heritage and are consistent with the impacts identified in the SPIR/Final EIS.</td>
</tr>
<tr>
<td>Urban design and visual impact</td>
<td>The proposed monitoring wells would not result in additional urban design and visual impacts to those assessed in the SPIR/Final EIS.</td>
</tr>
<tr>
<td>Air quality</td>
<td>The proposed monitoring wells would not result in any new air quality impacts to those assessed in the SPIR/Final EIS.</td>
</tr>
</tbody>
</table>
### Environmental issue

<table>
<thead>
<tr>
<th>Environmental issue</th>
<th>Consideration of the relative environmental impacts of the proposed modification compared to the Division 5.2 Approval and EPBC Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resources and waste management</strong></td>
<td>The proposed monitoring wells would not result in resources and waste management impacts to those assessed in the SPIR/Final EIS.</td>
</tr>
</tbody>
</table>
| **Climate change and greenhouse gas**     | The proposed changes would not result in a substantial change in traffic volumes, congestion (level of service), average speeds or fuel consumption, and therefore would be unlikely to result in more than negligible increase in greenhouse gas emissions during construction and operation.  
The proposed changes would not result in a change to the climate change risk assessment outlined in the SPIR/Final EIS. |
| **Hazard and risk**                       | The proposed groundwater monitoring wells and ongoing groundwater monitoring would be able to inform the project on the level of hazard and risk associated with groundwater quality, in particular, whether any contaminants of potential concern is present.  
Information gathered through the proposed additional groundwater monitoring may contribute to improve the mitigation of hazard and risk during construction and operation of the project. |
| **Cumulative impacts**                    | The outcomes of the SPIR/Final EIS would be consistent with the proposed changes assessed in this report, taking into account revised impacts of the project as outlined in Chapter 4 of this report. |

### 4.1 Noise and vibration

The proposed changes outlined in Section 2.1 have been considered against the outcomes of the noise and vibration assessment in Section 7.2 of the Final EIS, Appendix H – Technical working paper: noise and vibration and additional measures presented in the SPIR.

The proposed work would be undertaken within standard construction hours, which are:

- Mondays to Fridays between 7 am and 6 pm
- Saturdays between 8 am and 1 pm
- Sunday and Public Holidays: No works.

No works associated with the proposed changes would be required outside standard hours.

Drilling and installation of the groundwater monitoring wells would be undertaken over two days with approximately three hours work at each location. During this time, intermittent noise and vibration impact would occur during the drilling process. Continuous noise and vibration impacts are expected for up to 20 minutes at any one period of drilling.

The proposed monitoring wells are located within Noise Catchment Area 4 (NCA) as defined in the Final EIS. This area is located east of Luddenham away from major roads, with background noise determined by rural noise sources. Noise receivers in this catchment area are semi-rural residential properties and there are no commercial properties.
The majority of the proposed monitoring wells are located more than 100 metres away from residential receivers, with the exception of BH601, which is located within the project construction footprint approximately 50 metres south of a rural residential property off Elizabeth Street, Luddenham.

Given the short duration and the nature of the work, the proposed changes would not result in any additional impact on noise and vibration and are deemed to be consistent with the impacts identified in the SPIR/Final EIS.

The proposed changes can be carried out in accordance with mitigation measures set out in the EIS as amended by the SPIR.

### 4.2 Soils, water and contamination

The proposed changes outlined in Section 2.1 have been considered against the outcomes of the soils, water and contamination in Section 8.2 of the Final EIS, Appendix L – Technical working paper: soils, water and contamination and additional measures provided in the SPIR.

The proposed changes would involve drilling to at least two metres below the level of interception with groundwater. The diameter of the wells would be a maximum of 200 mm. The installation of groundwater monitoring wells would not generate impacts to groundwater levels, flows, connectivity or chemistry. Therefore the impact of the proposed changes is considered negligible.

### 4.3 Aboriginal heritage

The proposed changes outlined in Section 2.1 have been considered against the outcomes of the Aboriginal assessment in Section 8.3 of the Final EIS, Appendix M – Technical working paper: Aboriginal Cultural Heritage Assessment Report (CHAR) and additional measures provided in the SPIR.

The CHAR prepared for the EIS (Kelleher Nightingale Consulting, 2017) found 28 Aboriginal archaeological sites within the project boundary. One of the proposed groundwater monitoring wells, BH605, is located in close proximity to Aboriginal heritage site TNR AFT 19 (AHIMS site ID 45-5-4790). Provided that BH605 avoids site TNR AFT 19, the proposed works would not impact on archaeological heritage and are consistent with the impacts identified in the EIS. The proposed works could be carried out in accordance with the management strategies presented in Chapter 7 of the CHAR.
5. Consistency assessment – the Division 5.2 Approval

5.1 Minister’s Conditions of Approval

The proposed change has been assessed in Table 5-1 in relation to the relevant conditions of approval.

Table 5-1: Consistency against relevant Minister’s conditions of approval for the project

<table>
<thead>
<tr>
<th>No.</th>
<th>Condition of Approval</th>
<th>Discussion</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>The CSSI must be carried out in accordance with the terms of this approval and generally in accordance with the description of the CSSI in the EIS as amended by the SPIR.</td>
<td>The proposed changes described in Section 2.1 of this report can be carried out in accordance with the terms of this approval and is generally in accordance with the description of the CSSI in the EIS as amended by the SPIR.</td>
<td>Yes</td>
</tr>
<tr>
<td>A2</td>
<td>The CSSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR unless otherwise specified in, or required under, this approval.</td>
<td>The proposed changes can be undertaken in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR. No new mitigation measures are required as a result of the proposed changes.</td>
<td>Yes</td>
</tr>
<tr>
<td>E9</td>
<td>Impacts to heritage, unless approved, must be avoided and minimised. Where impacts are unavoidable, works must be undertaken in accordance with the Construction Heritage Management Sub-plan required by Condition C4(e).</td>
<td>A pre-work heritage check identified that the proposed location of one of the groundwater monitoring wells, BH605, is within close proximity to an aboriginal heritage site TNR AFT 19 (AHIMS no. 45-5-4790). However the location of BH605 has been adjusted during the groundwater monitoring detailed planning stage to avoid impact to the aboriginal heritage site TNR AFT 19. No other Aboriginal objects or areas of archaeological potential were identified near the proposed groundwater well locations.</td>
<td>Yes</td>
</tr>
<tr>
<td>No.</td>
<td>Condition of Approval</td>
<td>Discussion</td>
<td>Consistent</td>
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</table>
| E23 | Works must only be undertaken during the following standard construction hours:  
(a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive  
(b) 8:00 am to 1:00 pm Saturdays, and  
(c) at no time on Sundays or public holidays | Drilling and installation of the groundwater monitoring wells would be undertaken during standard construction hours only. The proposed changes to the project would not impact on the ability to comply with this requirement. | Yes        |
| E45 | Erosion and sediment controls must be installed and appropriately maintained to minimise any water pollution. When implementing such controls, any relevant guidance in the Managing Urban Stormwater series must be considered. | The proposed changes to the project would not impact on the ability to comply with this requirement.                                                                                                   | Yes        |
| E49 | An **Unexpected Contaminated Land and Asbestos Finds Procedure** must be prepared and must be followed should unexpected contaminated land or asbestos be excavated or otherwise discovered during Construction. | The proposed changes to the project would not impact on the ability to comply with this requirement.                                                                                                   | Yes        |
| E50 | The **Unexpected Contaminated Land and Asbestos Finds Procedure** must be implemented throughout Construction.                                                                                                         | The proposed changes to the project would not impact on the ability to comply with this requirement.                                                                                                   | Yes        |
| E66 | Utilities, services and other infrastructure potentially adversely affected by the delivery of the CSSI must be identified before works affecting them commence, to determine the requirements for access to, diversion protection, and/or support of such services. The relevant owner and/or provider of services must be consulted to make suitable arrangements for access to diversion, protection, and/or support of the affected infrastructure as required. The Proponent must ensure that disruption to any service is minimised and be responsible for advising local residents and businesses affected before any planned disruption of service occurs. | The proposed changes to the project would not impact on the ability to comply with this requirement.                                                                                                   | Yes        |
| E67 | Waste generated in the delivery of the CSSI must be dealt with in accordance with the following priorities:  
(a) waste generation is to be avoided and where | The proposed changes to the project would not impact on the ability to comply with this requirement.                                                                                                   | Yes        |
The proposed change can be accommodated within the conditions of approval.

### 5.2 Statement of Commitments / environmental management measures

The proposed change has been assessed in Table 5-2 in relation to the relevant commitments / environmental management measures in the context of the Division 5.2 Approval.
<table>
<thead>
<tr>
<th>No.</th>
<th>Statement of Commitment / mitigation measure</th>
<th>Discussion</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>SWC-9</td>
<td>It is not expected that specific controls for groundwater would be required. This is primarily due to the low to very low permeability of Wianamatta Shale and subsequently minor to negligible extent of drawdown and negligible seepage through identified road cuttings. The expected groundwater inflows are anticipated to be in the order of 0.1 L/s/km of cuttings, although probably much less. It is considered prudent that if groundwater is encountered during excavation works the groundwater monitoring plan detailed below should be implemented.</td>
<td>The proposed changes to the project would not impact on the ability to comply with this requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td>AH-5</td>
<td>Where there is a proposed change to the project (once approved), this change will be considered in the context of potential impact to Aboriginal cultural heritage, whether increased or reduced. Where a proposed change to the approved project occurs outside of the project boundary, further heritage assessment will be required in consultation with the appointed Archaeologist to determine if there would be an impact on Aboriginal cultural heritage. Where the change is considered to have a neutral or lesser significant impact on Aboriginal cultural heritage than that identified for the approved project (as per this assessment), it would be considered a consistent impact. Where the change to the approved project is considered to have a more significant impact on Aboriginal cultural heritage than that identified in the EIS, it would be considered an inconsistent impact. In this case, Roads and Maritime would require a modification to the approved project, and further consultation with Aboriginal stakeholders would be required to be undertaken.</td>
<td>The locations of the proposed monitoring wells were reviewed by the Project Archaeologist. The proposed changes would not result in any additional impact on Aboriginal heritage and are consistent with the impacts identified in the SPIR/Final EIS and the Aboriginal Cultural Heritage Assessment Report (CHAR).</td>
<td>Yes</td>
</tr>
<tr>
<td>WR-1</td>
<td>The waste minimisation hierarchy principles of avoid/reduce/reuse/ recycle/dispose would be used.</td>
<td>The proposed changes to the project would not impact on the ability to comply with this requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td>No.</td>
<td>Statement of Commitment / mitigation measure</td>
<td>Discussion</td>
<td>Consistent</td>
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</tr>
<tr>
<td>WR-3</td>
<td>All wastes, including contaminated wastes, would be identified and classified in accordance with <em>the Waste Classification Guidelines: Part 1 Classifying Waste.</em></td>
<td>The proposed changes to the project would not impact on the ability to comply with this requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td>WR-4</td>
<td>Disposal of any non-recyclable waste would be in accordance with the POEO Act and <em>Waste Classification Guidelines: Part 1 Classifying Waste.</em></td>
<td>The proposed changes to the project would not impact on the ability to comply with this requirement.</td>
<td>Yes</td>
</tr>
<tr>
<td>GHGC-4</td>
<td>Provision of clear guidance to construction staff on equipment start up and shut down procedures to ensure that they are not left idling when not in use.</td>
<td>The proposed changes to the project would not impact on the ability to comply with this requirement.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
| HR-1 | Hazard and risk management planning would be incorporated throughout the CEMP, which may include items such as:  
- Details of the hazards and risks associated with construction activities  
- Risk management measures, including those identified in Chapters 7 and 8 of this EIS  
- Procedures to comply with all legislative and industry standard requirements  
- Contingency plans, as required  
- Site-specific Work, Health and Safety plans and activity specific Safe Work Method Statements  
- Training for all personnel (including subcontractors) in site inductions, including the recognition and awareness of site hazards and the locations of relevant equipment to protect themselves and manage any spills. | The proposed changes to the project would not impact on the ability to comply with this requirement. | Yes |

The proposed change is consistent with the environmental management measures incorporated as part of the Division 5.2 Approval.
5.3 Project objectives

The principle objectives of the Western Sydney Infrastructure Plan are detailed within Section 3.4 of the EIS/Draft EIS, were not altered for the SPIR/Final EIS and include:

- Development and demand – support the Western Sydney Airport, land use change and residential growth; balancing functional, social, environmental and value for money considerations
- Connectivity to airport – provide a resilient connection to the Western Sydney Airport site for freight and people
- Integrated network – provide road improvements to support and integrate with the broader transport network
- Customer focus – provide meaningful engagement with customers and stakeholders throughout the program life.

The project specific objectives are outlined within Section 3.4 of the EIS and include:

- Realignment of The Northern Road around the Western Sydney Airport site to allow construction and facilitation of a Western Sydney Airport at Badgerys Creek
- Cater for future traffic demand to improve the flow of traffic to provide reliable journeys
- Improve transport connections to the Western Sydney Airport site and surrounding developments including the SWPGA (previously known as the South West Growth Centre) and WSPGA (previously known as the Broader Western Sydney Employment Area)
- Improve facilities for public and active transport to promote sustainable and efficient journeys.

The proposed groundwater wells support the project objectives.

As such the proposed change is consistent with the program and project objectives.

5.4 Consistency questions – the Division 5.2 Approval

Table 5-3 presents a set of questions that assist Roads and Maritime to determine whether the proposed change can be considered consistent with the Division 5.2 Approval.

Table 5-3: Division 5.2 Approval consistency questions

<table>
<thead>
<tr>
<th>Consistency question</th>
<th>Discussion</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>The proposed changes detailed in Section 2.1 of this report would not result in a significant change to the project as a whole. The impacts associated with the proposed changes would be managed in accordance with the management measures proposed in the SPIR.</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Would any conditions of approval need to be amended in light of the change?</td>
<td>The proposed changes would not impact on the ability to comply with any of the conditions of approval. A review of the proposed changes against conditions of the approval is provided in Section 5.1.</td>
<td>Yes</td>
</tr>
<tr>
<td>Consistency question</td>
<td>Discussion</td>
<td>Consistent</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>3 Would the statement of commitments or environmental management measures need to change?</td>
<td>The proposed changes would not impact on the ability to comply with any of environmental management measures identified in the SPIR. A review of the proposed changes against the environmental management measures is provided in Section 5.2.</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Would the proposed change be ‘generally in accordance with’ the documents incorporated in Standard Condition A1?</td>
<td>As described in Table 5.1, the proposed changes are considered generally in accordance with the documents incorporated in Standard Condition A1.</td>
<td>Yes</td>
</tr>
<tr>
<td>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?</td>
<td>The environmental assessment detailed in Chapter 4 has found that the impacts are consistent with those impacts identified in the SPIR. In addition, the impacts have been found to be negligible or minor in comparison to the impacts identified in the SPIR/Final EIS. These impacts can therefore be managed through safeguards identified in the SPIR.</td>
<td>Yes</td>
</tr>
<tr>
<td>6 Considering the project as a whole, would the magnitude of the change be viewed as consistent with the project?</td>
<td>The magnitude of the proposed change is negligible in comparison to the project as a whole. The proposed changes are consistent with the program and project objectives detailed in Section 5.3.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
6. Consistency assessment – EPBC Approval

6.1 Commonwealth Minister’s Conditions of Approval

Table 6-1 addresses those CoA relevant to the proposed change in the context of the Commonwealth Approved Project.

Table 6-1: Consistency against relevant Commonwealth Minister’s CoA for the project

<table>
<thead>
<tr>
<th>No.</th>
<th>Condition of Approval</th>
<th>Discussion</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The approval holder must undertake the action, including but not limited to those parts of the action that occur on Commonwealth Land, in accordance with all conditions in the NSW Infrastructure Approval.</td>
<td>The proposed change is consistent with the conditions in the NSW Development Consent as assessed in Section 5.1 of this report.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The proposed change can be accommodated within the EPBC conditions of approval.

6.2 EPBC Approval consistency questions

Table 6-2 presents a set of questions that assist Roads and Maritime to determine whether the proposed change can be considered consistent with an EPBC Approval.

Table 6-2: EPBC Approval consistency questions

<table>
<thead>
<tr>
<th>Consistency question</th>
<th>Discussion</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Would any conditions of the EPBC Approval need to be varied in light of the change?</td>
<td>No. Conditions relevant to the proposed change are identified in Section 6.1. None of these conditions would need to be varied as a result of the proposed change.</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Would an approved action management plan required by a condition of approval need to be varied as a result of the proposed change?</td>
<td>No. There is no approved action management plan required by the EPBC Approval.</td>
<td>Yes</td>
</tr>
<tr>
<td>3 Would the proposed change constitute a ‘new project’ under the EPBC Act?</td>
<td>No. Chapter 4 of this report identifies the likely impacts associated with the proposed change. The proposed change would not impact on matters of national environmental significance or commonwealth land and the proposed change does not constitute ‘a new project’ under the EPBC Act.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
7. **Conclusion**

Based on the consistency assessment in this report, the proposed change is considered

- [ ] Consistent with the Division 5.2 Approval

- [x] Not consistent with the Division 5.2 Approval. A modification to the project approval must be prepared and submitted for approval by the Minister.

- [ ] Consistent with the EPBC Approval

- [ ] Not consistent with the EPBC Approval. A written request to vary the condition/s of approval / approved action management plan must be prepared and submitted for approval by the Minister for the Environment / A new EPBC referral is required.

- [ ] A radical transformation of the project and as such a new project should be developed with new and separate planning approvals obtained as necessary.
8. Other considerations

8.1 Permits, licenses and other approvals

There are no additional approval requirements or changes to any permits, licenses or other approvals as a result of the proposed changes.
9. Certification

Author

This consistency assessment provides a true and fair review of the proposed change for the Northern Road project.

<table>
<thead>
<tr>
<th>Name</th>
<th>Ella Muema</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Environmental Planner</td>
<td></td>
<td>19/12/2018</td>
</tr>
<tr>
<td>Organisation</td>
<td>GHD</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Environmental Representative

I have reviewed the information contained within this consistency assessment and based on the information provided I agree that the proposed change is not consistent with the Division 5.2 Approval and EPBC Approval.

<table>
<thead>
<tr>
<th>Name</th>
<th>Cameron Weller</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Environmental Representative</td>
<td></td>
<td>19/12/2018</td>
</tr>
</tbody>
</table>

Roads and Maritime

The proposed change, subject to the implementation of all the environmental requirements of the project, is consistent with the Division 5.2 Approval / is not consistent with the Division 5.2 Approval and a modification is required.

[And]
The proposed change, subject to the implementation of all the environmental requirements of the project, is consistent with the EPBC Approval / is not consistent with the EPBC Approval and consultation with the Australian Government Department of the Environment and Energy is required prior to submitting a request to vary the conditions of approval / a conditioned action management plan / is not consistent with the EPBC Approval and a new referral of the project is required.

[Or]
The proposed change is considered a radical transformation of the project as such a new project should be developed with new and separate planning approvals obtained as necessary.

<table>
<thead>
<tr>
<th>Name</th>
<th>Kurt Bride</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>[Eg: Environment Officer]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>19/12/18</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Northern Road Upgrade – Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park – Proposed changes between Eaton Road, Luddenham and Littlefields Road, Luddenham Division 5.2 and EPBC Act Approval consistency assessment report
I have examined the proposed changes by reference to the Division 5.2 Approval in accordance with Section 5.25(2) of the EP&A Act for Part 3A projects replace reference to 115Zl(2) with 75W and have examined the proposed changes by reference to the EPBC Approval. I consider that the proposal is consistent / is not consistent with the Division 5.2 Approval and EPBC Approval.

I agree / do not agree with the recommendations of the [Insert above Roads and Maritime signatory e.g. Roads and Maritime Environment Officer] and approve / do not approve of the carrying out the proposed change in accordance with those recommendations.

Name ________________________________
Signature ________________________________
Position Roads and Maritime Environment Manager [Insert Program Office / Region]
Date ________________________________

Name ________________________________
Signature ________________________________
Position Roads and Maritime General Manager [Insert Program Office / Region]
Date ________________________________
Appendix A
Location of proposed groundwater monitoring wells
Appendix B
Aboriginal heritage pre-work checklist
The Northern Road Upgrade Stage 4 – TNR6 - Pre-works Heritage Checklist

Activity: Heritage assessment of proposed groundwater bores and monitoring wells (BH601-BH610, see Figure 1).

Heritage Site ID: Proposed works at BH605 are located in close proximity (<2 metres) to Aboriginal archaeological site TNR AFT 19 (AHIMS 45-5-4790) (see Figure 2).

Describe activity/work statement/expected impact (attach any additional information):
Installation and use of ten proposed groundwater bores and monitoring wells outside of project boundary.

Describe where this activity will take place (attach aerial or plans):
BH601-BH610 between Elizabeth Drive and Adams Road, Luddenham NSW
See attached map (Figure 1).

Yes ☒ No

Area of proposed works surveyed and clearly identified (eg survey pegs, fencing)?
Locations were identified using GPS, aerial maps, physical landmarks and property boundaries (Figure 1).

Yes ☒ No

Site inspection undertaken with Project Archaeologist?
Assessed as part of Stage 2 and Stage 3 PACHCI assessment for the project with additional inspection conducted by Dr Matthew Kelleher on 22/11/2018.

Yes ☒ No

Are additional mitigation measures required to protect heritage site? – if yes what are they and when will they be in place
Yes – current proposed BH605 location is within close proximity (<2 metres) to site TNR AFT 19 (AHIMS 45-5-4790) (see Figure 2). Recommendation is to move the BH to the north east as shown in Figure 2 to increase the distance to the recorded site. If movement is not possible and the original location is required, works should take special care to ensure the BH is placed accurately and does not impact the site.

Yes ☒ No

Are proposed works ok to proceed?
No Aboriginal objects or areas of archaeological potential were identified during the assessment of the proposed groundwater bore locations. Provided that BH605 avoids site TNR AFT 19, the proposed works will not impact on significant archaeological heritage and are consistent with the impact assessed in the EIS and management strategies in the CHAR. The proposed works are clear to proceed from an Aboriginal heritage perspective.

Project Archaeologist Approval:
Name: Matthew Kelleher Signature: Date: 29/11/2018 Reference No 1

Sign off (TNR6 Roads and Maritime Services/Environment Team Representative):
Name: ___________________ Signature: ___________________ Date: ___________________
Figure 2. Location of proposed groundwater bore BH605 (green triangle) and recommended alternative location (green circle) at 287378E 6249482N (GDA 94 Zone 56)