



The Legacy Way Project

**Coordinator-General's report on
project changes, number 6**

July 2012

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Synopsis

The Legacy Way project, formerly known as the Northern Link Road Tunnel Project, involves construction of two tunnels, both under five kilometres in length, linking the Centenary Motorway at Toowong with the Inner City Bypass at Kelvin Grove. The project also includes the construction of two ventilation stations and outlets and a tollroad control centre. The project proponent is Brisbane City Council (BCC).

Legacy Way was declared to be a significant project under section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act) on 2 November 2007.

Following consideration of the project's environmental impact statement (EIS) and comments made on the EIS by members of the public, stakeholders and government agencies, the *Coordinator-General's Report 2010: Northern Link Road Tunnel* evaluating the EIS (Coordinator-General's report) was completed on 23 April 2010. The report found that the project could proceed, subject to compliance with conditions and recommendations made by the Coordinator-General to mitigate impacts. The conditions, recommendations, standards, guidelines of that report apply to all project changes to the significant project.

The proponent has provided the Coordinator-General with its sixth application for a project change (APC) in accordance with section 35C of the SDPWO Act. The application is for a night shift workers car park for up to 40 vehicles from August 2012 until late 2015, a small site office and a portable toilet. The site is located on the corner of Moggill Road and Rennies Road, Indooroopilly. A bus would transport workers approximately 5km from a street adjoining Rennies Road to the western work site located in a section of the Brisbane Botanic Gardens next to the Centenary Motorway, Toowong and return workers at the end of each shift.

This report provides the Coordinator-General's evaluation of the proposal.

Information about the other changes to the project can be found on the Coordinator-General's website at www.deedi.qld.gov.au

1. Description of the proposed change

1.1. The proponent

The proponent for the project is BCC. On 20 September 2010, BCC selected Transcity Joint Venture (Transcity) as the preferred contractor for the design, construction, operation and maintenance of the project.

Transcity has been contracted to deliver and operate the project as BCC's agent for a 10-year period.

1.2. Background

The Coordinator-General's report of April 2010 provided the following condition in respect of construction workforce car parking (Condition 18(k), Appendix 1, Schedule 3):

The construction workforce must not park in local streets. A dedicated and adequate construction workforce off-street parking area must be provided. All construction workforce vehicles must be directed to project construction workforce car parks.

To avoid construction workforce car parking in local streets, shuttle transport between construction workforce car parks distant from a construction area must be provided for the duration of the period the construction area is in use.

In December 2010, the Coordinator-General considered the proponent's second APC, which included a construction workers car park in Anzac Park, Toowong. The Coordinator General refused parking in this area, and recommended that BCC, in developing a new parking plan, investigate a range of locations to satisfy the project's parking requirements during the construction phase of the project. It was advised that different options should be considered individually and collectively and assessed using various criteria such as community impacts, cost, suitability, opportunities and risk. The Coordinator-General also recommended that BCC consult with the community on the options (Appendix 1 to the report, page 59).

The recommendation further noted that, should BCC's preferred option/s for parking propose another change to the project, an application would be required under section 35C of the SDPWO Act.

1.3. Proposed change

On 13 July 2012, the proponent provided the Coordinator-General with its sixth APC, in accordance with section 35C of the SDPWO Act. The application is for a night shift workers car park for up to 40 vehicles (to be used from August 2012 until late 2015), a small site office and a portable toilet. The site is located on the corner of Moggill Road and Rennies Road, Indooroopilly; and is located in an approved industry precinct in BCC's planning scheme. A Transcity bus would collect the workers at 5.30 pm from a bus stop in a street adjoining Rennies Road and transport the workers to the western

section of the Legacy Way project in the Brisbane Botanic Gardens next to the Centenary Highway, Toowong, where the tunnel boring machine work is being undertaken. The Transcity bus would return the workers to the bus stop at 6.00 am.

1.3.1. Location

The site is located on the corner of Moggill Road and Rennies Road, Indooroopilly; is 2433 square metres, is held in freehold by Taipan Pty Ltd and leased to BCC for use as a car park, a small site office and a portable toilet. Figure 1 identifies the location of the car park and the route from the car park to Moggill Road to be used by the shuttle bus. Figure 2 identifies the location of the construction site.



Figure 1. Proposed car park and route from the car park to Moggill Road to be used by the shuttle bus



Figure 2. Location of construction site on the western section of the Legacy Way Project in the Brisbane Botanic Gardens next to the Centenary Highway

1.3.2. Description of the site

The site is flat, has security fencing 1.8 metres high and is sealed using 150-millimetre road base and 50-millimetre wearing course asphalt. There is no vegetation on the site. Water runoff would be directed to Council's drainage system in Rennies Road. The site and area is zoned for light industry in the Brisbane City Plan. Ingress and egress is from Rennies Road.

1.3.3. Surrounding land uses

The land uses within Rennies Road include light industrial premises and commercial premises including the Jim Carew swim school and car parking area, Kennards Hire, and a Lexus car dealership which operate during daytime business hours.

The bus stop in Witton Street is a Translink bus stop. The proponent consulted with Translink regarding the shuttle bus route and has been given approval for the shuttle bus to stop at this bus stop.

In terms of visual amenity, the proposed car park will conform with the amenity of the area, and will adjoin the car park for the John Carew Swim School which adjoins the site.

1.3.4. Lighting

Safety lighting would be installed at the site in accordance with Australian Standards and light spill would reflect inwards onto the site. The proposed night lighting is the same as adjoining uses. Lighting on the arterial road Moggill Road will not be affected by the lighting of the site.

1.3.5. Hazardous materials

No hazardous materials will be stored on site.

1.3.6. Emergency services

Access to the site for police, fire and rescue and ambulance vehicles would be from Rennies Road via Moggill Road or from the surrounding streets which include Market Street and Witton Road.

1.3.7. Contaminated land

The site is listed on the Environmental Management Register. Council has undertaken a baseline contamination assessment of the site which recommended that the site is sealed with an appropriately compacted surface sufficient to handle the proposed vehicle traffic on site and any storage materials and that no spoil leave the site without a disposal permit. This assessment is one of the conditions of the Site Access Deed between Transcity and the owner, Taipan Pty Ltd.

Permits will be sought from the Department of Environment and Heritage Protection's (DEHP's) Contamination Land Unit prior to the commencement of any works on site.

1.3.8. Workplace health and safety

Workers and activities on site will comply with work health and safety plans for the site and environmental management plans (EMPs) associated with the project.

1.3.9. Environment management plans

Workers and activities on site will comply with EMPs for the Legacy Way Project.

1.4. Public consultation

1.4.1. BCC community engagement

BCC's project website for Legacy Way provides current information for the community regarding the status of the project and how information can be gained in person or by telephone:

www.legacyway.com.au

www.brisbane.qld.gov.au/traffic-transport/roads-infrastructure-bikeways/tunnels-bridges-major-roads/legacy-way/index.htm

These sites do not include information on the Rennies Road car park proposal.

BCC advised that its engagement strategy was comprised of the following:

- meetings with representatives of the John Carew Swim School and SciFleet Lexus, and telephone calls to other stakeholders whose premises are located in the street and adjoining streets and to the Cubberla Witton Catchment Group
- distributing a flyer to residences and premises located on Rennies Road, Market Street, Witton Road and Moggill Road
- doorknocking neighbouring businesses and residences on Moggill Road and Rennies Road to explain the project and ask for submissions
- distributing a flyer to stakeholders registered as Moggill Road residents
- uploading of the notification to Transcity's website
- erecting signage on the site to provide information about the proposal
- providing the proposed Transcity bus route and timetable to stakeholders (who did not raise any issues or objections).

The John Carew Swim School was the only stakeholder to raise an issue. It supported the proposal, however, was concerned about possible parking by the workers on local government roads. They were advised that this would not occur.

1.4.2. Consultation by the Coordinator-General

Section 35G of the SDWPO Act provides that the Coordinator-General may decide if a proposed project change requires public notification. In the case of the application for project change 6, I have decided that this was not required. This decision was made taking into account BCC's engagement strategy and the outcomes of that strategy.

Section 35F of the SDPWO Act provides that the Coordinator-General may consult with any parties about a proposed change. In the case of this application, comment was sought from the Department of Transport and Main Roads (TMR); the Department of Community Safety (DCS); DEHP and the Department of Justice and Attorney-General (JAG) as advisory agencies. The results of this consultation are provided in Table 1 below.

In undertaking this evaluation, I have considered the following:

- the Coordinator-General's Report of April 2010
- conditions, recommendations, standards and guidelines for environmental management required as part of the report
- issues raised by stakeholders as part of BCC's stakeholder engagement strategy
- agency advice from:
 - DCS
 - DEHP
 - TMR
 - JAG.

The agencies consulted advised that the project change was relatively minor and that the conditions contained in Coordinator-General's reports on the project since 2010 would apply to APC 6. DEHP requires the proponent to address issues relating to noise on site, sediment and erosion control, contaminated land; to update its EMPs and be reminded of its general environmental duty as per section 319 of the *Environmental Protection Act 1994*.

Table 1. Submissions from agencies

Agency	Issue
Department of Community Safety	No issues were raised. It was noted that the proponent will comply with legislation and implement safety and health management systems to mitigate hazard and risk.
Department of Environment and Heritage Protection	The proposal is to comply with the Coordinator-General's reports for the project. Conditions are provided which address noise, sediment and erosion control, and contaminated land.
Department of Transport and Main Roads	The proponent is to ensure traffic safety to and from Moggill Road and advise the Department if travel patterns alter.
Department of Justice and Attorney General – Workplace Health and Safety	No issues were raised. It was noted that workplace health and safety matters are provided for in legislation and conditions in the Coordinator-General's reports.

2. Evaluation of environmental effects

This section considers the potential impacts of the APC and describes how these impacts will be managed.

The impacts identified by the advisory agencies related to noise, sediment and erosion control, and contaminated land. DEHP advised that the existing conditions within the *Coordinator-General's report on project changes* (December 2010) are sufficient to provide adequate protection of environmental values. The report and conditions can be found at:

www.deedi.qld.gov.au/cg/legacy-way-project.html

2.1.1. Noise

To minimise the impact of noise on nearby residents and businesses, I have imposed a condition requiring Transcity to take all reasonable and practicable measures to comply with the existing project conditions regarding noise management at the site. Transcity is also required to undertake baseline noise monitoring so that compliance with existing conditions on noise can be assessed by the administering authority. All workers must make as little noise as possible on site, especially during the 5.30am change over.

I have imposed this condition at Appendix 1, Condition 1.

2.1.2. Sediment and erosion control

To address DEHP's concerns about erosion and sediment control at the site, I have imposed a condition requiring Transcity to take all reasonable and practicable measures to achieve best sediment and erosion control practices, particularly during any surface work activities.

I have imposed this condition at Appendix 1, Condition 2.

2.1.3. Contaminated land

DEHP has advised that, as the site is on the Environmental Management Register, any required permits must be obtained from its Contaminated Land Unit prior to commencement of works. The proponent would also be required to cease site works, should any offensive or noxious odours and/or evidence of gross contamination not previously detected be observed, then take immediate action to abate potential environmental harm. The administering authority is to be notified in writing within two business days of detection and advised of appropriate remedial action.

I have imposed this condition at Appendix 1, Condition 3.

2.1.4. Environmental management plans

Transcity must update its EMPs for the project to take into account the new project area and must comply with its general environmental duty as provided in section 319 of the *Environment Protection Act 1994*.

I have imposed a condition at Appendix 1, Condition 4.

2.1.5 Traffic safety

Transcity must demonstrate to the Department of Transport and Main Roads that vehicular movements do not detrimentally impact upon the safety of Moggill Road. Transcity must also consult with the Department if any changes in travel patterns occur.

I have imposed a condition at Appendix 1, Condition 5.

3. Conclusion

I am satisfied that the impacts of the proposal can be mitigated by the conditions in the reports for the Legacy Way Project since 2010 and those stated by me in Appendix 1 of this report, in accordance with the SDPWO Act and Regulation.

As per section 35K of the SDPWO Act, the Coordinator-General's report for the EIS for the project and the Coordinator-General's change reports have effect for the project. However, if the reports conflict, the Coordinator-General's change report prevails to the extent of the inconsistency.

Section 35G of the SDWPO Act provides that the Coordinator-General may decide if a proposed project change requires public notification. In the case of the evaluation of the proposed car park, I have decided that APC 6 did not require public notification.

I acknowledge the issues raised by DEHP on noise, sediment and erosion control, and contaminated land and by DTMR on traffic safety. Based on this information, I have imposed conditions to address these issues (refer to Appendix 1 of this report).

The proponent must comply with the conditions and recommendations of this report and all previous reports for the Legacy Way Project; and implement EMPs, standards and guidelines for environmental management.

Copies of this report will be issued to:

- DEHP
- DCS
- TMR
- JAG—Workplace Health and Safety.

A copy of this report will also be available, pursuant to s35J of the SDPWO Act, on the Coordinator-General's website at www.deedi.qld.gov.au/cg/legacy-way-project.html

Barry Broe
Coordinator-General

July 2012

Appendix 1. Conditions

The following imposed conditions are made in accordance with section 351(2) of the SDPWO Act.

Condition 1. Noise

Jurisdiction: Department of Environment and Heritage Protection

Transcity must take all reasonable and practicable measures to comply with the existing project conditions regarding noise management at the site. Transcity should also undertake baseline noise monitoring in accordance with Condition 22(a)(ii) of the conditions in Appendix 2 to the Coordinator-General's change report of December 2010 (refer to page 115), so that compliance with conditions 22(e) and 22(h) can be assessed.

All workers are to be reminded to make as little noise as possible on site, especially during the 5.30 am change over.

Condition 2. Sediment

Jurisdiction: Department of Environment and Heritage Protection

Transcity must take all reasonable and practicable measures to achieve best sediment and erosion control practices, particularly during any surface work activities.

Condition 3. Contaminated Land

Jurisdiction: Department of Environment and Heritage Protection

As the site is on the Environmental Management Register, any required permits must be obtained from the Department of Environment and Heritage Protection's Contaminated land Unit prior to commencement of works. If during any site earthworks or excavation, offensive or noxious odours and/or evidence of gross contamination not previously detected is observed, site works are to cease in that area and action taken to immediately abate the potential environmental harm. The administering authority is to be notified in writing within two business days of detection and advised of appropriate remedial action.

Condition 4. Environmental management plans

Jurisdiction: Department of Environment and Heritage Protection

Transcity is to update its EMPs to reflect any changes and must comply with its general environmental duty as provided in section 319 of the *Environment Protection Act 1994*.

Condition 5. Traffic Safety

Transcity must demonstrate to the Department of Transport and Main Roads that vehicular movements do not detrimentally impact upon the safety of Moggill Road. Transcity must also consult with the Department if any changes in travel patterns occur.

Jurisdiction: Department of Transport and Main Roads

