

PCU53083

Our Reference: RZ/5/2012
Contact: Sue Stewart
Telephone: 9806-5550

Rachel Cumming
Director Metropolitan Delivery (Parramatta)
Growth Planning & Delivery
NSW Planning & Environment
PO Box 39
SYDNEY NSW 2001



5 May 2014

Dear Rachel

Planning Proposal – 181 James Ruse Drive, Camellia

Please find attached a planning proposal seeking to amend the Parramatta LEP 2011 in respect of the above site.

Council resolved on 28 April 2014 as follows:

- (a) **That** Council forward the proponent's planning proposal at Attachment 1 for 181 James Ruse Drive, Camellia to NSW Planning and Infrastructure, seeking a conditional Gateway Determination that requires the proponent to provide additional studies and information that satisfactorily addresses outstanding issues (including as outlined in this report), prior to the public exhibition of the planning proposal, including:
- i. Site contamination and remediation (SEPP 55 – Remediation of Land)
 - ii. Flood impacts (s117 Direction 4.3 Flood Prone Land)
 - iii. Acid sulphate soils (s117 Direction 4.1)
 - iv. Potential loss of employment land (s117 Direction 1.1 Business and Industrial Zones)
 - v. Traffic and transport
 - vi. Flora and fauna
 - vii. Social impact
 - viii. Health and safety
 - ix. Potential land use conflicts (proximity to heavy industry, James Ruse Drive and railway line) – including odour and noise
 - x. Infrastructure upgrades (water and energy)
 - xi. Urban design analysis and master plan
 - xii. Management of environmental containment cells

If you do not understand this letter, please ring the Telephone Interpreter Service (131 450) and ask them to contact Council (9806 5050). Office hours are 8.30am to 4.30pm, Mondays to Fridays.

ARABIC

إذا لم تستطع فهم هذه الرسالة، الرجاء الاتصال بخدمة الترجمة الهاتفية على رقم ١٣١ ٤٥٠ وأسألهم أن يتصلوا بالبلدية على رقم ٩٨٠٦ ٥٠٠٠. دوام ساعات العمل هي من الساعة ٨:٣٠ صباحاً إلى ٤:٣٠ بعد الظهر من الاثنين إلى الجمعة.

CHINESE

如您看不懂此信，請打電話給「電話翻譯服務台」(131 450) 請他們聯絡市政廳 (市政廳電話 9806 5050)。市政廳辦公時間，星期一至星期五，上午八點半至下午四點半。

CROATIAN

Ako ne razumijete ovo pismo, molimo nazovite Službu prevodilaca i tumača (Translating and Interpreting Service – na broj 131 450) i zamolite ih da nazovu Općinu (na 9806 5050). Radno vrijeme je od 8.30 ujutro do 4.30 popodne, od ponedjeljka do petka.

FRENCH

Si vous avez des difficultés à comprendre cette lettre, vous pouvez contacter le service d'interprètes par téléphone au 131 450 et leur demander de contacter la mairie (Council) au 9806 5050. Les bureaux de la mairie sont ouverts du lundi au vendredi de 8h30 à 16h30.

GERMAN

Wenn Sie diesen Brief nicht verstehen können, rufen Sie bitte den Telefon Dolmetscher Dienst (Telephone Interpreter Service) (131 450) an und lassen Sie sich vom Personal mit dem Gemeinderat (Council) in Verbindung setzen (9806 5050). Geschäftsstunden sind von 8:30 bis 16:30 Uhr, montags bis freitags.

GREEK

Αν δεν καταλαβαίνετε αυτό το γράμμα, σας παρακαλούμε να τηλεφωνήσετε την Τηλεφωνική Υπηρεσία Διερμηνέων (131 450) και να τους ζητήσετε να επικοινωνήσουν με το Δημοτικό Συμβούλιο (9806 5050). Τα γραφεία του είναι ανοιχτά από τις 8.30 πμ μέχρι τις 4.30 μμ, από Δευτέρα μέχρι και Παρασκευή.

HINDI

अगर आप इस पत्र को पढ़कर समझ नहीं पाते हैं तो टेलीफोन अनुवादक सेवा (फोन नंबर १३१ ४५०) को फोन कीजिए और उन्हें काउंसिल (फोन नंबर ९८०६ ५०००) से बात कराने के लिए कहिएगा। आफिस का समय प्रातः ८:३० से सायं ४:३० बजे प्रतिदिन सोमवार से शुक्रवार ।

ITALIAN

Se non comprendi questa lettera, telefona al Servizio traduzioni e interpreti al numero 131 450 chiedendo di essere messo in contatto con il Comune (telefono 9806 5050). Orario d'ufficio: ore 8.30-16.30, dal lunedì al venerdì.

KOREAN

만일 이 편지를 이해하지 못하시면, 전화 통역 서비스 (131 450)에 전화하여 카운슬(9806 5050)에 연락해 달라고 부탁드립니다. 근무 시간은 월 ~ 금, 오전 8시 30분부터 오후 4시 30분까지입니다.

MALTESE

Jekk na tifhimx din-l-ittra, jekk jogħġbok ċempel lis-Servizz ta' l-Interpretù (131 450) u itlobhom biex jikkuntatjaw lill-Kunsill (9806 5050). Il-hinijiet ta' l-Uffiċċju huma mit-8.30 a.m. sal-4.30 p.m., mit-Tnejn sal-Ġimgħa.

POLISH

Jeśli nie rozumiesz treści niniejszego pisma, zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service) pod numer 131 450 i poproś o telefoniczne skontaktowanie się w Twoim imieniu z Radą Miejską pod numerem 9806 5050. Godziny urzędowania: 08.30-16.30 od poniedziałku do piątku.

SPANISH

Si Ud. no entiende esta carta, por favor llame al Servicio Telefónico de Intérpretes (131 450) y pídale que llamen a la Municipalidad (Council) al 9806 5050. Las horas de oficina son de 8:30 am a 4:30 pm, de lunes a viernes.

TAGALOG

Kung hindi ninyo maunawaan ang liham na ito, tawagan lamang ang Telephone Interpreter Service (131 450) at makiusap na makipag-alam sila sa Konseho para sa inyong kapakanan (9806 5050). Oras ng trabaho 8.30 n.u. hanggang 4.30 n.h., Lunes hanggang Biyernes.

TURKISH

Bu mektubu anlayamazsanız, lütfen Telefonla Tercüme Servisi'ne (131 450) telefon ederek, Belediye ile (9806 5050) ilişkiye geçmelerini isteyiniz. Çalışma saatleri Pazartesi — Cuma günleri arasında saat sabah 8.30'dan öğleden sonra 4.30'a Kadar'dır.

VIETNAMESE

Nếu quý vị không hiểu thư này, xin điện thoại Telephone Interpreter Service (Dịch Vụ Thông Ngôn bằng Điện Thoại) ở số 131 450 và nhờ họ liên lạc với Council (Hội Đồng) số 9806 5050. Giờ Làm Việc từ 8 giờ 30 sáng đến 4 giờ 30 chiều, Thứ Hai đến Thứ Sáu.

National Relay Number: 133 677

Callers who are deaf or have a hearing impairment or speech/communication impairment may call through the National Relay Service using modem or textphone (TTY) by dialling 133 677 and quoting Parramatta City Council's Customer Service Number, 9806 5050.

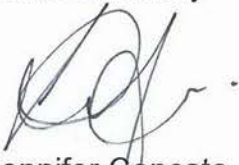
- (b) **That** Council receive a report on a revised planning proposal post-Gateway, upon completion of the outstanding studies and information and prior to public exhibition.
- (c) **That** the proponent be invited to submit a written Voluntary Planning Agreement (VPA) offer, the CEO be authorised to negotiate a draft VPA and it be reported to Council prior to public exhibition.
- (d) **That** the proponent submit draft site specific Development Control Plan (DCP) provisions for Council's consideration and the draft DCP be reported to Council prior to public exhibition.
- (e) **Further, that** the planning proposal, draft VPA and draft site specific DCP provisions be placed on public exhibition concurrently.

Please find attached a copy of the planning proposal and Council report detailing the preliminary assessment of the planning proposal by Council's planning officers.

Council will not be requesting to exercise its plan making delegations in this instance.

If you have any queries in relation to this matter please contact me on 9806-5550.

Yours sincerely



Jennifer Concato
Manager Land Use Planning

ECONOMY AND DEVELOPMENT

ITEM NUMBER	7.10
SUBJECT	Planning Proposal for land at 181 James Ruse Drive, Camellia
REFERENCE	RZ/5/2012 - D03131007
REPORT OF	Senior Project Officer - Land Use Planning; Manager Land Use Planning

PURPOSE:

This report presents a preliminary assessment of a planning proposal submitted for land at 181 James Ruse Drive, Camellia, which seeks to rezone the land and increase the building height and floor space ratio controls to facilitate a mixed use development comprising residential apartments, retail and commercial uses and public open space.

The report seeks a resolution from Council to refer the planning proposal to NSW Planning and Infrastructure, seeking a conditional Gateway Determination.

RECOMMENDATION

(a) **That** Council forward the proponent's planning proposal at Attachment 1 for 181 James Ruse Drive, Camellia to NSW Planning and Infrastructure, seeking a conditional Gateway Determination that requires the proponent to provide additional studies and information that satisfactorily addresses outstanding issues (including as outlined in this report), prior to the public exhibition of the planning proposal, including:

- i. Site contamination and remediation (SEPP 55 – Remediation of Land)
- ii. Flood impacts (s117 Direction 4.3 Flood Prone Land)
- iii. Acid sulfate soils (s117 Direction 4.1)
- iv. Potential loss of employment land (s117 Direction 1.1 Business and Industrial Zones)
- v. Traffic and transport
- vi. Flora and fauna
- vii. Social impact
- viii. Health and safety
- ix. Potential land use conflicts (proximity to heavy industry, James Ruse Drive and railway line) – including odour and noise
- x. Infrastructure upgrades (water and energy)
- xi. Urban design analysis and master plan
- xii. Management of environmental containment cells

(b) **That** Council receive a report on a revised planning proposal post-Gateway, upon completion of the outstanding studies and information and prior to public exhibition.

(c) **That** the proponent be invited to submit a written Voluntary Planning Agreement (VPA) offer, the CEO be authorised to negotiate a draft VPA and it be reported to Council prior to public exhibition.

(d) **That** the proponent submit draft site specific Development Control Plan (DCP) provisions for Council's consideration and the draft DCP be reported to

Council prior to public exhibition.

- (e) **Further, that** the planning proposal, draft VPA and draft site specific DCP provisions be placed on public exhibition concurrently.

EXECUTIVE SUMMARY

1. The subject site, 181 James Ruse Drive, Camellia, contains significant volumes of contaminated materials including asbestos, heavy metals and hydrocarbons, having previously been occupied for a range of industrial purposes, including James Hardie and Company Pty Ltd from 1962 to 1993. There is considerable benefit in the subject site being remediated, given the potential risks to public health and the environment that it presents. The site is also unproductive in its unremediated state from a land use perspective.
2. The proponent, Statewide Planning Pty Ltd has submitted a planning proposal (the subject of this report) that seeks to:
 - 2.1 rezone the subject land from B5 Business Development under PLEP 2011 to B4 Mixed Use and RE1 Public Recreation.
 - 2.2 increase the maximum building height under the PLEP to heights ranging from 9m to 86m (approximately 2 storeys to 26 storeys). The current maximum building heights under PLEP 2011 are 9m at the river frontage to a distance of approximately 90 metres from the foreshore and 12m for the remainder of the site.
 - 2.3 increase floor space ratio from 1.5:1 to 5:1 (excluding the proposed RE1 land).
 - 2.4 remove the foreshore building line, which is currently 30m.
3. A preliminary assessment of the planning proposal and initial studies, including preliminary consultation with relevant government agencies has been carried out and is provided in this report. The proponent has acknowledged in the planning proposal at Attachment 1 that additional studies and information are required to support the planning proposal and requests that this be completed post-Gateway. Council staff's preliminary assessment (as provided in this report) has identified a range of matters that must be addressed and approved by Council prior to the public exhibition of the planning proposal.

THE SITE

4. The site has an area of 6.8 hectares and is located between James Ruse Drive and the Carlingford railway line at Camellia, with the northern boundary fronting the Parramatta River. The site is currently accessed from James Ruse Drive at the southern boundary of the site.



Site location

5. The site contains significant volumes of contaminated materials including asbestos, heavy metals and hydrocarbons, having previously been occupied for a range of industrial purposes, including James Hardie and Company Pty Ltd from 1962 to 1993.
6. The site is vacant and has a sealed cap to prevent exposure of the contaminated materials. There is a Public Positive Covenant registered by the EPA to ensure the cap is maintained to manage any potential human health and environmental risks. EPA approval is required for any works that will disturb the site's cap.
7. The estimated contaminated material on site requiring remediation is as follows:

Material Type	Estimated Quantity (m ³)
Asbestos waste fill	68,190
Hydrocarbon impacted soil	10,020
Clinker material	683

Table 1: Estimated Contaminated Material. *Source: RAP dated 25 June 2013, URS*

8. In November 2013 the proponent lodged a development application with Council seeking consent for the remediation of the site to make it suitable for the proposed future land uses. This application is being assessed by Council and other authorities, including the EPA.

BACKGROUND

9. When preparing Parramatta LEP 2011, Council resolved on 5 October 2010 to broaden the range of land uses permissible for 181 James Ruse Drive, Camellia to include retail and shop top housing. However, when the State Government finalised the LEP, shop top housing was not included as a permissible use for the site. Shops were added as an additional permitted use for the site in Schedule 1 – Additional Permitted Uses. The site is zoned B5 Business Development under Parramatta LEP 2011.

10. After the LEP was finalised, a planning proposal was submitted by Council to NSW Planning and Infrastructure in October 2011 seeking to add 'shop top housing' as an additional permissible use for the site.
11. Council received a conditional Gateway Determination from NSW Planning & Infrastructure in December 2011, requesting further studies prior to the planning proposal being placed on public exhibition. This included studies on land contamination, flooding and potential land use conflicts with industrial land uses adjoining the site.
12. The Gateway Determination also required that the Office of Environment and Heritage endorse a Remediation Action Plan addressing contamination before the planning proposal could be placed on public exhibition.
13. The further studies were not provided by the land owner to satisfy the Gateway conditions, as the land owner intended to proceed with a larger scale planning proposal, which would address the matters raised by the Gateway Determination. Therefore, as the Gateway conditions could not be met, Council resolved on 28 May 2012 that this planning proposal be discontinued.

PLANNING PROPOSAL

14. In November 2012 a planning proposal was lodged by Statewide Planning Pty Ltd seeking the following:
 - 14.1 rezone the subject land from B5 Business Development under Parramatta Local Environmental Plan (PLEP) 2011 to B4 Mixed Use.
 - 14.2 increase the maximum building height under the PLEP to heights ranging from 36m to 65m (approximately 11 storeys to 18 storeys). The current maximum building heights under PLEP 2011 are 9m at the river frontage to a distance of approximately 90 metres from the foreshore and 12m for the remainder of the site.
 - 14.3 increase floor space ratio from 1.5:1 to 3:1.
15. The indicative concept plan submitted with this planning proposal indicates the scale of the potential future mixed use development as:
 - 15.1 1,800 residential apartments (in 14 towers ranging in height from 9 storeys on top of a two storey podium of ground floor retail and first floor carparking to 16 storeys on top of a two storey podium)
 - 15.2 30,000sqm of retail and commercial floor space
 - 15.3 3,410 car parking spaces
 - 15.4 An internal network of private access roads
 - 15.5 20 metre wide riparian setback to the river

(Note: By way of comparison, the extent of retail and commercial floor space proposed is larger than Westfield North Rocks shopping centre, which has a floor area of 22,700 sqm and has 1,000 car spaces)
16. The planning proposal was accompanied by a range of studies addressing the following:
 - 16.1 Traffic impact and parking assessment
 - 16.2 Urban design

- 16.3 Heritage assessment
 - 16.4 Heritage view analysis
 - 16.5 Flood risk assessment
 - 16.6 Flora and fauna assessment
 - 16.7 Acoustic assessment
 - 16.8 A letter about the technical feasibility to remediate the site contamination
17. The proponent was advised by letter dated 8 November 2012 and during discussions with senior Council staff that, given the scale of the planning proposal and the extent of contamination on the site, the assessment of the planning proposal would be undertaken in stages, the first stage being consideration of the suitability of the site for the proposed future land uses, particularly having regard to the extent of remediation required.
18. As part of the first stage of assessment, the proponent was requested on 8 November 2012 to provide a Remediation Action Plan (RAP), such to be approved by the EPA, addressing site contamination. The proponent was also advised of the need for further information to address potential land use conflicts with the type of industries in the vicinity of the site and provide economic justification for a retail and commercial centre of the size proposed and that further stages of assessment would consider flooding, traffic, heritage and urban design.
19. The proponent was advised that the planning matters relating to the site and the proposal were complex and would require close consultation with a range of government departments and agencies.
20. The RAP took some time for the proponent to prepare. (A previous RAP prepared by the proponent was not approved by the EPA). In October 2013, the RAP was provided, with the EPA giving 'in principle' support. This is discussed in more detail under the heading Contamination in this report.
21. A revised planning proposal was submitted by Statewide Planning Pty Ltd in March 2014 (refer to Attachment 1). The revised planning proposal, the subject of this report, seeks to:
- 21.1 rezone the subject land from B5 Business Development under PLEP 2011 to B4 Mixed Use and RE1 Public Recreation.
 - 21.2 increase the maximum building height under the PLEP to heights ranging from 9m to 86m (approximately 2 storeys to 26 storeys). The current maximum building heights under PLEP 2011 are 9m at the river frontage to a distance of approximately 90 metres from the foreshore and 12m for the remainder of the site.
 - 21.3 increase floor space ratio from 1.5:1 to 5:1 (excluding the proposed RE1 land).
 - 21.4 remove the foreshore building line, which is currently 30m.
22. The indicative structure plan and estimated summary of areas submitted with this planning proposal indicates the scale of the potential future mixed use development as:
- 22.1 2,400 residential apartments
 - 22.2 25,000sqm of retail and commercial floor space
 - 22.3 12,700sqm of RE1 Public Recreation zoned land
 - 22.4 18,300sqm of open space land not zoned RE1 Public Recreation

- 22.5 Car parking spaces unspecified (at this stage)
- 22.6 An internal network of private access roads
- 22.7 20 metre wide riparian setback to the river that extends to 90m at the eastern end

(Note: By way of comparison, the extent of retail and commercial floor space proposed is larger than Westfield North Rocks shopping centre, which has a floor area of 22,700sqm and has 1,000 car spaces)

23. The revised planning proposal seeks the following in comparison to the original planning proposal:

- 23.1 An increase in unit numbers by 600
- 23.2 A reduction in commercial and retail space by 5,000sqm
- 23.3 The introduction of open space land

PRELIMINARY ASSESSMENT OF THE PLANNING PROPOSAL

24. A preliminary assessment of the planning proposal and initial studies, including preliminary consultation with relevant government agencies has been carried out and is discussed in this report.
25. The proponent has acknowledged in the planning proposal at Attachment 1 that additional studies and information are required to support the planning proposal and requests that this be completed post-Gateway.
26. The following additional studies and information is required to satisfactorily address the suitability of the site for the proposed use and the intensity of development sought:
- 26.1 Site contamination and remediation (SEPP 55 – Remediation of Land)
 - 26.2 Flood impacts (s117 Direction 4.3 Flood Prone Land)
 - 26.3 Acid sulfate soils (s117 Direction 4.1)
 - 26.4 Potential loss of employment land (s117 Direction 1.1 Business and Industrial Zones)
 - 26.5 Traffic and transport
 - 26.6 Flora and fauna
 - 26.7 Social impact
 - 26.8 Health and safety
 - 26.9 Potential land use conflicts (proximity to heavy industry, James Ruse Drive and railway line) – including odour and noise
 - 26.10 Infrastructure upgrades (water and energy)
 - 26.11 Urban design analysis and master plan
 - 26.12 Management of environmental containment cells
27. NSW Planning and Infrastructure's '*A guide to preparing planning proposals*' indicates that it is possible to provide necessary information after the Gateway, provided there is 'enough information to demonstrate that relevant environmental, social, economic and other site specific matters have been identified and if necessary that any issues can be addressed with additional information'.
28. This approach is not preferred by Council's planning officers, as experience has shown that the more a planning proposal provides sufficiently detailed and complete information and studies resolving identified issues that 'knit' a proposal

together before Gateway, the more streamlined and timely is the assessment process, both at Gateway and post Gateway.

29. This has been communicated to the proponent at meetings with senior Council officers. However, the proponent wishes to have the planning proposal considered by Council ahead of completion of all the studies resolving identified issues, seeking Council's endorsement and referral to Gateway. This is because the level of site remediation required and the substantial associated cost is directly related to the final land use outcome. The early consideration of the planning proposal would provide an indication of whether there is strategic merit in the land use outcome being sought by the proponent.

Strategic Merit

30. There is considerable benefit in the subject site being remediated, given the potential risks to public health and the environment that it presents. The site is also unproductive in its unremediated state from a land use perspective.
31. The site is located in a strategically important position close to the Camellia industrial precinct, the University of Western Sydney (UWS) and with proximity to key transport routes.
32. The Camellia precinct, bounded by James Ruse Drive, the Parramatta River, Duck River and the M4 motorway, is the subject of investigation by Council to develop a long term vision for the renewal of the precinct to guide further investigations and studies and to inform potential future zoning changes. The subject land is included in the investigation area.
33. Council, at its meeting on 10 March 2014, endorsed a draft discussion paper for the future of the Camellia Precinct as the basis of further consultation with Camellia stakeholders. Once this consultation is completed, a further report will be put to Council incorporating stakeholder feedback and seeking endorsement of the discussion paper and direction on the pathway for future zoning of the precinct.
34. The draft discussion paper includes a draft land use concept plan for the Camellia precinct that suggests a future mixed use precinct at the north western corner, centred around Camellia rail station and including the subject site. Typically, mixed use precincts are substantially developed for residential purposes. Other parts of the precinct could support employment land uses, including business, industrial, warehouse and logistics.
35. The subject planning proposal, seeking a mixed use zoning for the site, is broadly consistent with the early stage draft land use concepts for the wider Camellia precinct. Both the subject site and the wider precinct have site constraints to be addressed, including contamination, traffic and access.

Contamination

36. The original planning proposal when lodged in November 2012 contained insufficient information to satisfy the requirements of SEPP 55 – Remediation of Land.
37. SEPP 55 requires that contaminated land shall not be rezoned to permit a change of use of the land unless:

- 37.1 The planning authority is satisfied that the land will be suitable after remediation for all the purposes for which the land in the zone is permitted to be used; and
- 37.2 The planning authority is satisfied that the land will be remediated before the land is used for that purpose.
38. The proponent was requested by letter dated 8 November 2012 to provide a RAP, approved by the Environment Protection Authority (EPA) and determined to be appropriate by an accredited site auditor. A RAP documents the contamination status of the site and outlines the proposed remediation approach.
39. The RAP took some time to prepare to the satisfaction of the EPA (a previous RAP prepared by the proponent was not approved by the EPA).
40. In October 2013, the EPA provided 'in principle' support for the RAP. The site auditor concluded that "if the RAP is followed, the site can be made suitable for mixed use retail (commercial/industrial) and residential land use with minimal access to soils including high rise apartments and flats".
41. The EPA has advised that whilst 'in principle' support has been given to the RAP, no approval has been given to disturb the site's surface and this process will be subject to the outcome of the remediation DA. At the time of preparing this report, the EPA has advised that the documentation provided with the DA is not sufficient and the applicant has been requested to provide additional information. The EPA has also advised Council that the site contamination should be satisfactorily addressed before the rezoning of the site.
42. The proposed site remediation, as detailed in the RAP, involves the excavation of three large reinforced concrete-walled cells, burying contaminated materials in the cells and then capping the cells. The cells are proposed to be 7m deep on average. The cells are linear to fit beneath proposed future roadways or landscaped areas and are approximately 170m x 28m, 148m x 28m and 45m x 32m in size.
43. These cells will require ongoing management and monitoring in the long term, with a Site Management Plan approved by the EPA to ensure the cells remain intact and undisturbed.
44. The RAP indicates that the land above the containment cells is to be used for sealed vehicular roadways and that buildings and underground services/structures are not to be located above or within a specified area (7 metres) of the containment cells.
45. These cells will be a long term constraint to development on the site and should be reflected in the planning controls in the LEP. This could be achieved by the height controls for the site in the location of the cells being zero, thereby preventing any structures or buildings on the land above the containment cells and also in the 7metre building exclusion zones around the cells. A LEP clause could also specify that no buildings or underground services/structures will be permitted in the location of the containment cells and adjoining building exclusion zone.
46. The revised planning proposal submitted by the proponent submits that the RAP, together with the development application for site remediation, are satisfactory at

this stage to allow for submission to Gateway and that additional or updated reports can be prepared post-Gateway as the EPA provides more detailed comments on the RAP. It should be noted that the EPA has advised Council of the deficiencies in the DA information and a response from the proponent is currently awaited.

47. The planning proposal at Attachment 1 states that "the containment cells are to be located beneath the main road within the site. These internal roads are to remain in common ownership... Importantly, all environmental containment cells within the site which are located under roadways are to be held in common ownership and not dedicated as public land. No cells are to be contained under land dedicated to Council" (page 41).
48. The planning proposal at Attachment 1 states that "the containment cells shown in the DA do not actually align with the roads shown in the Structure Plan. Once the Structure Plan is resolved, it may be that amendments are made to the remediation DA in order to slightly reposition the cells" (page 39).
49. In this regard, the proponent has provided an outline of the proposed management structure for the future proposed development, including ownership and management of internal roads and containment cells. This includes that the care, controls and management will be the responsibility of the Body Corporate manager (via an 88b instrument under the Conveyancing Act 1919, a formal Strata Management Statement and Strata By-Laws which accompany the registered Strata Plan. and that a registered easement be located over the containment cells. Further documentation about the management of containment cells will be provided post-Gateway.

Flooding

50. The subject land is flood prone, with about 60% of the property inundated in the 100 year event and within the High Hydraulic Hazard zone. Development within the high hydraulic hazard zone is contrary to Council's Floodplain Risk Management Policy.
51. The planning proposal must be able to demonstrate that this inconsistency is of minor significance to satisfy the Ministerial s117 Direction 4.3 Flood Prone Land. This has not been demonstrated to Council's satisfaction, with the site assessment by the proponent having been carried out on the erroneous basis of the site being within a medium flood risk precinct and also having other deficiencies.
52. The planning proposal is accompanied by a Flood Assessment, which has been reviewed by Council's Catchment Management officers and consultants. On the information provided to date, the potential flood impacts on other properties and impacts on the river catchment, including flood storage volume, as well as adequate environmental safeguards and control measures, including evacuation and flood-time emergency response, have not been satisfactorily demonstrated.
53. The proponent will be required to undertake further flood modelling and to provide further information addressing the s117 Direction.

Land Use & Urban Design

54. The indicative structure plan provided to the rear of Attachment 1 shows the following:

- 54.1 Three north south pedestrian/vehicle streets
- 54.2 an east west pedestrian/vehicle street
- 54.3 two east west pedestrian only streets
- 54.4 a large public open space to the east of the site
- 54.5 three 28m high buildings on the foreshore the two in the centre connected by a 9m high building on the street edge
- 54.6 on the western boundary - three 62m high buildings with the potential for 1500sqm podiums
- 54.7 in the centre of the site – one 62m high building and two 86m high buildings with the potential for 4500sqm podiums
- 54.8 on the eastern boundary – one 62m high building and two 86m high buildings with the potential for 1500sqm podiums

Site Area

55. The site has a total area of 68,558.9sqm (6.8Ha) including the existing road and the river foreshore. A residential site of this size requires public domain in the form of new streets and through site links for both pedestrians and vehicles. As the residential population will be considerable, usable public open space is essential to ensure good amenity.

Floor Space Ratio

56. The planning proposal seeks an FSR of 5:1 on a net developable area of 55,859sqm. The net developable area is the site area of 68,559sqm less the river foreshore park (land zoned RE1 Public Recreation) approximately 12,700sqm. This translates to 279,295sqm of development (GFA) comprising of 25,000sqm of commercial and retail and a residential component of 254,295sqm (equivalent to 2,543 dwellings at 100sqm per dwelling). This equates to 5,086 people at a dwelling density of 2 persons/dwelling and a site density of 741.84 people per hectare. As a comparison the average densities in the Parramatta LGA is indicated in Table 3.

	Area (rounded to closest integer)	GFA (with an FSR of 5:1)
Subject Site	68,559sqm	
River foreshore park	12,700sqm	
Net Developable Area	55,859sqm	279,295sqm
Commercial/ Retail		25,000sqm
Residential		254,295sqm
Dwelling units @ 100sqm/ dwelling	2,543 dwellings (2400 dwellings indicated in estimate)	
Population @ 2persons/ dwelling	5,086 persons	

Table 2: Yield and density calculation of subject site

57. While it is acknowledged that precinct densities are generally lower than block/site densities due to open space, low density areas and heritage conservation areas, it is a reasonable benchmark to indicate how dense the proposed development is.

Area	Population	Land Area	Population Density
Subject Site	5,086	6.8559 hectares	741.84 persons per hectare
Parramatta	19,301	523 hectares	36.93 persons per hectare
Harris Park	5,014	65 hectares	77.11 persons per hectare
Westmead	7,763	154 hectares	50.47 persons per hectare

Table 3: Comparative population densities. Source:

<http://profile.id.com.au/parramatta/about?WebID=250> accessed on 10/04/2014

58. From the estimated summary of areas on page 42 of the planning proposal at Attachment 1, 13,000sqm of land is proposed for roads and 31,000sqm of land is proposed for public open space (Council officers have made the assumption that this includes the 12,700sqm dedication of RE1 Public Recreation zoned land). The planning proposal seeks an FSR of 5:1 over 55,859sqm (being the proposed B4 Mixed Use land area). This area includes roads and additional public open space (not zoned RE1 Public Recreation). After dedication of roads and open space, 24,559sqm of developable area remains. The proposed GFA translates to a resultant FSR of 11.37:1. This is in excess of the yields within the City Centre core (Max 10:1) which have better access to transport and urban amenity.

Area schedule as per Planning Proposal	Estimated area as per Planning Proposal (rounded to closest integer)
Subject Site	68,559sqm
Roads/ Infrastructure	13,000sqm
Open space/ Public recreation	31,000sqm (inc. 12,700sqm of RE1)
Developable land after dedication of roads and open space	24,559sqm
Maximum GFA sought	279,295sqm
Resultant FSR on developable land	11.37:1

Table 4: Resultant FSR on developable land

59. The difference between the overall/gross FSR (5:1) and the resultant FSR on developable land (11.37:1) is significant as indicated in Table 4. Table 2 reflects the planning proposal's assumption that the whole site less the area zoned RE1 Public Recreation is developable land. This calculation does not take in account the land area of roads and additional public open space. The proposed FSR of

5:1 across the site is misleading and is considered excessive and unjustified on urban design and planning grounds given the location of the site outside the City Centre and would result in a wall of buildings when viewed from either side of the river, the Elizabeth Farm precinct, UWS and James Ruse Drive.

60. There is also some concern regarding the proposed 25,000sqm of retail/commercial space if the retail/commercial space is not realised then this area has the potential to be converted to residential increasing the height and bulk of the buildings. Further, given the flood prone nature and contamination of the site, the extent of retail and commercial uses at ground floor may vary and not occur uniformly across the site. Further investigations into the feasibility and design of this much retail/commercial floor space should be examined post-Gateway together with setting a minimum retail/commercial floor space in the LEP.
61. The planning proposal at Attachment 1 requires an appropriate redevelopment in order to underpin the viability of the site remediation. It is clear that this has largely driven the proposed built form controls. Insufficient urban design and planning justification has been provided for an FSR of 5:1. The planning proposal at Attachment 1 states that "it is understood that the finer detail of building forms, height and density will be subject to approval by Council and DPI" (page 9-10).
62. The applicant is requested to submit a master plan prepared by a suitably qualified urban designer to formulate the amount of development the site is capable of sustaining. The master plan must be informed by an urban design analysis that examines the macro context and incorporates the potential development of surrounding land. It is noted that an urban design analysis was submitted with the original planning proposal, however the revised planning proposal is seeking more height and FSR than the original planning proposal. This macro urban design analysis is to be reviewed by Council staff prior to the preparation of the master plan for the subject land. This process should be assisted by an economic feasibility assessment (possibly independent) to arrive at an appropriate yield given the site's flooding constraints and contamination/remediation costs. The master plan should include:
 - 62.1 Streets
 - 62.2 Landscaping
 - 62.3 Setbacks
 - 62.4 Building heights
 - 62.5 Building envelopes
 - 62.6 Tower locations
 - 62.7 Public Open Space
 - 62.8 Riparian zone/foreshore building line
 - 62.9 Private Open Space
 - 62.10 Links to adjacent areas e.g. university , James Ruse Drive and Camellia Train Station
63. Further, each building should be designated an FSR and if that FSR is not used it cannot be transferred to another part of the site.

Height of Buildings

64. The applicant proposes heights within the site ranging from 9m (2 storeys) between two foreshore buildings, 28m (8 – 9 storeys) on the river foreshore, 62m (20 storeys) and 86m (28 storeys) through the rest of the site. There is no

precedent for these heights, outside of the city centre, the River Road West development has a height of 11-12 storeys.

65. The site when viewed from the river would be seen as a wall of buildings and it should be questioned as to whether it is suitable to have such tall buildings so close to the river foreshore. The proposed heights of the buildings together with an FSR of 5:1 (refer to analysis under the heading Floor Space Ratio) is excessive and there is no precedent or rationale for these heights and FSR from a planning and urban design perspective. The planning proposal at Attachment 1 requires an appropriate redevelopment in order to underpin the viability of the site remediation. It is clear that this has largely driven the proposed built form controls. Further refinement and justification of the proposed height of buildings and FSR is required post-Gateway through an urban design analysis and master plan exercise as described under the heading Floor Space Ratio.
66. The planning proposal at Attachment 1 states that "the buildings on site will be significant towers and will be subject to design excellence provisions in the LEP. Subject to final consultation with government, it is suggested that buildings over 55m in height will be required to demonstrate design excellence consistent with the Director-General's Design Excellence Guidelines and/or specific Council controls" page 42. The PLEP 2011 does not contain a clause requiring the demonstration of design excellence. The planning proposal should seek to introduce a site specific LEP clause requiring demonstration of design excellence, such as "Buildings over 55m in height will be required to demonstrate design excellence consistent with guidelines issued by NSW Planning and Infrastructure and Council".

Foreshore Building Line

67. The applicant has proposed a setback from the river foreshore of 20m. PLEP 2011 requires a foreshore building line of 30m. Should the proposed buildings along the river foreshore have a nil setback from the street and a 20m setback from the river this would result in substantially sized buildings on the river foreshore.
68. Further, the proponent has been requested to provide a site survey to indicate top of bank at the river frontage so that the amount of land physically available for public open space can be determined. This is because the site boundary at mean high water mark may be partly below the top of bank and part of the river. Council needs this to be able to assess whether the 20m wide area is sufficient or it requires a greater width. This is to be provided to Council post-Gateway.

Public Domain

69. Given the flooding and the potential contamination constraints, it is expected that a significant percentage of land will be undevelopable. A master planning process informed by flooding / riparian constraints and contamination should inform a public domain plan.
70. The indicative structure plan proposes streets through the site. The applicant's structure plan proposes two of the east west streets to be pedestrian only. From a safety and activation aspect this is not a desired outcome. Passive surveillance from vehicles assists in activating a street and deters crime. Pedestrian only access will only be successful if there is continuous pedestrian traffic which would occur if the ground floor shops are very active and heavily frequented. The new streets proposed should be pedestrian and vehicle rather than just pedestrian.

Building Bulk

71. The width of the buildings, especially along the river foreshore are of concern, the applicant will be required to comply with Residential Flat Building Code (RFDC) and SEPP 65 and it will not be acceptable to use the compliance percentages across the whole site. The area is not urban and as such a minimum of 3 hours of solar access into living areas on 21 June will be required. The width of buildings should be a maximum of 18m to comply with the RFDC and SEPP 65. Further built form testing is required post-Gateway to refine the proposed density.

Building Typology

72. The general layout of the towers on the podiums and the podiums themselves are reminiscent of a development located in a much more densely populated area. The proposed building typology lacks human scale. The inter-building spacing of towers is also a concern and compliance with SEPP 65 and RFDC would be required. Another building typology should be investigated preferably a perimeter block with towers at one end post-Gateway.

The open space between the foreshore buildings

73. The open space between the buildings along the river foreshore should be available to the public and have at-grade river views. The separation of the buildings and the provision of public open space between the buildings on the indicative structure plan is intended to create vistas and pedestrian access to the river which is supported by Council staff. However, the proposed 9m high building connecting two of the buildings would block the river visually and restrict access to the public and should be removed as it contradicts the abovementioned intent.

Traffic and Transport

74. The subject site has a number of barriers that isolate it from being easily connected to the road network and public transport, including the Parramatta River to the north, the Carlingford railway line to the east and an arterial road frontage at James Ruse Drive to the west.
75. Vehicular access in the future development is proposed at a new signalised intersection at James Ruse Drive, Tasman Street, and River Road West. Tasman Street is currently an unused, closed off access to the site from James Ruse Drive. A slip road is also proposed from James Ruse Drive to the site for southbound traffic on James Ruse Drive.
76. Approximately 250 metres to the south is the intersection of James Ruse Drive, Hassall Street and Grand Avenue, the main access point to the Camellia industrial precinct. This intersection currently operates with a poor level of service during am and pm peaks. The operation of this intersection and maintenance of traffic flow along James Ruse Drive must not be negatively impacted by the proposed new intersection to service the subject site and the additional traffic generated by future development of the subject site. Further review of the traffic analysis submitted by the proponent is required to demonstrate this to the satisfaction of the State traffic and transport agencies.
77. The site is within 400m walk of Camellia rail station, on the Carlingford rail line operating services between Clyde and Carlingford stations. Services on this line operate with a 40 minute gap during the peak and once an hour during the off peak. This level of service does not suit all users of public transport, including potential future residents of the subject site, and alternate public transport

services are required to service the subject site with the proposed future land uses.

78. The nearest bus stop is on Hassall Street outside the Mecure Hotel, operating every ten minutes during the peak to Parramatta and Liverpool, requiring the need to cross James Ruse Drive from the subject site. The subject site is also approximately 800 metres from frequent bus services available to and from UWS at the intersection of Anderson Street and Victoria Road.
79. Footpath links from the site to both bus and rail services would require upgrading, as would the services themselves to support a development of the scale proposed.
80. Transport for NSW (TfNSW) has provided comments on traffic and transport matters relating to the planning proposal as a co-ordinated response from TfNSW, Roads and Maritime Services (RMS) and Railcorp.
81. TfNSW requires a review of the Traffic Impact and Parking Assessment Report submitted by the proponent in respect of the following matters:
 - 81.1 Traffic analysis which includes explicit recognition of the role of freight in the area (including the movement of freight along the James Ruse Drive Corridor by road)
 - 81.2 Review of site access arrangements
 - 81.3 Use of more appropriate analysis tools
 - 81.4 Investigation of the connectivity for active transport users to nearby public transport services and associated improvements to the existing active transport network that would be required to support the proposal
 - 81.5 The relationship between the proposed development and noise, vibration issues impacting from the nearby transport networks (road, passenger and freight rail).
82. The revised planning proposal indicates that an expanded Traffic and Parking report will be provided post-Gateway.
83. TfNSW also comments on the opportunity to provide a direct pedestrian link between the subject site and UWS with a potential pedestrian bridge over the river (subject to the agreement of UWS and clearance for ferry services) and opportunity to extend public access along the riverfront of the subject site for walking/cycling links.
84. TfNSW advises that it has no plans for a ferry wharf at the subject site, or on the northern side of the river adjoining UWS. If the proponent wishes to investigate a proposal for a ferry wharf, TfNSW advises that they should submit further details, particularly in regard to cost apportionment.
85. TfNSW also raises the need for freight services to be preserved in the future planning of the Camellia precinct and for consideration to be given to freight operations or movement of freight in or around the subject site.
86. Council has recognised that improved road access to the Camellia precinct is key to the future renewal of the precinct. A series of intersection upgrades along the M4, James Ruse Drive and Cumberland Highway are proposed as part of the Western Sydney Regional Ring Road initiative identified by Council. (This will require commitment and funding from the State Government). A new road

connection to the east of the precinct (i.e. a bridge) could connect to employment lands in Silverwater and Olympic Park and reduce traffic pressure on existing roads. A precinct-wide Transport, Traffic and Access study is one of a number of studies needed to progress planning for the precinct. An integrated approach to traffic arrangements is required for the subject site and the wider Camellia precinct.

87. Other potential infrastructure upgrades that would contribute to the potential for growth in the precinct include the Western Sydney Light Rail network that would connect the Camellia precinct to the Parramatta CBD as well as Macquarie Park and Olympic Park.

Heritage

88. The Wetlands located along the Parramatta River and the Clyde Carlingford Rail Bridge abutments, both adjacent to the subject land, are listed as heritage items of local significance under PLEP 2011.
89. The subject land is also across the river from UWS Rydalmere campus, containing the Former Female Orphan School and Rydalmere Hospital, listed as an item of State significance under PLEP 2011 and on the State Heritage Register.
90. Historic views between the colonial land marks of Elizabeth Farm at Harris Park and the Former Female Orphan School at the UWS site, including emergent trees have been recognised as being of importance. Parramatta DCP 2011 includes the preservation of this view line as well as broader panoramic views from Elizabeth Farm north to the ridgeline of hills, to appreciate the river valley landscape setting and siting of colonial farms and houses.
91. The north eastern corner of the subject site is most sensitive to these historic views. The planning proposal is accompanied by a Heritage Views Analysis and assessment of the planning proposal in relation to the nearby heritage items. These assessments conclude that the proposal will not have a negative impact on nearby heritage items and historic views.
92. The structure plan accompanying the planning proposal indicates a pattern of development including streets and pedestrian ways that will create permeability of views and sightlines to the river (which requires refinement to address above comments). An earlier structure plan provided a setback of buildings in the north eastern corner to protect the historic viewline. This does not seem to be evident in the structure plan attached to the planning proposal at Attachment 1. This needs to be addressed post-Gateway.
93. Preliminary consultation with the Office of Environment and Heritage has not resulted in any comments relating to heritage aspects of the proposal and further consultation is proposed should the planning proposal proceed and receive a favourable Gateway determination.

Business Zone/Employment

94. One of the main justifications for the rezoning of the site from B5 Business Development to B4 Mixed Use (with a substantial component of residential development) indicated by the proponent is the need to remediate the site from its contaminated state, which will require appropriate redevelopment in order to

underpin the viability of the site remediation. The planning proposal states that "the site is not viable to remediate under current zoning controls and so has limited capacity to generate any future employment" (page 29).

95. A mixed use development on the site would allow new commercial and retail floor space (with associated jobs) and the residential population on the site would generate part of the demand for these facilities.
96. The proponent has submitted an Economic Impact Assessment, which indicates that based on the original planning proposal for 15,000sqm of retail (of which 7,500sqm may be bulky goods retail) and 15,000sqm of commercial floor space, the future development of the site could generate employment for 932 full and part time workers for these activities. There would also be jobs created during the construction phase.
97. This report also indicates that future residents of the site, workers and students from UWS and the broader trade catchment area of the site would generate demand for the retail floorspace proposed, particularly supermarket floor space and bulky goods retail. Further, the report states that the mid-range proportion of non-retail commercial uses provided in centres (such as banks, post offices, travel agents, medical services) whilst varying with the nature of the centre, is approximately 5-7%. This would suggest that 15,000sqm of non-retail floor space proposed may exceed demand. It is noted that the projected floor space mix for employment-generating uses has reduced since the Economic Impact Assessment. The planning proposal at Attachment 1 seeks the provision of 4,000sqm of commercial floor space, 10,000sqm of large retail and 11,000sqm of fine-grain retail. A review of the Economic Impact Assessment is required post-Gateway.
98. Council has carried out a draft Employment Lands Study, which identifies an opportunity to develop a strategic vision for the Camellia precinct as it may evolve over the next 40 years and what uses may be introduced as the area transitions. As previously mentioned, Council has commenced work to investigate the precinct, including the subject land, and has adopted a draft discussion paper for the future of the Camellia Precinct as the basis of further consultation with Camellia stakeholders.
99. The draft discussion paper includes a draft land use concept plan for the Camellia precinct that suggests a future mixed use precinct, centred around Camellia rail station and including the subject site. Typically, mixed use precincts are substantially developed for residential purposes together with some retail and commercial uses. Other parts of the Camellia precinct could support employment land uses, including business, industrial, warehouse and logistics. A mixed use zoning for the subject site is broadly consistent with the early stage draft land use concepts for the wider Camellia precinct.

Acid Sulfate Soils

100. Section 117 Direction 4.1 Acid Sulfate Soils requires a report addressing the proposed change of use for land subject to acid sulphate soils. The proponent has submitted an Acid Sulfate Soils report with the remediation DA relating to the remediation stage of development. However, further information is required as to the proposed change of land use in relation to Acid Sulfate Soils. The revised planning proposal submitted by the proponent indicates that an additional Acid

Sulfate Soils Management Plan will be submitted addressing the appropriateness of the change of land use post-Gateway.

Land Use Conflicts

101. Potential land use conflicts may arise from the use of the subject site for residential development in proximity of the Camellia heavy industrial precinct.
102. The planning proposal is accompanied by an acoustic assessment and the proponent has indicated an intention to provide an odour and noise assessment post-Gateway.
103. Whilst the Camellia heavy industrial precinct may transition over time to contain a different mix of land uses, this will be more likely to occur in the medium to long term. In the meantime, a mix of industries, some heavy and/or hazardous are likely to remain in the vicinity of the site, particularly as they are permitted with consent in the IN3 Heavy Industrial zone. The planning proposal should consider how this may impact on compatibility with residential land uses. The additional studies on odour and noise may provide further information. Additionally safety for residents related to proximity and hazardous industries should also be addressed. The revised planning proposal indicates that further reports will be submitted post-Gateway to address these issues.

Ecological Communities

104. The remediation DA for the subject site includes a report from an environmental consultant indicating that the mangrove community adjacent to the site is highly degraded and requires removal of asbestos contamination and rehabilitation of the mangrove community. This requires consultation with and approval of the Office of Water within NSW Primary Industries from an environmental point of view. The heritage status of the mangroves will also be a consideration.
105. The planning proposal indicates that a foreshore area of the site is to be dedicated to Council for public open space. Council will need to ensure that this area, together with the adjacent mangrove community is fully remediated and rehabilitated before the land is dedicated to Council.

GOVERNMENT AGENCY CONSULTATION

106. The Environment Protection Authority, Transport for NSW, Office of Water, Office of Environment and Heritage, Sydney Water and Endeavour Energy have provided comments on the initial planning proposal (November 2012) and studies. Further consultation should occur with these agencies to comment on the revised planning proposal and further studies post-Gateway.

VOLUNTARY PLANNING AGREEMENT (VPA)

107. Preliminary discussions with the proponent have indicated that it is likely the proponent will make an offer to Council for a VPA to deliver public benefits associated with the planning proposal. A written offer has not been received at this stage. However, the planning proposal at Attachment 1 on page 43 outlines suggested inclusions being:

- 107.1 Access over Parramatta River
 - 107.2 Waterfront restoration
 - 107.3 Dedication of river reserve and public reserve (RE1 Public Recreation zoned land)
 - 107.4 Provision of affordable housing units
 - 107.5 Community facilities such as a library or recreation centre
 - 107.6 Land dedication, monetary contribution or works in kind toward a ferry wharf and related access infrastructure.
108. The planning proposal also states that “the proposed dedication of a significant recreation reserve in the north-eastern corner of the site is offered subject to the building heights being as proposed in the Structure Plan. Variations to building heights will likely result in the withdrawal of this reserve dedication, given it is important to the overall viability of the site’s development and remediation. For this reason this issue will comprise part of the VPA negotiations as it does provide community benefit” (page 43). This report has raised concerns with the proposed height and FSR from an urban design and planning perspective. The north-eastern corner of the site is subject to the 100 year flood event and is also within the area of high hazard warranting a sensible use of the land i.e. open space and not development. This statement from page 43 of the planning proposal requires further investigation from a planning, urban design and flooding perspective to determine the most appropriate built form outcome.
109. The proponent should be invited to make a written VPA offer and this report seeks Council’s authorisation of the CEO to negotiate a VPA. The draft VPA would be reported to Council prior to its public exhibition. The VPA should be exhibited concurrently with the planning proposal and draft Development Control Plan provisions for the site discussed below.

DEVELOPMENT CONTROL PLAN (DCP)

110. The proponent has been requested to provide site specific DCP controls that set out the more detailed development guidelines for the site which would be informed by a master plan approved by Council. These will be assessed and reported to Council for endorsement prior to being placed on public exhibition. The planning proposal, draft VPA and draft DCP should be placed on public exhibition concurrently.

NEXT STEPS

111. The proponent has acknowledged in the planning proposal at Attachment 1 that additional studies and information are required to support the planning proposal and requests that this be completed post-Gateway. Council staff’s preliminary assessment (as provided in this report) has identified a range of matters that must be addressed and approved by Council prior to the public exhibition of the planning proposal.
112. It is recommended to Council that it forward the proponent’s planning proposal at Attachment 1 to NSW Planning and Infrastructure, seeking a conditional Gateway Determination that requires the proponent to provide additional studies and information that satisfactorily addresses outstanding issues (including as

outlined in this report), prior to the public exhibition of the planning proposal, including:

- 112.1 Site contamination and remediation (SEPP 55 – Remediation of Land)
 - 112.2 Flood impacts (s117 Direction 4.3 Flood Prone Land)
 - 112.3 Acid sulfate soils (s117 Direction 4.1)
 - 112.4 Potential loss of employment land (s117 Direction 1.1 Business and Industrial Zones)
 - 112.5 Traffic and transport
 - 112.6 Flora and fauna
 - 112.7 Social impact
 - 112.8 Health and safety
 - 112.9 Potential land use conflicts (proximity to heavy industry, James Ruse Drive and railway line) – including odour and noise
 - 112.10 Infrastructure upgrades (water and energy)
 - 112.11 Urban design analysis and master plan
 - 112.12 Management of environmental containment cells
113. Should a conditional Gateway determination be issued by NSW Planning and Infrastructure, a report would be provided to Council on the revised planning proposal post-Gateway, upon completion of the outstanding studies and information and prior to public exhibition.
114. The proponent would be invited to submit a written VPA offer, which would be negotiated by the CEO. The draft VPA would be reported to Council prior to public exhibition.
115. A draft site specific DCP, informed by a masterplan supported by Council, would be reported to Council for its consideration prior to public exhibition.
116. The planning proposal, draft VPA and draft site specific DCP provisions should be placed on public exhibition concurrently.

Sue Stewart
Senior Project Officer

Jennifer Concato
Land Use Planning Manager

ATTACHMENTS:

- | | |
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REFERENCE MATERIAL