State Agency Submissions

181 James Ruse Drive, Camellia

Sydney WATER

01 February 2016

Jacky Wilkes
Senior Project Officer
Land Use Planning
Parramatta City Council
PO Box 32
Parramatta NSW 2124

RE: Planning Proposal for 181 James Ruse Drive, Camellia (RZ/5/2012)

Dear Ms Wilkes,

Thank you for notifying Sydney Water of the Planning Proposal for 181 James Ruse Drive, Camellia. We have reviewed the application and provide the following comments for your consideration.

General Comments

- The site subject to this planning proposal is within the Department of Planning and Environment's Camellia Precinct (and part of the Greater Parramatta to Olympic Park Peninsula Priority Growth Corridor) for which between 4,250 and 6,300 dwellings are proposed by 2036.
- Our 2014 Growth Servicing Strategy (GSS) only considered up to 1,800 residential units to be built on the proposed development site. This planning proposal is therefore a significant increase in the potential yield designated for this site in our GSS forecast.
- Sydney Water is currently carrying out strategic planning work for more optimised servicing concepts for this corridor (including the Camellia Precinct) which includes updated growth forecasts consistent with recent announcements by the NSW Government.

Water Servicing

- The sits is currently serviced with water by the Prospect East trunk water delivery system and the Ryde Gravity water supply reservoir zone.
- The 2014 GSS indicated that:
  - The **Prospect East trunk water delivery system** has adequate capacity to service projected population growth to 2036
  - The **Ryde Gravity water reservoir zone** will require progressive amplification to cater for projected population growth to 2036.
- It is anticipated that there would be capacity in the existing system to service initial development on the site, however full development (including the remainder of the Camellia Precinct) is likely to require further amplification to the trunk water network, new lead in water mains and diversions of existing assets.
- The subject development site has frontage to a 150mm water main in James Ruse Drive. Due to the proposed height of the new buildings, an amplification of the water main to a minimum size of 200mm will be required to comply with the Supply of Water for Fire Fighting Purposes Policy.

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- Detailed requirements (including minor water extensions) will be provided at the Section 73 application phase.

Wastewater Servicing

- The subject development will be serviced by the Parramatta LL submain which drains to Sewage Pumping Station (SPS) 67, which is part of the North Head wastewater system.
- SPS67 is a critical asset which currently services about 200,000 people across 6,150 hectares. Current forecasts indicate that the number of people in this catchment will increase to 400,000 by 2036.
- The 2014 GSS indicated that:
  - The **Parramatta LL submain** is running close to its capacity in existing conditions.
- Recent investigation into the Parramatta CBD and Parramatta North Urban Activation Precinct include that with the projected additional growth, the Parramatta LL submain and SPS67 will be running close to capacity.
- Sydney Water is also currently investigating the management of wet weather overflows within the SPS67 system.
- The extend and timing of system amplifications will be confirmed by the Greater Parramatta to Olympic Park Peninsula Priority Growth Corridor strategic planning work currently underway.
- Detailed requirements (including minor wastewater extensions) will be provided at the Section 73 application phase.

Recycled Water Servicing

- The site is not currently serviced by recycled water. However, there is an opportunity to extend the recycled water network within the Camellia precinct to supply recycled water to the proposed development from the Rosehill Recycled Water Scheme and should be investigated.
- There is sufficient capacity for future development in Camellia to be potentially serviced with recycled water from the scheme, subject to developer interest and consultation with Veolia Water and AquaNet Sydney. Network extension and possible amplification, including new lead-in mains would be required.
- The scheme, commissioned in 2011 was originally intended for several high volume water users in the industrial and agricultural areas in Camellia and Smithfield. The scheme involves private (Veolia Water and AquaNet Sydney) and public (Sydney Water) sectors working together to deliver highly treated recycled water. The scheme has the potential to supply additional customers in Camellia as well as Westmead, Parramatta and Wetherill Park.
- Recycled water opportunities for new development (and financial viability) is currently being considered by Sydney Water as part of our strategic planning for the Greater Parramatta to Olympic Park Peninsula Priority Growth Corridor.

Sydney Water E-Planning

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au.

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Further advice and requirements for this proposal are at attachment 1 (overleaf). If you require any further information, please contact Beau Reid of Urban Growth Strategy on 02 8849 4357 or e-mail beau.reid@sydneywater.com.au.

Yours sincerely,

Greg Joblin
Manager, Growth Strategy

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Attachment 1

Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. Water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see Plumbing, building and developing then Building over or next to assets).

Jacky Wilkes

From: Cornelis Duba <Cornelis.Duba@endeavourenergy.com.au>
Sent: Friday, 12 February 2016 12:59 PM
To: PCC Council
Subject: PARRAMATTA CITY COUNCIL PLANNING PROPOSAL RZ/5/2012 RE 181 JAMES RUSE DRIVE, CAMELLIA

The General Manager
Parramatta City Council

ATTENTION: Jacky Wilkes, Senior Project Officer - Land Use Planning

Dear Sir or Madam

I refer to Council's letter of 12 January 2016 regarding Planning Proposal RZ/5/2012 at 181 James Ruse Drive, Camellia (Lot 11 SP 87749) for:

> Planning Proposal seeks to amend Parramatta Local Environmental Plan 2011 to:
>
> • rezone the site from B5 Business Development zone to part B4 Mixed Use zone with part REI Public Recreation zone;
> • increase the maximum building height from 9 and 12 metres to 35 metres (8 storeys) and 126 metres (40 storeys) over the proposed B4 zone only;
> • increase the maximum floor space ratio from 1.5:1 to 5.3:1 over the proposed B4 zone only;
> • reduce the foreshore building line from 30 metres to 25 metres; and
> • insert local clauses that deliver design excellence or essential services and ensure the site is appropriately remediated.

Submissions need to be made to Council by 12 February 2016.

As shown in the below site plan from Endeavour Energy's G/Net master facility model (please note this is not a 'Dial Before You Dig plan') whilst there are no easements over the site benefitting Endeavour Energy (which is shown by red hatching). However, as the electrical infrastructure on the site occupied the land before 26 May 2006, and is not supported by a registered easement, it is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Whilst Endeavour Energy has no objections to the Planning Proposal, its recommendations and comments are as follows:

- Network Capacity / Connection

Endeavour Energy has noted the following on Page 39 of the Planning Proposal:

> The response from Endeavour Energy to Council indicates that whilst it has no objections to the proposed rezoning of the land to permit a future mixed use development, the existing electrical infrastructure surrounding the site cannot support the indicated proposed development, which will require a number of new underground cables from Endeavour Energy's Rosehill Zone Substation to the development site and also potentially a number of distribution substations.
>
> As part of the subject planning proposal it is intended to impose a local clause within Parramatta Local Environmental Plan 2011 addressing the requirement for satisfactory arrangements for servicing the land, including the supply of water, the supply of electricity and the disposal and management of sewage.

Endeavour Energy's Asset & Network Planning Branch have again reviewed the Planning Proposal and advised that 'Our original planning advice in October 2014 is still appropriate' – please refer to the attached copy.

In due course the applicant for the future proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount or indoor / chamber substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached for the applicant's reference is a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

- Asset Relocation

The applicant for the future proposed development of the site may wish to consider the possible relocation of the existing electrical assets on the site by submitting a Technical Review Request to Endeavour Energy's Network Connections, the form for which FPJ6007 is attached. Alternatively the applicant may wish to engage a Level 3 Accredited Service Provider (ASP) approved to design distribution network assets, including underground or overhead. The ASP scheme is administered by NSW Trade & Investment and details are available on their website via the following link:

http://www.resourcesandenergy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/contestable-works

- Network Access

It is imperative that the access to the existing electrical infrastructure on and adjacent to the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

- Public Safety

As the future proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures

Demolition work is to be carried out in accordance with Australian Standard AS2601: The demolition of structures (AS 2601). All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. street light columns, underground cables etc.

I appreciate that not all the foregoing issues are immediately relevant to the Planning Proposal, however, Endeavour Energy's preference is to alert applicants of the potential matters that may arise should redevelopment of the site occur.

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully
Cornelis Duba
Acting Public Safety Advisor

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51 Huntingwood Drive, Huntingwood NSW 2148
www.endeavourenergy.com.au

Endeavour Energy

Endeavour Energy

22 October 2014

Roy Laria
A/Service Manager Land Use Planning
Parramatta City Council
PO Box 32
Parramatta NSW 2124

Dear Mr Laria

PLANNING PROPOSAL 181 JAMES RUSE DRIVE CAMELLIA

In response to your letter dated 15 September 2014, we have reviewed the electricity supply requirements of the amended development proposal and confirm that the previous advice still stands.

Endeavour Energy has no objections to the planning proposal to rezone the land from its current B5 Business Development zone to B4 Mixed use to facilitate the establishment of a new mixed use centre to accommodate approximately 2,500 residential apartments and 13,500 square metres of retail and commercial floor space.

The proposed development will produce a very significant electrical load. The existing high voltage feeder electrical infrastructure surrounding this site cannot support this proposed development. The proposed development will require a number of new underground dedicated high voltage feeder cables from Endeavour Energy's Rosehill Zone Substation to the development site which will allow a supply of electricity with the capacity required. The Rosehill ZS is located at 1 Unwin Street Rosehill. The high voltage (11kV) feeders will be developer funded as per Endeavour Energy policy.

It also is likely that a number of distribution substations will be required on the proposed development. The locations of these substations must allow access by Endeavour Energy employees and plant 24 hours a day.

Please contact me directly on (02) 9853 5003 should you have further queries.

Yours faithfully

Jason Lu
Capacity Planning Manager
Asset and Network Planning

51 Huntingwood Drive Huntingwood NSW 2148
PO Box 811 Seven Hills NSW 1730
T: 131 081 F: 61 2 9853 6000

www.endeavourenergy.com.au

ABN 59 253 130 878

Our reference: DOC16/26863-03

Jacky Wilkes
Senior Project Officer – Land Use Planning
Parramatta City Council
PO Box 32
Parramatta NSW 2124

Dear Ms Wilkes

I refer to your letter dated 12 January 2016 requesting the NSW Environment Protection Authority's (EPA) comments on the public exhibition of a Planning Proposal for the land at 181 James Ruse Drive Camellia.

The EPA has assessed the Planning Proposal and supporting documentation, and provides comments at **Attachment A**.

The EPA is available to meet with Council to discuss the attached comments. If you wish to arrange a meeting or have any questions in relation to this letter please contact Mark Hanemann on 9995 6845 or via email mark.hanemann@epa.nsw.gov.au.

Yours sincerely

12 February 2016

JAMES GOODWIN
A/Manager Sydney Industry
Environment Protection Authority

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Attachment A – EPA comments on Planning Proposal for 181 James Ruse Drive Camellia

Strategic Context

The EPA considers that any significant development within the Camellia Precinct should be undertaken within the framework of a strategic planning approach, and has previously provided comments to the Department of Planning and Environment on the *Camellia Precinct Land Use and Infrastructure Plan* (see **Attachment B**).

The EPA considers that the Planning Proposal for the land at 181 James Ruse Drive Camellia (the site) should reference the *Camellia Precinct Land Use and Infrastructure Plan* and clarify that it delivers environmental outcomes consistent with that Plan. The EPA's comments on the *Camellia Precinct Land Use and Infrastructure Plan* should be considered prior to approval of the Planning Proposal.

Land Use Conflicts

There is significant potential for the Proposal to result in development that may be adversely impacted by existing nearby industry. These impacts and risks should be appropriately assessed prior to Proposal approval. The Proposal allows for mixed use development including retail, commercial and high density resident development at the site. The Proposal includes a *Health and Safety Report* (Jacobs, 23 November 2015) to satisfy a part of Condition 1 of the original gateway approval, namely the preparation of a report which considers potential land use conflicts, including impacts on the health and safety of future residents and workers from noise, odour, etc.

The *Health and Safety Report* concludes that surrounding land uses could have an impact on the amenity of the proposal site, however "their impact would not be of such a magnitude that it would significantly impact on the health and safety of future residents and workers" and "potential amenity impacts are anticipated to be readily manageable through design".

However, the EPA considers that the *Health and Safety Report* does not adequately assess potential health and safety risks related to the Proposal. For example, with respect to potential air quality impacts at the site, there are numerous significant, actual and potential, sources of odour, particulate and other air emissions in the vicinity of the proposed development. Potential impacts associated with exposure to emissions from these facilities have not been robustly assessed as a part of the Proposal (i.e. in the *Health and Safety Report*). Consequently it is unclear if in addition to resulting in reduced amenity, the Proposal may result in potential adverse health effects associated with exposure to emissions from nearby industry. It is also unclear how amenity impacts, such as those associated with odour from nearby industry, can be "manageable through detailed design considerations" (*Health and Safety Report,* p 31).

In addition, the industries within the Camellia Precinct include Major Hazards facilities such as the Viva terminals and also the Caltex petroleum pipeline. The report does not contain any detailed consideration or assessment of potential risks and impacts associated with these facilities.

The EPA recommends that the Proposal be updated to include a robust and comprehensive assessment of all potential risks and impacts associated with surrounding land uses on the proposed mixed use development.

Remediation Staging

Section 2.2.2 of the Planning Proposal states "It is proposed to include a local clause within *Parramatta LEP 2011* to provide that development consent must not be granted for development on the subject land unless the consent authority is satisfied that the entire site and river foreshore will be remediated to make the land suitable for the purpose for which development is proposed to be carried out, before any part of the land is used for that purpose." The EPA has previously advised that remediation of the foreshore area is inextricably linked with remediation of the main site, and the two should be undertaken concurrently.

The Planning Proposal should clarify that remediation of the foreshore area should not occur independently of remediation of the main site.

Remediation Contingency

The EPA has some concerns in relation to the wording of the proposed local clause above, in particular the words "will be remediated". It should be noted that remediation of the site will be complex due to the nature of the contamination, site, and methods required, and there are a range of other factors that can contribute to the success or failure of remediation projects. Consequently there is an associated level of risk (albeit seemingly low) that the remediation of the site may not be successful. It is not clear whether the Planning Proposal has considered this outcome, and how the implications of this outcome will be managed if the Planning Proposal is approved.

The EPA recommends that the Planning Proposal clarifies whether the implications of approving the Planning Proposal have been considered in the unlikely event the remediation is unsuccessful.

Containment Cells - Landscaping

Section 2.2.3 of the Planning Proposal states "It is proposed to include a site specific clause in Parramatta LEP 2011 to specify that no buildings will be permitted above the location of the containment cells." The EPA notes that establishment of landscaping above containment cells may breach the cap, particularly if trees were to be grown on the surface.

The EPA recommends that the Planning Proposal and/ or site specific clause should confirm that no development that poses a possible risk to breaching the cap, including tree planting, will be permitted above the cap.

Containment Cells - Maintenance

The requirement for an exclusion zone that would prevent buildings being located within 7 metres of the containment cells has been removed from the Project Remediation Action Plan (and applies only during containment cell construction). Appendix 3c (ACE, 1 October 2014) states the purpose of the 7 metre construction exclusion zone is to provide a factor of safety for any excavation wall collapse during cell wall works and once the containment cells have been constructed will be redundant and "will not preclude any future building alignment from being located in this zone".

The Planning Proposal (Section 3.3.2) acknowledges that the containment cells will require ongoing management and monitoring in the long term, to ensure the cells remain intact and undisturbed. Appendix 3b (URS, 15 October 2014) states the containment cell management documented in the Site Management Plan will need to include for example:

- limitations on construction of any kind within a specified area of the containment cells, including new buildings and underground services/structures;
- maintenance of the concrete capping is required to ensure ongoing integrity. This may include regular inspections for cracking or movement;
- procedures for sub service works within the vicinity of the containment cell need to be established to limit any potential for breaches; and
- monitoring of groundwater to ensure containment of the materials.

In addition Appendix 3b also states the long term site monitoring programme should comprise:

- a network of groundwater monitoring locations for ambient, onsite and flux boundary monitoring;
- containment cell observation points to monitor cell leachate, groundwater seepage and vapour generation; and
- a scheduled program of environmental site monitoring, whereby sampling frequency is lowered over time if monitoring indicates negligible long term effects from onsite containment.

With respect to access to, and near the containment cells, it is unclear what is required for:

- the above management and monitoring programs; or
- for other relevant works and scenarios, for example future repair of the cell capping or cell walls.

Consequently any development on the site must consider potential future long term requirements to safely and easily allow routine maintenance and monitoring, as well as requirements for contingencies for the management of potential foreseen and unforseen issues with the containment cells.

The EPA recommends that the Planning Proposal ensures consideration of:

- *potential future long term requirements to safely and easily allow routine maintenance and monitoring; and*
- *requirements for contingencies for the management of potential foreseen and unforseen issues with the containment cells.*

Contamination of Services and Utilities

It is unclear if services and utilities (including easements) around the Proposal site have been considered as sources of potential contamination. Due to the potential for contaminants such as asbestos and hexavalent chromium to be widespread throughout the Camellia precinct, maintenance, monitoring and upgrading of services and utilities may cause emissions of contaminants that may potentially result in adverse impacts to human health and the environment if they are not managed appropriately.

The EPA recommends that confirmation is provided that maintenance, monitoring and upgrading of services and utilities around the Proposal site have been appropriately considered with respect to potential impacts at the Proposal site.

Easements

The Planning Proposal and supporting documentation details requirements relating to existing oil, gas and water easements on the site, but does not detail how these requirements will be considered in any future development resulting from rezoning of the land.

The Planning Proposal should clarify how the requirements relating to existing utility easements on the site will be integrated into any future development.

Site Management Plan

The Planning Proposal and supporting documentation notes that ongoing maintenance of the containment cells and contamination capping will be undertaken in accordance with a site management plan. However is not clear at what stage a long term site management plan will be developed or how it will be adopted.

The Planning Proposal should provide further detail on when a site management plan will be developed and how it will be enforced.

EPA Approval of Site Management Plan

Section 3.3.2 of the Planning Proposal states "... the cells will require ongoing management and monitoring in the long term, with a Site Management Plan to be approved by the EPA..." It should be noted that the EPA does not approve or endorse Environmental Management Plans.

The wording in section 3.3.2 should be amended to remove the reference to EPA approval of a Site Management Plan.

Document Revisions

The EPA notes that the remedial strategy for the site was updated in the documents submitted as part of the revised EIS package. However, the Planning Proposal does not always reference the updated documents. For example:

1. The Proposal refers to the RAP (Appendix 4a) and Site Audit Statement (Appendix 4b) to comply with the Alteration Gateway approval (Section 3.2.3). However, Appendix 4a does not include the *Addendum to the Remediation Action Plan – 181 James Ruse Drive, Camellia NSW* (Sullivan, 30 January 2015) which amends sections of the RAP so it is consistent with revised procedures and strategies for the remediation project.

2. Appendix 1 of the Proposal (the Supplementary Report) refers to the RMA Contracting Peer Review Report to the planning proposal (provided as Attachment 3 to Appendix 1). However the peer review report is not current, as it evaluates the initial proposed asbestos remediation methodology, not the revised (enclosure based) methodology.

The Planning Proposal also does not include several relevant supporting documents, such as:

3. Benbow Environmental (2014) *Asbestos Safe Work Methods Statement (Revision A – 29 November 2014) for the Camellia Remediation Project*. Report 148270-Camellia ASWMS v2, Released 15 December 2014.

4. URS (2014) *Soil and Water Management Plan, Camellia West Remediation Project*. Report 43218448/0/0, Plan dated 24 October 2014.

Further, it is not clear whether the EPA accredited contaminated sites auditor has approved the documents relating to site remediation.

The Planning Proposal should be updated to include the latest version of all relevant documents, and should clarify whether the EPA accredited contaminated sites auditor has approved the documents relating to site remediation.

Document Accuracy
Under "Update Section 3.3.2" of Appendix 1 of the Proposal (the Supplementary Report), Attachment 3 is referred to as a copy of the Risk Assessment Report. However, Attachment 3 is the Remediation Contractor Peer Review Report.

Future Documentation
The EPA notes that a Development Control Plan (DCP) establishing detailed design standards for the site, and a draft Voluntary Planning Agreement (VPA) regarding the dedication of public open space, are scheduled to be exhibited in the first half of 2016.

The EPA's comments on the *Camellia Precinct Land Use and Infrastructure Plan* should be considered when drafting the DCP and VPA.

Attachment B – EPA comments on *Camellia Precinct Land Use and Infrastructure Plan*

(Attachment B to Attachment A) 7/19

NSW EPA

Our reference: EF13/8574:DOC15/362345-04:PW
Contact: Paul Wearne (02) 4224 4100

NSW Department of Planning and Environment
(Attention: Ann Maree Carruthers)
GPO Box 39
SYDNEY NSW 2001

Dear Ms Carruthers

CAMELLIA PRECINCT LAND USE AND INFRASTRUCTURE PLAN

I am writing to provide comment on the *Camellia Precinct Land Use and Infrastructure Plan* and associated information received by the Environment Protection Authority (EPA) on 10 September 2015.

Based on a review of the proposed *Land Use and Infrastructure Plan* including its supporting information, please find attached our comments for the Department of Planning and Environment's (DPE) consideration (Attachment A). These relate to:

- Air Quality
- Waterways and Stormwater Management
- Noise
- Contaminated Land Management
- Waste Management.

The attached comments include recommended environmental outcomes and matters for consideration that should underpin and guide the future development of the precinct. These environmental outcomes also support actions in a *Plan for Growing Sydney* (DPE 2014). In addition, the EPA has provided a number of key environmental provisions that could also inform the planning framework to guide any future development in the precinct if the rezoning is approved.

The EPA is available to meet with DPE at a mutually convenient time to discuss any of the above issues. If you have any questions regarding this matter, please contact Mr Paul Wearne on (02) 4224 4100.

Yours sincerely

15/10/2015

GREG SHEEHY
Acting Director Metropolitan
Environment Protection Authority

Att

PO Box 668 Parramatta NSW 2124
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ATTACHMENT A

1. AIR QUALITY

The Environment Protection Authority (EPA) recommends the Land Use and Infrastructure Plan should deliver the following environmental outcomes:

- *Ensure air quality is maintained or improved and that the exposure of populations to air pollution emissions is reduced;*
- *Ensure new potential sources of air emissions use best practice controls; and*
- *Prevent land use conflict*

1.1 Matters for Consideration

Odour Impact Assessment and Land Use Planning

The supporting information states that odour has been identified as a potential issue for the Camellia Precinct due to some of the current uses within the precinct. The supporting information states that a study is underway to identify potential odour sources that may impact on future redevelopment. The EPA in its letter dated the 2 July 2014 to Parramatta City Council regarding the *Draft Discussion Paper – The Future of the Camellia Precinct – March 2014 - Parramatta City Council*' advised Council that there are a range of activities on the Camellia peninsula regulated by both EPA and the Parramatta City Council that have the potential to produce odour emissions. A copy of this letter can be provided to DPE on request. As advised in this response to Council there has been a history of odour complaints from nearby residential communities in relation to activities on the Camellia peninsula. Based on the current indicative land uses there is a potential risk of odour impacts to residences, employees and people undertaking activities on these lands.

The EPA supports the need for this study in order to quantify risks, identify mitigation approaches and justify land use approaches proposed in the Land Use and Infrastructure Strategy to address environmental impacts associated with existing industrial activities on the Camellia peninsula. The EPA recommends that reference be made to the EPA's *Technical Framework: Assessment and Management of Odour from Stationary Sources in New South Wales* (the Technical Framework) to inform the strategy. Chapter 5 of the Technical Framework identifies possible avoidance and mitigations strategies that could be used if there are existing or potential conflict between neighbouring land uses. The Technical Framework also highlights that:

- the sensitivity to odours is variable;
- odour emissions are variable;
- the impact of odours can be subjective;
- odour dispersion modelling is not an exact science; and
- odour emissions are difficult to monitor

Odour impact assessment is one of a number of tools available to planners in the development of strategic approaches to reconciling land use conflicts and in particular where residential development is proposed in the vicinity of existing odour generating industries. It is a risk management tool in that the assessment indicates whether there is a high or low likelihood of potential for odour impacts and whether additional controls and management options may be required to reduce the risk of odour impacts at sensitive receptors.

Given the complexity of potential land use conflicts and multiple odour sources, a comprehensive odour impact assessment is useful for decision making purposes. A comprehensive assessment should ideally include odour emission rates based on measured data and odour management systems at the odour generating facilities within the study area and take into account other odour sources within the precinct. Focus should be on assessment of staged development within the precinct with reduction in odour generating activities within the region as the predominant land use transitions to residential dwellings.

Sources of Air Pollution

While much progress has been made in improving air quality across the Sydney Region, there are two remaining air quality issues of significant regional concern. These are photochemical smog (ground-level ozone) and particle pollution.

Photochemical smog (ground-level ozone) is a secondary pollutant formed in the atmosphere by the reaction of volatile organic compounds (VOC) and oxides of nitrogen (NOx) in hot, sunny weather conditions. In Sydney in the last decade, national ozone standards have been exceeded on up to 15 days per year (1 hour ozone standard exceedances Sydney). The data shows no clear trend for these exceedances, with the gains from technological improvements being generally offset by the continuing growth in other sources.

In the Sydney region, registered motor vehicles and non-road diesel engines (for example, bulldozers, graders, cranes, gantries, etc) are significant human-made sources, contributing around 84 per cent of NOx and 31 per cent of VOC according to the EPA's 2008 NSW Air Emissions Inventory for the Greater Metropolitan Region. Other sources of ozone precursors include EPA-licensed industry, households and commercial businesses

Particle pollution is a priority for the NSW government and the community because exposure can be particularly harmful to human health. The national standard for particle pollution (as PM10) can be exceeded on multiple days in a year in Sydney, with up to 11 days per year in the last decade. Currently there is a national advisory standard for fine particles (as PM2.5). Exceedances of this advisory standard have occurred in Sydney up to 14 days per year. Exceedances can also be associated with extreme events such as bushfires and dust storms. In relation to particle pollution, wood heaters, EPA-licensed industry, registered motor vehicles and non-road engine sources (particularly diesel engines) are the most significant human sources in the Sydney region.

CSIRO modelling has shown that the conditions associated with climate change are likely to result in an increase in the number of days exceeding the ozone standard in Sydney (CSIRO, Cope 2008). Changes to rainfall, temperature and weather patterns may also increase the frequency of dust storms and bushfire related pollution events, leading to higher particle emissions

Sydney's continued housing and economic growth will have implications for the city's air quality. Population growth and higher population densities result in increased emissions, increased exposure to pollution and associated health costs. As urban populations grow, there is the potential for more people to be exposed to local and regional air quality impacted by emissions from construction activities, vehicles, industrial activity, domestic sources such as wood heaters, lawn mowers and other small engine equipment, and the operation of commercial premises such as printers, dry cleaners, spray painters etc.

Impacts of Air Pollution

As discussed above, while Sydney's air quality is good by international comparison, Sydney has exceeded national particle and ozone standards in recent years. Additionally, the International Agency for Research on Cancer (IARC), which is part of the World Health Organization (WHO), has classified diesel engine exhaust as carcinogenic to humans. There are significant long term population health benefits from improving ambient air quality.

Information on the human health effects of air pollution and the benefits associated with reducing particle pollution in Australia can be found in the Impact Statement on the proposed variation to the Ambient Air Quality NEPM and associated documentation, including the Summary for Policy Makers of the Health Risk Assessment on Air Pollution in Australia.

Health research indicates that photochemical smog (ozone) and particle pollution can cause both acute and chronic respiratory and cardio vascular conditions (such as bronchitis, asthma and heart attack). The recent National Enviornment Protection Measures (NEPM) review process also found a national level, long-term

exposure to current levels of PM2.5 were estimated to be associated with around 1,600 premature deaths per annum, with an estimated 520 in Sydney.

In 2013, the EPA released the Air Quality Appraisal Tool (the Tool) which can be used to assess transport related air pollution impacts of proposed developments and alternatives. This tool should be used in justifying air quality benefits when undertaking precinct planning for the project. It is available at: http://www.epa.nsw.gov.au/air/costcurves.htm.

1.2 Recommended Approaches

It is important that any intensification of development in Sydney contributes towards the Government's strategies to improve regional air quality in Sydney. In particular, it must be demonstrated that any development outcome meets the goal of improving or maintaining air quality and the exposure of populations to air pollution emissions must be reduced. This will assist in meeting the actions in a *Plan for Growing Sydney* (DPE 2014).

Any proposed development (construction and operational phases) should meet best practice in relation to the management and control of ozone and particle precursors (NOx, SOx, VOC and particulates). The EPA recommends that this requirement be secured in any Development Control Plan (DCP) for the rezoning.

Managing air impacts associated with Transport Corridors

The strategy states redevelopment of the Camellia Precinct is to foster a new connected and sustainable community through locating new homes near jobs and services with improved access, so that getting around on foot, bike and public transport will be realistic and viable modes of travel. The EPA supports this approach as reducing Vehicle Kilometres Travelled (VKT) can deliver significant air quality benefits.

Areas around road and rail corridors have the potential to be impacted by both air and noise pollution. In general, when undertaking the precinct planning process, the *Development Near Rail Corridors and Busy Roads—Interim Guideline* provides land use planning principles suitable to improve residential environments and minimise exposure to poor air quality near transport corridors. In addition the *Infrastructure SEPP* also provides requirements that need to be satisfied.

James Ruse Drive carries high volumes of traffic, including significant diesel traffic, and the main rail line carries suburban and freight rail traffic. The above guidance should be followed and where feasible sensitive land uses should be set back from James Ruse Drive. If a road reservation exists for potential future widening, sensitive land uses should then be set back from the potential future road.

In addition an existing freight rail line currently transects the area proposed for mixed use residential. While this freight line is proposed to be relocated, until such time it is important that planning controls are identified to prevent development in the vicinity of this rail line as part of land use transition.

Distributed power generation from local combustion sources

There is significant interest in adoption of distributed power generation, including cogeneration and back-up power generation in Sydney. These technologies usually employ combustion of gas or diesel fuel. Gas-fired cogeneration can be one of the most greenhouse-friendly forms of electricity generation using fossil fuels. However, gas and liquid fired distributed generation has the potential to adversely affect local and regional air quality as it can emit significant amounts of NO_x, which reacts in the air to form harmful nitrogen dioxide and ozone. Co-generation should be subject to the requirements of the EPA's Interim Nitrogen Oxide Policy for Cogeneration in Sydney and the Illawarra.

Measures to control emissions from construction and new commercial/industrial development

The proposed strategy involves the development of an employment area which could include a range of new or emerging employment/economic activities which have the potential to produce noise and odours emissions. In this regard, it will be important to ensure as a development outcome that any potential land use conflict issues are prevented and that contemporary environmental standards are met for any new development. To address this issue, the EPA recommends any associated DCP includes the following provisions:

- *Provides measures and approaches that can prevent or minimise household, commercial and industrial emissions of air pollutants (particles, NOx and VOC); and*
- *Prevents land use conflicts from air pollutants including odour emissions through sustainable land use planning.*

There are a range of mechanisms that could be implemented through the DCP to ensure the above air quality matters can be delivered. These include but are not necessarily limited to the following:

- strategies to minimise emissions and impacts from non-road diesel equipment used in construction
- Any proposed development (construction and operational phases) should meet best practice in relation to the management and control of particle emissions (including dust and engine exhaust) and ozone and particle precursors (NOx, VOC and particulates).
- Ensuring compliance with the requirements of the *Protection of the Environment Operations (POEO) Act 1997* and its associated regulations.

2. WATERWAYS AND STORMWATER MANAGEMENT

The EPA recommends the *Land Use and Infrastructure Strategy* should deliver the following environmental outcome:

- *To provide a healthy water environment that includes maintaining and restoring the community's uses and values of waterways through the achievement of relevant water quality objectives.*

2.1 Matters for Consideration

A healthy water environment is essential for maintaining and improving the community uses and values of waterways and in creating more sustainable and liveable cities and suburbs. Healthy waterways and water catchments are integral to the economy and lifestyle of the people of NSW.

The *Parramatta River Estuary Data Compilation and Review Study 2008* states that in general water quality within the estuary was poor with only limited areas of the Parramatta River Estuary considered suitable for secondary contact. Human activities have resulted in elevated levels of nutrients and gross pollutants entering the estuary. Sediment contamination due to urbanisation and industrialisation of the catchment has also had an impact on water quality within the estuary. Extensive alteration of the estuarine foreshore has limited tidal flushing in some areas, further reducing the water quality.

In general the EPA supports the guiding principle for the *Land Use and Infrastructure Strategy* to regenerate Camellia's natural assets, including the Parramatta River and Duck River, to create a clean and healthy environment.

As recognised in the supporting information the *Parramatta River Catchment Group* has recently established a vision to make the Parramatta River swimmable again. Whilst this is a long term objective, the strategy proposes future development in the precinct that will incorporate solutions to deliver regeneration and activation of the river and its foreshores.

The supporting information also states the site is impacted by flooding requiring further modelling and studies to be undertaken to inform future development. Intensification of urban development can also alter the quantity and timing of stormwater runoff which can impact waterways and potentially contribute to erosion and existing localised flooding issues. The EPA recommends that any further studies address this issue.

By considering stormwater management in combination with strategic planning decisions, including growth infrastructure, planning authorities can better manage the impacts of development while supporting the community's desired uses and values of waterways.

Integrated Water Cycle Management, which includes *Water Sensitive Urban Design*, can provide a least cost approach to:

- meeting waterway health and urban amenity needs of the community
- the safe conveyance of local flood waters
- increased opportunities to reduce potable demand through the use of innovative lot and/or precinct scale alternative sources, including stormwater harvesting and reuse.

A healthy water environment includes elements of water quality and quantity, riparian values, and aesthetic and urban amenity considerations. The NSW Water Quality Objectives provide a framework and benchmarks for the community uses and values of waterways and the water quality that is needed to support those uses. This will assist in meeting the actions in a *Plan for Growing Sydney* (DPE 2014)

The *NSW Water Quality Objectives* (WQO) were developed using the *Australian and New Zealand guidelines for fresh and marine water quality* (2000) and are the Government endorsed environmental values and long-term goals for NSW's surface waters. The NSW WQO provide a framework and benchmarks for consideration of community uses and values of waterways and the water quality required to support them. The guiding principles in the NSW WQO state that where the environmental values are being achieved in a waterway, they should be protected; and where the environmental values are not being achieved in a waterway, all activities should work towards their achievement over time.

The NSW WQO also provide a basis for comparing different options to meet water quality goals and ensure that the agreed community values and uses for waterways are recognised as objectives in the planning process. Further information on contributing to improving the health of waterways through strategic planning can be found at: http://www.environment.nsw.gov.au/water/planningusingwqos.htm.

2.2 Recommended Approaches

The EPA considers the *Land Use and Infrastructure Strategy* should deliver an outcome that provides for a healthy water environment that maintains and restores the community's uses and environmental values of waterways. With an already urbanised catchment and greater intensification for growth, opportunities to restore and maintain the community uses and values for waterways where they are not being achieved should be considered.

To address the above issues, the EPA recommends the following requirements be included in any associated DCP for the rezoning to ensure development will achieve the following:

- *To minimise the impacts of urban development on the community's uses and values of waterways including the support of human and environmental health, and provision of amenity and recreational opportunities.*
- *To manage the water quality and erosion impacts of stormwater on receiving waterways and provide opportunities for stormwater harvesting, public open space and recreational and visual amenity.*
- *To facilitate urban development that maximises benefits for the community by supporting liveable and sustainable communities and manages the risks of local stormwater flooding.*

The supporting information states that the development of the precinct will provide opportunities to incorporate water conservation and WSUD. However, the EPA considers stormwater management should also contribute to an integrated approach to water management to support a healthier water environment that considers all relevant impacts and benefits including water quality and erosion, stormwater retention and detention, public open space and recreational and visual amenity. Stormwater management should be considered within integrated water cycle management planning processes.

Where appropriate, all stages of planning and design should be undertaken based on the principals and emerging practices of integrated water cycle management (for example, water sensitive urban design) to optimise opportunities to manage water supply, wastewater and stormwater to meet WQO for waterways. In addition appropriate management of *Acid Sulfate Soils* should be undertaken through the development process.

Planning, design and development outcomes should be guided by a requirement to maintain or contribute to meeting local WQO. These WQO reflect the community's values and uses for waterways and should be considered in the planning process to help ensure that water quality is able to support the community's desired uses for a waterway. Where local water quality objectives will not be met, proponents should consider using offsets to help achieve the required objectives. In this regard the EPA recommends that water quality and flow targets should be developed as part of the precinct planning process and secured in the DCP. These targets would then apply to any new development associated with the precinct. A similar approach is provided in the *Growth Centres* DCPs.

There are several guidelines that should be consulted to assist in meeting the stated environmental outcomes. *The Managing urban stormwater: harvesting and reuse Guideline (DEC 2006)* provides an overview of stormwater harvesting and its potential benefits and limitations. The *Water Sensitive Urban Design* (WSUD) *Guidelines* (Landcom 2009) establishes objectives for water conservation, pollution control and mitigation of the effect of increased flow as a result of catchment urbanisation. The *Managing urban stormwater: soils and construction* series provides a range of information including guidance on erosion and sediment control during construction and other land disturbance activities.

While the EPA supports an integrated approach to water management including the proposed use of water conservation and WSUD techniques, they are reliant on effective maintenance and monitoring into the future. In this regard the EPA recommends that DPE explore opportunities through section 94 contributions or the use of Voluntary Planning Agreements to secure these arrangements, financial contributions and accountable parties through the planning process. This will ensure that the integrated system will have an effective governance structure in place maintained in perpetuity and will continue to meet the expected environmental performance outcomes.

In addition, with significant higher density development being proposed potentially including greater underground basement car parking, these underground activities have the potential to collect significant quantities of contaminated ground waters. This contaminated water requires appropriate collection and treatment or disposal in order to prevent water pollution. The EPA therefore recommends that the DCP also include appropriate provisions requiring sustainable construction techniques that minimise ground water infiltration to basement areas and includes appropriate collection and management techniques that prevent pollution of waters.

Sewage Management

Sydney Water has advised that there would be capacity in the existing system to service initial development in the precinct. However, amplification of the pumping station and downstream assets would likely be required for the full development of the precinct. The EPA recommends that any infrastructure planning to support future development should include information on whether the existing sewerage scheme can cater for any new additional load.

In particular, if increased loads of pollution on the receiving environment result from additional sewage capacity there needs to be identification of what practical and cost effective measures can be taken to maintain or restore the community's uses and values of waterways and protection of public health. This would include sewage overflows from any existing sewage pumping stations and discharges from any existing sewage treatment plant (STP). The EPA considers that for new systems there should be no pollution of waters as a result of overflows during dry weather and that overflows during wet weather should be prevented. Sewage overflows have been identified as one of the major contributors to diffuse source water pollution in the Parramatta River Catchment.

The EPA also recommends the inclusion of the following note in associated planning instruments to alert Council and proponents that EPA licensing may be required for the construction and operation of sewage infrastructure

> *Note: Any development proposing a new sewage treatment system or augmentation to an existing sewage treatment system licensed by the EPA (including construction of sewage reticulation)*

should investigate whether licensing is required under the Protection of the Environment Operations Act 1997.

3. NOISE

The EPA recommends the *Land Use and Infrastructure Plan* should deliver the following environmental outcome:

- *Strategies should be implemented at a local level to ensure noise does not cause adverse impact on health and amenity; and*
- *Noise impacts from land use conflicts should be prevented or minimised through sustainable land use planning.*

3.1 Matters for consideration

The *NSW State of Environment Report 2012* recommends that integrated, coordinated strategic approaches to planning are required to help reduce the noise impacts of population growth in the Greater Sydney Metropolitan Region (GMR). State and local governments need coordinated strategies to ensure that land use compatibility is considered upfront in all planning processes to prevent the generation of noise that has an adverse impact. The report also notes that noise pollution is the second most common type of complaint call received by the EPA's Environment Line.

Planning for new developments should aim to avoid noise-related land use conflicts through initial planning, with appropriate separation of incompatible uses. Urban renewal should be located and designed to minimise noise impacts on residents while recognising the benefits of concentrating housing around transport nodes or corridors and the planning of new release areas should consider potential noise impacts from existing adjoining land uses.

Unless noise is appropriately managed as part of the planning process for residential growth, noise impact can lead to land use conflicts and cause public health and amenity issues.

The Camellia Land Use and Infrastructure Plan

The current land use is predominately industrial/light industrial and the proposal will include development of mixed use residential and mixed use entertainment along with recreation areas. Because the precinct proposes employment and industrial development; is in close proximity to James Ruse Drive and the M4, an existing (and potential) rail corridor, along with the presence of Rosehill Racecourse and Sydney Speedway, there is a significant risk of land use conflict and noise issues.

The proposed precinct layout in the land use and infrastructure strategy places residential areas, adjacent to entertainment and employment areas and transport corridors. There is a lack of land use separation and no clear detail on the likely noise impact of the proposed land use on the residential areas. Although developers can put in place high quality architectural treatment to proposed residential buildings this does not protect external amenity, including the private and public recreation areas.

As indicated in our letter dated 2 July 2014 to Parramatta City Council regarding the *Draft Discussion Paper – "The Future of the Camellia Precinct – March 2014 - Parramatta City Council"* the EPA advised Council that there is a history of noise complaints from nearby residential communities in relation to activities on the Camellia peninsula.

Planning for new development should seek to avoid noise related land use conflicts through initial planning with appropriate separation of incompatible land uses. Where conflicts are likely to arise, management strategies, including noise goals derived from appropriate NSW noise policies and guidelines should be established to manage noise impacts on the amenity of (existing or planned) residential, or other sensitive land use areas.

Sustainable land use planning and careful design and location of new infrastructure and activity will lead to the best outcomes, as the potential to address noise retrospectively is usually limited and more expensive. NSW noise policies and guidelines will identify appropriate noise goals and mitigation. Particular emphasis should be placed on ensuring that residential and recreation areas are compatible with employment, industry and entertainment zones.

3.2 Recommended Approaches

The EPA recommends that an acoustic assessment should be undertaken to ensure potential noise conflicts and cumulative impacts are identified and managed appropriately, and used to inform and support the proposed land uses. Such an assessment will assist in guiding the design and layout of the *Entertainment Precinct* and proposed surrounding sensitive land uses to ensure optimal noise outcomes. The acoustic assessment could consider how noise from events at the Racecourse and Speedway will be managed to minimise impacts on surrounding noise sensitive land uses, while also informing the development of specific noise provisions to be included in any associated planning instrument. The EPA would like to work with DPE to assist in the scoping of this assessment.

Guidelines including the *Rail Infrastructure Noise Guideline* (EPA 2013) and the *NSW Road Noise Policy* (DECCW 2011) provide guidance in relation to land use planning regarding road noise issues. In addition, the *Development Near Rail Corridors and Busy Roads—Interim Guideline* (Department of Planning 2008) also provides planning guidance and recognises the need for judicious land use planning, architectural design, building orientation and good internal layout to achieve acceptable acoustic amenity in close proximity to busy transport corridors. These guidelines should also be consulted when planning for future infrastructure such as road corridors.

A range of noise mitigation strategies can also be implemented at the subdivision design stage to manage unavoidable noise impacts and can include the application of noise control measures into the building design stage to ensure internal noise levels are acceptable. Further information is provided in Section 3.1 of the *Noise Guide for Local Government* (EPA 2013) (http://www.epa.nsw.gov.au/noise/nglg.htm) and Section 3 of *Development Near Rail Corridors and Busy Roads—Interim Guideline* (Department of Planning 2008).

4. CONTAMINATED LAND MANAGEMENT

The EPA recommends the *Land Use and Infrastructure Strategy* should deliver the following environmental outcome:

- *To ensure land contamination is assessed and managed so that the land is suitable for its proposed use and that the contamination does not present an unacceptable risk to human health or any other aspect of the environment.*

4.1 Matters for consideration

Contaminated land can have major economic, legal and planning implications for the community and can limit land use potential or increase costs for developers and councils. Their investigation and clean-up is important to protect human health and the environment.

The *State Environmental Planning Policy (SEPP) 55* states that as part of any land use change process the following key considerations should be addressed when preparing an environmental planning instrument:

- Whether the land is contaminated
- If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used
- If the land requires remediation; will be made suitable for any purpose for which the land will be used.

The proposed *Land Use and Infrastructure Strategy* has identified a range of proposed land uses including mixed use residential, mixed use entertainment, employment, public recreation, heavy industry and transport and activity corridors. These proposed land uses will guide the future redevelopment of the precinct. A key outcome for the strategy is to facilitate the remediation of contaminated land within the precinct.

The strategy's supporting information states that a qualitative analysis has been undertaken to determine a contamination risk ranking for each of the sites in the precinct, based on available information. This revealed that the majority of the precinct is identified as having a medium to high risk of being contaminated and while some contaminants may be localised and site-specific, there is potential for others such as asbestos and hexavalent chromium, to be widespread throughout the precinct.

The EPA has advised the DPE and Parramatta City Council that hexavalent chromium and to a lesser extent chlorinated hydrocarbon and asbestos contamination underlies much of the area proposed for rezoning. While this contamination can be resolved by remediation it will require competent and well-resourced management.

The complexity and challenges involved in managing and remediating contaminated land in the precinct has been highlighted in relation to the recent development application for the remediation of the former James Hardie site at Camellia. The site contains approximately 67,000 cubic metres of asbestos containing material and 10,000 cubic metres of hydrocarbon impacted soil. The application has generated high community concern about the health impacts of asbestos and its management at the site.

The development application has involved extensive engagement with the EPA, Parramatta City Council and the proponent to assist Council in their assessment and determination of the application. The EPA continues to seek information from the proponent to support an EPL application to ensure the proposal can be undertaken in a proper and efficient manner as it presents a potentially high risk to the community and environment.

The EPA in its letter dated the 2 July 2014 to Parramatta City Council regarding the *Draft Discussion Paper – "The Future of the Camellia Precinct – March 2014 - Parramatta City Council"* recognised the importance of a strategic planning approach to address a range of environmental issues including land contamination and its associated management. In particular, the EPA highlighted that further remediation to enable more sensitive land uses would pose significant challenges both technically and financially. Strategies would need to ensure that unacceptable exposures to chromium contamination, as well as asbestos which has been identified on the peninsula, are avoided.

It is important that any strategies to remediate land in the precinct consider learnings from the development of Homebush Bay and Rhodes peninsula. A key issue that arose during the redevelopment of these sites was the approach of remediating and developing individual sites for high density housing. However as sites were developed and occupied, land use conflict arose as adjoining or nearby sites continued to be remediated and developed. There would have been benefit in staging the development in order to prevent such conflict.

4.2 Recommended Approaches

The EPA concurs with the findings in the supporting strategy analysis that there is benefit in adopting a coordinated approach to managing contamination risks and remediation during redevelopment. To support this approach and due to the significance of contamination at the precinct, the EPA recommends the preparation of a *Land Contamination Action Plan*. While this plan would not substitute legal obligations under the *Contaminated Land Management (CLM) Act* and SEPP 55, such a plan would underpin the *Land Use and Infrastructure Strategy* and provide the community, land owners, development industry and government with a clear strategy that includes information, guidance and expectations in relation to land contamination and its management to inform the redevelopment of the precinct.

This is particularly important due to the extent of land contamination across the precinct which extends to nearby waterways and foreshore areas which have been identified for public recreational use. In addition the plan could address strategies including staging, management of any contaminated groundwater and/or stormwater associated with the contaminated lands and management of waste to guide remediation. The EPA would like to work with DPE and its consultants in the development of this plan.

The EPA understands that a further study has been commissioned to undertake a more detailed investigation of the contamination risks in the precinct, focusing on those areas where there is likely to be a change to a more sensitive land use. The study will investigate potential remediation options for the known contaminants and identify indicative costs for the preferred remediation option as remediation is likely to be a significant cost in any future redevelopment and these costs will be considered as part of an economic feasibility analysis for the precinct. The EPA considers that information from this study would also assist in the development of the above plan.

The EPA is concerned that the strategy has not addressed the range of issues identified in the EPA letter to Parramatta City Council dated 2 July 2014. In this regard the EPA recommends that the above study address these matters including but not limited to:

- the adequacy of existing remediation strategies and whether these need to be enhanced or whether additional strategies are required for the range of land uses being proposed including *Employment, Mixed Use Entertainment, Public Recreation and Transport and Activity Corridors.* In particular the strategy involves greater foreshore access which has potential for exposure to land contamination with medium to high risk;
- strategies to manage hexavalent chromium contaminated groundwater;
- management strategies to minimise water infiltration of fill material to prevent chromium contamination of groundwater and stormwater which could impact the Parramatta River; and
- opportunities for staging the redevelopment of the precinct to prevent land use conflict as precincts are remediated and developed over time.

The EPA reminds DPE of the legal obligations under SEPP 55 in that land cannot be rezoned until the requirements of SEPP 55 have been satisfied. In particular, SEPP 55 relates to the following land by way of:

- *land that is within an investigation area*
- *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out*
- *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital-land:*
  - *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out and;*
  - *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

5. WASTE MANAGEMENT

The EPA recommends the *Land Use and Infrastructure Plan* should deliver the following environmental outcome:

Provides sound waste management strategies at a local level which are implemented to achieve the NSW Waste Avoidance and Resource Recovery (WaRR) Strategy addressing the waste management hierarchy of:

- *avoidance of unnecessary resource consumption*
- *resource recovery (including reuse, reprocessing, recycling and energy recovery)*
- *disposal.*

- *Compliments NSW Government's Waste Less, Recycle More initiatives and EPA waste and recycling programs.*

5.1 Matters for Consideration

The EPA recently announced the *Waste Less, Recycle More: Waste and Resource Recovery Initiative.* This initiative is a five year $465.7 Million waste and recycling agenda for NSW that will deliver economic, employment and environmental benefits for local communities and will transform waste and recycling in NSW. The package focuses on the following key areas:

- waste and recycling infrastructure package

- supporting local communities
- combating illegal dumping
- tackling litter
- improving the operation of the waste levy.

The above new initiative includes a *Waste and Recycling Infrastructure Package* that commits $250 Million over five years to assist in the planning and implementation of key infrastructure. This includes new large-scale waste and recycling infrastructure to support communities that pay the waste levy, recycling facility upgrades, drop-off centres, food and garden organics processing, and recycling innovation, as well as support for businesses to increase recycling on site.

In addition, the initiative also provides approximately $138 Million over five years to help Councils support their own waste and recycling initiatives for their local communities, and makes available at least a further $219 Million in contestable grants.

5.2 Recommended Approaches

As part of the above initiatives the *Western Sydney Regional Organisation of Councils Ltd* (WSROC) which includes Auburn, Bankstown, Blacktown, Blue Mountains, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta, and Penrith LGAs has recently obtained grant monies to develop and implement a regional waste strategy within the next four years. It is anticipated that this strategy will identify the range of wastes managed and handled across the LGAs including waste management and recycling constraints, identify opportunities for their improvement, and to provide key recommendations to inform the EPA and Councils on future infrastructure needs and improvements. Ensuring these initiatives are implemented will be important to ensure waste actions in a *Plan for the Growing Sydney* will be delivered.

The management of waste will be a significant challenge for Western Sydney especially in LGAs where there will be an expected increase in employment, population and housing growth over the next 20 years. However the supporting information does not provide any discussion nor any strategic vision on how this will be achieved. The EPA considers the development of the Camellia Precinct provides an opportunity to include appropriate provisions to guide the management of waste to accommodate future growth, especially future waste and recycling infrastructure needs for the Sydney GMR. As identified in our letter dated 2 July 2014 to Parramatta City Council regarding the *Draft Discussion Paper – "The Future of the Camellia Precinct – March 2014 - Parramatta City Council"* the three waste facilities on Camellia Peninsula are important to meeting inner western Sydney's recycling needs and the NSW government's objectives and targets. The EPA also recommends that DPE should discuss with WSROC the progress of the above strategy and explore how it could inform precinct planning of the area.

<u>Development Control Plan</u>

The EPA has developed information to improve waste management associated with new development. In this regard, DPE should consult the *Waste Not Development Control Plan Guideline* (EPA 2008) to assist in guiding the development of suitable provisions in relation to the development of any proposed DCP. This guideline also provides suggested planning approaches and conditions for planning authorities to consider at the development application phase in relation to waste minimisation and resource recovery. This includes consideration of demolition and construction waste and the provision of facilities and services to allow the ongoing separation, storage and removal of waste and recyclables. In particular these provisions should include but not necessarily be limited to:

- *Any waste generated during demolition and construction needs to be classified in accordance with the EPA's Waste Classification Guidelines and managed in accordance with that classification.*
- *Waste management planning for the new development needs to consider any regional waste management strategies.*

Waste and its management will be an important consideration and requires careful planning as land is remediated to ensure activities are undertaken to meet legal requirements. The EPA legislation and guidelines should be consulted.

In addition, the EPA also recommends that any DCP include the following guidelines to assist the development of waste management strategies:

- The *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (EPA, December 2012). This guide can be accessed at: http://www.epa.nsw.gov.au/warr/BPGuideCIFacilities.htm.
- The *Better Practice Guide for Multi-Unit Dwellings provides waste management strategies for multi- unit residential developments (DECC 2008).* This guide can be accessed at: http://www.epa.nsw.gov.au/warr/BetterPracticeMUD.htm.
- The *Better Practice for Public Place Recycling* (DEC 2005) provides information on standards for recycling systems in public places, such as parks, shopping centres, footpaths, bus-stops, etc. This guideline can be accessed at: http://www.epa.nsw.gov.au/warr/publicrecycling.htm.

NSW GOVERNMENT | Department of Primary Industries

OUT16/9029

Jacky Wilkes
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Ms Wilkes,

RE: Public Exhibition of a Planning Proposal for land at 181 James Ruse Drive, Camellia

I refer to your letters of 12 January 2016 to DPI Water and 22 January 2016 to DPI Fisheries inviting comment on the above planning proposal.

The planning proposal seeks to amend the *Parramatta Local Environmental Plan 2011* as it applies to 181 James Ruse Drive, Camellia, also known as the James Hardie site. The site adjoins the Parramatta River and is fringed by a relatively wide band of mangroves below the mean high water mark. The Parramatta River is classified as 'Major key fish habitat' and mangroves as 'Moderately sensitive key fish habitat' under pages 18 &19 of DPI Fisheries' *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* (hereafter referred to as the P&Gs). The proposal also may facilitate development that requires a controlled activity approval from DPI Water.

DPI's key recommendations, taking into account comments from both DPI Fisheries and DPI Water, are:

- A riparian buffer zone of 40 metres should be established consistent with DPI Fisheries' aquatic habitat protection guidelines and DPI Water's controlled activity guidelines. The proposed reduction in the width of the Foreshore Building Line from 30 m to 25 m will reduce the riparian buffer zone benefits.
- DPI recommends that riparian land at the site is zoned E2 (Environmental Conservation) to ensure the riparian corridor is protected, especially as the river foreshore and the area of the site adjacent to the Parramatta River is designated as a Wetland Protection Area under Sydney Regional Environmental Plan (Sydney Harbour Catchment).
- On the basis of information provided, DPI does not support the proposed scale of mangrove harm or the associated offset strategy. As the foreshore remediation will involve the harm of mangroves and this activity is regulated under the *Fisheries Management Act 1994* (FM Act), DPI Fisheries' advice regarding the harm of mangroves and associated offset strategy should be considered in any endorsement of the foreshore remediation works.

Detailed comments from DPI Fisheries are at **Attachment A**. For further information regarding DPI Fisheries' comments, please contact Carla Ganassin, Resource Assessment Officer (Metro), on (02) 4222 8342.

Detailed comments from DPI Water are at **Attachment B**. For further information regarding DPI Water's comments, please contact Janne Grose, Water Regulation Officer, on (02) 8838 7505.

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DPI requests to be notified when the draft Development Control Plan and draft Voluntary Planning Agreement which support this proposal are placed on public exhibition.

Yours sincerely

Brendan Fletcher

Brendan Fletcher
A/Manager Assessments
Department of Primary Industries
22 February 2016

Attachment A: DPI Fisheries Comments on Planning Proposal for 181 James Ruse Drive, Camellia

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed this planning proposal in light of the *Fisheries Management Act* (FM) *1994* and the P&Gs stated above and provides the following comments:

Site remediation clause

The introduction of a clause to ensure the entire site and river foreshore is effectively remediated to the satisfaction of the consent authority prior to development consent being granted on this land is proposed as part of this planning proposal.

As the planning proposal only relates to land to be zoned RE1 and B4, this clause appears to only apply to development on land above the mean high water mark at the site. It does not appear to apply to adjoining land below the mean high water mark zoned W2 under the *Parramatta Local Environmental Plan (2011)*.

The planning proposal does not provide a clear definition of what is intended by 'river foreshore' in this clause. The definition of river foreshore should be clarified, based on the intended use of the land which falls under this planning proposal only and a more detailed assessment of asbestos contamination below the riverbank.

No clear justification has been provided to remediate the foreshore area to the mean low water mark. Note that significant assumptions have been made in the assessment of contamination levels in mangrove habitat (see section below), and further finer scale information can and should be obtained and considered in proposing the remediation methodology and associated harm of mangrove habitat. DPI Fisheries will be requiring such additional information prior to authorising any harm of mangroves associated with foreshore remediation activities at the development application stage.

Harm of mangroves

The Riverbank Management Plan (RMP) appended to this planning proposal, suggests that the foreshore zone is to be remediated to the mean low water mark, involving the clearing of 3622m^2 of mangrove habitat. It is not clear whether this area includes all or part of the mangrove habitat adjacent to the subject site.

Harm of mangroves is regulated under s.205 of the FM Act. Permits to harm mangroves are only issued by DPI Fisheries in accordance with the P&Gs and there must be a clear justification for the proposed scale of harm. Harm of mangrove habitat is to be compensated a ratio of 2:1 and this will be a condition of Fisheries authorisation of any mangrove harm for the foreshore remediation works. The RMP states that this proposal will not be required to achieve this offsetting ratio, but this is not the case. It should also be noted that an environmental bond may apply to these works.

DPI Fisheries is significantly concerned about the proposed harm of mangrove habitat at this site as:

- no clear justification for the proposed scale of mangrove removal has been provided;
- the proposed offset strategy has not been supported by DPI Fisheries and it does not comply with the P&Gs 2:1 offset requirements; and
- the success of mangrove revegetation measures could be compromised by ferry wash in the area, having flow on impacts to riverbank stability and the ecology of the river. For this

reason an environmental bond may be required as part of any DPI Fisheries approval for these works.

DPI Fisheries notes that previous core sampling in the riparian zone to assess contamination levels was undertaken directly next to the existing steep riverbank which consists of dumped asbestos, loosely covered in geotech fabric. Asbestos would be expected in the cores immediately adjacent to the bank. Although techniques to core within mangrove roots are available, no further core sampling was undertaken within the mangrove habitat closer to the river.

In the absence of core drilling within the mangrove habitat, the cross-section schematic of the foreshore remediation area assumes that 0.5 m of asbestos containing material is likely to lie below the mangrove root zone at this site. Analysis of imagery from the Six Maps website shows mangrove forest existed along most of the subject site in 1943. It is likely that mangrove trees growing along this site in 1943 are still present today. Mangroves form a thick mat of roots which protect the riverbank and intertidal zone, and these roots were likely to be established along this site (excluding the area abutting Lot 2 DP 549496 and Lot 25 DP 6856) prior to the dumping of asbestos along the riverbank. This fact does not appear to have been considered in the assumption regarding contamination below the mangrove root zone. A more accurate description of the distribution of asbestos within the mangrove habitat is required to refine and justify the scale of harm of mangrove habitat.

The proposed foreshore remediation strategy should consider techniques that do not involve the complete removal of mangrove habitat along this site and are based on the actual asbestos distribution and risks to human health in the foreshore zone. Alternatives such as the spot removal of embedded isolated pieces of asbestos and others should be considered. Where possible, the proposed foreshore remediation strategy should aim to protect the riverside edge of mangroves from harm. These mangroves will reduce erosion risks to the river bank and aid the restoration of inshore mangrove habitat.

Any endorsement of the foreshore remediation works should consider DPI Fisheries' advice regarding the harm of mangroves and the associated offset strategy. The cost of achieving a 2:1 offset at this site needs to be considered up front in planning these works. Part of the offset strategy should seek to remediate the total area of mangrove forest that currently exists on site. Note that plans of the proposed offset works, including the area of mangrove and saltmarsh habitat to be restored and associated bank protection works and rock fillets, need to be submitted as part of the offset strategy. Endorsement of this strategy by DPI Fisheries will be required as part of the approval proposal for the foreshore remediation works. DPI Fisheries currently does not support the propose scale of mangrove harm and the associated offset strategy.

<u>Riparian buffer zone and indicative treatment of land below the Mean High Water Mark</u>

DPI Fisheries recommend a 40 m wide riparian buffer zone is established at this site. Note that this is aligned with DPI Water's buffer zone requirements. Riparian buffer zones extend from the top of the riverbank and play an important role in foreshore protection, water quality treatment and aquatic ecosystem functioning. Given the proximity of high density residential development, the riparian zone at this site will also play an important role in protecting the adjoining aquatic habitat from edge effects.

The proposed reduction in the width of the Foreshore Building Line from 30 m to 25 m will reduce the riparian buffer zone benefits, particularly in terms of protecting natural foreshore processes. Justification for this proposed change is based on a revised assessment of the Mean High Water Mark. DPI Fisheries questions whether this amended assessment has considered that the current riverbank at this site has been added to by asbestos dumping activities and the location of the Mean High Water Mark may move inshore once the riverbank has been remediated.

The proposed RE1 zoning of the riparian zone should include an aim to protect and enhance the ecological values of the riparian zone along the Parramatta River. This will greatly assist in protecting the key fish habitat values of the Parramatta River.

DPI Fisheries P&Gs (section 3.2.4.2(3)) require the design of riparian buffer zones to incorporate the maintenance of lateral connectivity between aquatic and riparian habitat. Also, the installation

of infrastructure, terraces, retaining walls, cycle ways, pathways and grass verges within the riparian buffer zone should be avoided or minimised.

The indicative treatment of the riparian buffer zone as shown in the Landscape Master Plan for this proposal is not supported by DPI Fisheries, for the following reasons:

- Lateral connectivity between the aquatic and riparian habitat is compromised by a boardwalk which seems to run along the edge or below the riverbank;
- The waterway access structures below the Mean High Water Mark run along the intertidal zone and will significantly reduce the area of mangrove habitat that will be required to be remediated as part of any mangrove harm permit issued for these works;
- The proposed location of saltmarsh benches below the Mean High Water Mark are likely to require reclamation in order to survive and this reclamation will be is contrary to Fisheries P&Gs;
- There appear to be numerous paths and terraces in the riparian buffer zone, especially close to the river; and
- There appears to be little restoration of riparian habitat values, through the planting of native species, especially directly adjacent to the river.

DPI Fisheries recommends that foreshore boardwalks are set back from the top of the riverbank and treatment of this zone incorporate planting of native riparian buffer adjacent to the river. DPI Water's requirements for the treatment of riparian buffer zones should also be complied with.

The treatment of land below the Mean High Water Mark will largely be determined by the mangrove offset strategy, once it has been agreed upon by DPI Fisheries. The aim of this will be to predominantly restore the existing heritage listed mangrove habitat on a like for like basis, with potential for some planting of saltmarsh on the appropriate tidal heights of the riverbank only. This saltmarsh should be set back from the existing riverbank and not encroach upon the current area of mangrove habitat, as proposed in the Indicative Landscape Plan. Access points to the river through the mangrove area are to be minimised and must run perpendicular to the riverbank to reduce shading of areas suited to mangrove growth.

It is recommended that the landscape plan for this site achieves better environmental values and aims to protect and enhance natural foreshore processes.

<u>Acid Sulphate Soils</u>

It is noted in the planning proposal that an acid sulphate soil management plan will be prepared. This needs to specifically consider the potential excavation of Actual Acid Sulphate Soils in a tidally affected environment. This activity should be conducted according to best practice, with appropriate mitigation measures, to ensure that there are no acid related impacts to the Parramatta River during and following construction works.

End of Attachment A

Attachment B: DPI Water Comments on Planning Proposal for 181 James Ruse Drive, Camellia

DPI Water provides the following comments.

Proposed variation of the existing 30 m foreshore building line

The Planning Proposal seeks to reduce the existing 30 m wide Foreshore Building Line (FBL) that applies to the land to 25m. DPI Water's *Guidelines for Controlled Activities on Waterfront Land* (DPI 2012; Controlled Activity Guidelines) recommend a 40 m wide riparian corridor width is established along a 3th order or greater watercourse (the Parramatta River is a 4th order watercourse at this location).

In tidal areas DPI Water measures the width of riparian corridors from the Mean High Water Mark (MHWM). The Council (Development) report indicates the proponent has undertaken a survey of the MHWM. Until this MHWM is approved and registered by DPI - Lands, the width of the riparian corridor should be measured landward from the existing MHWM.

The Masterplan notes the riparian zone will comprise pedestrian links, active and passive recreation areas, foreshore parks, foreshore pedestrian cycleway and forum (page 6). Figures 15-18 and Figures 21-23 in the Masterplan show large open areas of turf are proposed in the foreshore park (pages 31-35 and 39-41).

The Controlled Activity Guidelines provide that the inner riparian area should be fully protected and vegetated with native endemic riparian plant species. At the Camellia site, the inner riparian area corresponds to a 20 metre wide setback (measured from MHWM). The Masterplan indicates a boardwalk is proposed through the mangrove and saltmarsh communities along the foreshore area. The Controlled Activity Guidelines provide that recreational uses (such as the playground areas, turf areas, boardwalks and paths etc.) should not be located in the inner riparian area.

The Controlled Activity Guidelines allow 50% of the outer vegetated riparian zone width (where appropriate) to be used for non-riparian uses (including recreational uses) but any encroachments into the outer riparian zone must be offset by an equivalent area connected to the riparian corridor on the site. It is recommended any proposed areas of encroachment are identified as part of the planning stage to ensure these areas are adequately offset and a sufficient area of land is made available to provide a fully vegetated riparian corridor.

If the proposed rezoning is approved to allow part of the site to be rezoned B4 (Mixed Use development), clarification is required as to whether the future development is to be lodged as a DA with Council, or as a State Significant Development. If a DA is to be lodged, amending the planning proposal to be consistent with the Controlled Activities Guidelines will assist the proponent at the DA stage to obtain a controlled activity approval (CAA) for the site.

Works consistent with the Guidelines are eligible for streamlined assessment, while those that do not confirm to the guidelines will be subject to merit assessment in accordance with the *Water Managemebnt Act 2000*.

Site remediation clause

The Planning proposal proposes to include a clause within the Parramatta LEP 2011 to provide that development consent must not be granted for development on the subject land unless the consent authority is satisfied that the entire site and river foreshore will be remediated ... (see pages 8 and 10). It indicates the remediation of the foreshore involves the removal of contaminated soils and mangrove vegetation and restoration and revegetation (page 25). DPI Water is concerned that the proposed removal of existing mangroves from along the foreshore could cause risks to the river bank shape and profile, river bank stability and river health. It should be demonstrated that the mangrove vegetation is contaminated and that removal of the mangroves is required.

Zoning of Riparian Corridor

The proposed rezoning of the site provides an opportunity to protect and enhance riparian land along the Parramatta River at the site.

The Planning Proposal proposes to rezone part of the site that fronts the Parramatta River to RE1 so as to allow it to be used for public recreation purposes. DPI Water recommends that riparian land is zoned E2 (Environmental Conservation) to ensure it is protected and rehabilitated, particularly as the foreshore and the area adjacent to the river is designated as a Wetland Protection Area under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and is environmentally sensitive.

If riparian land at the site is zoned RE1, it is recommended the objectives of the RE1 zone are amended to include a specific objective to protect and enhance riparian land, e.g.:

- *to conserve, protect and enhance the natural environment including aquatic habitat and riparian land*

The Planning Proposal and accompanying documents provide differing total areas for the public open space on the site, for example:

- The Planning Proposal refers to 9570 m^2 RE1 zoned land (page 6).
- The Planning Proposal indicates the proposed RE1 Zone is 8861 m^2 (Table 2, page 8).
- The Planning Proposal refers to 8166 m^2 of land zoned RE1 (page 36).
- The Council (Development) report (dated 11 May 2015) at item 178(d) refers to a 9750m^2 foreshore park.

It is recommended the total area of land to be zoned RE1 within the riparian corridor be clarified.

Depiction of Planning Proposal

It is recommended a scaled plan is provided which shows the location of:

- Parramatta River; the Wetland Protection Area under the SREP (Sydney Harbour Catchment) 2005
- MHWM
- the existing 30 m wide FBL and the proposed 25 m wide FBL
- the 40 m wide riparian corridor setback in accordance with the Controlled Activity Guidelines and location of the 20 m wide inner riparian setback area
- areas of proposed rehabilitation of riparian vegetation, areas of proposed encroachment into the outer riparian area and riparian offset areas
- the location and total area of existing mangroves; the location and total area proposed for replanting mangroves; the location and total area proposed to establish Coastal Saltmarsh species
- the site boundary
- the proposed RE1 zone.

Ownership and Management of riparian corridor

The Masterplan notes the riparian zone will be dedicated to Council. DPI Water supports this.

Groundwater

The Remediation Action Plan notes that dewatering of excavation areas is likely to be required during the remediation works (page 38). Temporary construction dewatering currently remains licensable under the *Water Act 1912*. The Planning Proposal indicates future residential development of the site will require basement car parking. A licence for temporary construction dewatering activities may also be required under Part 5 of the *Water Act 1912* for the future development which includes basement car parking.

A key requirement of the licence application will be to provide a clear prediction of the total volumes of groundwater likely to be dewatered, as well as detailed justification and explanation of

methodologies to support that prediction. Details of water management and disposal during dewatering operations will also be required to support the application for dewatering authorisation from DPI Water. The accompanying investigations must consider the potential mobilisation of any groundwater contamination.

Any future development of the site should include an assessment under the Aquifer Interference Policy. Permanent or semi-permanent pumping/extraction of the groundwater should be avoided, and if unavoidable will require adequate groundwater entitlement under the *Water Management Act 2000*. DPI Water recommends adequate construction methods to permanently seal any subsurface voids.

End of Attachment B

NSW GOVERNMENT | Office of Environment & Heritage

DOC16/23325
RZ/5/2012

Ms Jacky Wilkes
Senior Project Officer - Land Use Planning
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Dear Ms Wilkes

Request for comments on public exhibition of Planning Proposal for James Hardie site at 181 James Ruse Drive, Camellia

I refer to your letter received 18 January 2016 by the Office of Environment and Heritage (OEH) seeking comments on the public exhibition of the Planning Proposal (PP) for the James Hardie site at 181 James Ruse Drive, Camellia.

OEH has reviewed the relevant documentation and provides the following comments in relation to flooding and Aboriginal cultural heritage.

Flooding

OEH has reviewed the Flood Impact Report for the PP prepared by National Project Consultants Pty Ltd and dated September 2014. The report states that vehicular access to basement car parking would have entry crests at the 100yr flood level plus 0.5m. Flood levels for this area are based on a limited flood model prepared by consultants Mott MacDonald in the Camellia West Flood Assessment report dated August 2012, which is calibrated against a flood levels from an earlier Lower Parramatta River Floodplain Risk Management Study (SKM, 2005).

Council has recently engaged consultants to create a new more detailed and accurate flood model for the Parramatta River whose final flood levels may vary from those predicted in the simpler one-dimension SKM flood model. Further, the SKM model did not include overland flooding which can cause localised increases in flood levels. Given that the flood levels may be revised once Council has completed its current flood study and to allow for the effects of waves caused by vehicles, it may be prudent to design the basement vehicular access crest level at the 100yr flood level plus 1.0m. Regardless of which access crest level is chosen, as part of a future DA for the site the basement carpark structure would also need to be sealed to prevent water ingress up to a level equal to the crest level.

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Level 6, 10 Valentine Ave Parramatta NSW 2150
Tel: (02) 9995 5000 Fax: (02) 9995 6900
ABN 30 841 387 271
www.environment.nsw.gov.au

Aboriginal Cultural Heritage

OEH notes that the PP does not address Aboriginal cultural heritage (ACH) and that OEH has not previously provided comments in this regard.

OEH acknowledges that the site is significantly contaminated and will be subject to remediation under DA/750/2013. However, a review of the Aboriginal Heritage Information Management System (AHIMS) indicates that there is a registered Aboriginal site to the south of the James Hardie site on the southern side of Grand Avenue North (45-6-2559). As a result, it is recommended that an assessment be undertaken to determine the likelihood of Aboriginal objects being present. The assessment should be informed by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECCW, 2011).

If you have any queries regarding this matter please contact Dana Alderson, Conservation Planning Officer, on 8837 6304.

Yours sincerely

S. Harrison 16/02/16

SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney Region

Contact officer: DANA ALDERSON
8837 6304

WESTERN SYDNEY
UNIVERSITY

19 February 2016

Attention: Jacky Wilkes – Senior Project Officer
Land Use Planning
Parramatta City Council
P.O. Box 32 Parramatta
NSW 2124

Ref: RZ/5/2012

RE: WESTERN SYDNEY UNIVERSITY'S SUBMISSION

181 JAMES RUSE DRIVE, CAMELLIA PLANNING PROPOSAL

The University provides the following response to the proposal for 181 James Ruse Drive, Camellia (22 December 2015). The University's Parramatta Campus is located north of the subject site. The Planning Proposal seeks amendments to the Parramatta Local Environmental Plan 2011 to:

- Rezone the site from B5 Business Development zone to part B4 Mixed Use zone and part RE1 Public Recreation zone;
- Increase the maximum building height from 9 and 12 metres to 35 metres (8 storeys) and 126 metres (40 storeys) over the proposed B4 zone only;
- Increase the maximum floor space ratio from 1.5:1 to 5.3:1 over the proposed B4 zone only;
- Reduce the foreshore building line from 30 metres to 25 metres; and
- Insert local clauses that propose to deliver design excellence and ensure appropriate remediation of the site.

The proposed building heights, nature of the contaminants, and the remediation works required may impact the University's Parramatta campus at Rydlemere immediately south of Parramatta River due to the development's close proximity.

Zone Change

The University has no objection to the proposed rezoning of 181 James Ruse Drive, Camellia to a B4 Mixed Use zone and RE1 Public Recreation zone.

Site Remediation

The University's priority is to ensure that the contamination on site is properly remediated, contained and not permitted to affect the Parramatta campus in any way. With this in mind, the proposed rehabilitation and adaptive reuse of the land is supported. However concern is raised that the timing of this Planning Proposal comes before a development application for the remediation of the foreshore is considered and approved. The University would again like to reconfirm that remediation works do not expose students and staff to any contamination risks

Building Height

The University strongly objects to the proposed height increase. The extent of the increase, from 9 and 12 metres to **35 and 126 metres**, is considered excessive, unjustified and intrusive to the character and amenity of the area.

The proponent lodges very little justification for the unwarranted and disproportionate height of the proposed skyscrapers. The Planning Proposal states that these heights are *"broadly consistent with the draft land use concept plan within the Camellia Discussion Paper"*, however the outline for the Camellia Precinct under the *Land Use and Infrastructure Strategy* outlines that while mixed land use may be desirable, the density and building height should be determined based on amenity considerations that inform the desired future character of the area:

> *"Mixed Use / Residential Mixed use residential development is to be considered... Buildings heights will identify gateways...and desired future character."*

Building Height, Views and Places of Heritage Significance

The Sydney Regional Environmental Plan for Sydney Harbour Catchment (SREP) states that development *"should maintain, protect and enhance views; and the scenic quality of foreshores and waterways."* Development is required to *"minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items; and should not detract from the character of the waterways and adjoining foreshores."*

The Planning Proposal says that *"consideration has been given both to the foreshore building line and the height of buildings adjacent to the foreshore"* and that "minimal" impact is expected. Our view is that building heights of 126 meters are not "appropriate" or desirable in this area where they would impose on the setting and surrounds. Buildings of this scale are more appropriate in the central business district of Parramatta.

The Parramatta campus of The University is a State Significant Heritage Site which encompasses several structures of significant heritage value, including the Female Orphan School. The proposed height of the buildings on the subject site is inappropriate as these will dominate sightlines from these landmark places, reducing the heritage amenity of the campus.

These proposed 126 metre building heights will appear particularly obnoxiously prominent as there are currently no existing developments of similar scope in the area. The B1 Residential Tower in Church Street, Parramatta stands 90 meters tall and is located approximately 2.5 kilometers from the subject site.

The Foreshore

The redevelopment of this site has the opportunity to create a picturesque river foreshore that offers interplay between public and private spaces. The University supports the proposed upgrades to the river foreshore and the approach which will provide public open space along the river. The Planning Proposal states that *"the foreshore area adjacent to the river will be dedicated to Council for the purpose of public open space, enabling improved views to the river from a currently privatised space"*. Improving connections and creating active travel links is encouraged by the University; the proposed bridge link pedestrian walkway to the campus is supported.

The Department of Planning and Environment *Camellia Precinct Strategy* envisages development *"enhancing public access and public ownership of the Parramatta River foreshore"*. Facilitating pedestrian and bike access connections between the Rydalmere campus, the river foreshore and Parramatta CBD is in line with this objective. Conversely, forty-story towers which will dominate and overshadow the river do not achieve this aim.

Densities and Future Growth

The University does not object **to an increase of development density** on this site. The floor space ratio, therefore, is less cause for concern than the proposed height of buildings. The University endorses the development of the Parramatta to Homebush urban renewal corridor and the creation of positive urban form and connectivity. We support the concept of urban renewal on the subject site, which has the potential to achieve a high development density. The form proposed, specifically in regards to height of building, needs to be reconsidered in the context. The current 126 metre proposed building height we believe to be extreme, incongruous and the arguments for which poorly substantiated.

The Planning Proposal briefly discusses how the proposed building height was nominated; it appears this occurred for primarily economic reasons:

> *"In relation to density, the Urban Design Report indicated that the site requires adequate development capacity to support the extensive remediation required to rehabilitate the site."*

Rather than achieve an amenable urban design which is appropriate in the setting, this building form has been chosen to recoup the cost of necessary site contamination remediation:

> *"The proponent's studies supported a building height of 50 metres (14 storeys) for foreshore buildings and 113 metres (35 storeys) for the remainder of the land proposed to be zoned B4 Mixed Use, along with a FSR of 5:1 (November 2014 versions)."*

The picture included below is from The Department of Planning and Environment *Land Use and Infrastructure Strategy - Camellia Precinct*. This is indicative of the development foreseen for the area. Whilst a broad indication of the development scheme, this illustration shows plainly that 126 metre towers were not imagined for the subject site.

Indicative development scenario - for discussion purposes only

Conclusion

The University would like to participate as a strategic stakeholder in ongoing consultations regarding the rezoning and development of 181 James Ruse Drive. Establishment of a suitable, integrated urban design for this site is critical to The University's Parramatta Campus as this may directly impact campus amenity and livability in proximity to the University.

For further discussions please contact me on the number below.

Yours sincerely,

Ashley Richards

Planning Manager, Commercial and Estate Planning

(02) 4570 1863

NSW GOVERNMENT | Education

DOC16/87960

Mr Greg Dyer
Chief Executive Officer
Parramatta City Council
Attention: Jacky Wilkes – Senior Project Officer Land Use Planning
Ref. No. RZ/5/2012

By email: council@parracity.nsw.gov.au

Dear Greg,

Public exhibition of a planning proposal for the land at 181 James Ruse Drive, Camellia (James Hardie site)

Thank you for the opportunity to provide a submission in response to the planning proposal for land at 181 James Ruse Drive, Camellia. We have reviewed the documents with reference to the impact on educational infrastructure in Parramatta LGA and identified potential growth opportunities which can be explored.

Background

We recognise that the government must balance competing funding priorities for the state at a time when the public school population is rising at a fast pace. In order to accommodate this growth, fundamental changes are required in how the Department of Education (DE) plans, funds and builds school infrastructure into the future. DE is managing this by realigning its asset portfolio to better match this demand over the long term through better strategic planning and partnerships.

On a state-wide basis, the Department is supportive of the shift in planning decisions and policies which encourage:-

- the infrastructure costs of additional teaching spaces and associated facilities to be funded by developer contributions;
- optimising size, amenity and function of existing schools so that they afford greater choice and provide contemporary teaching spaces for students;
- facilitating out of hours shared use of education facilities such as ovals and halls;
- the removal of planning policy barriers to schools development;
- land dedications and appropriate zoning in areas where a new school is required;
- streamlined planning approvals for new education infrastructure.

NSW Department of Education– Asset Management Directorate
Level 4, 35 Bridge Street Sydney NSW 2000 GPO Box 33 Sydney NSW 2001 T 02 9561 8000 F 02 9561 8077
www.det.nsw.edu.au

The Planning Proposal
DE has no specific objection to the proposal; however the proposed density of 40 storeys will result in a substantial increase in population and significant challenges for DE to plan for future school growth. Public school student numbers in the Parramatta LGA have progressively grown over the last decade and are anticipated to continue to increase rapidly.

Camellia is a distinct precinct located on the eastern side of James Ruse Drive and bounded by Parramatta River and Duck River. We are mindful that there will be substantial development in the 320 hectare precinct, and future projects will increase density and add further pressure on our schools. This presents an opportunity for a new community, with its own local facilities. As such, we consider it necessary to identify suitable options within the precinct to cater for student growth.

Voluntary Planning Agreements
Funding for school infrastructure at a time where land availability in the Parramatta LGA is limited and entry costs are high is a challenge. DE is exploring a number of options to build greater school capacity in the area. Consequently, funding some infrastructure costs through developer contributions or land dedications can be considered. Should the opportunity arise, DE would be responsive to enter into negotiations with NSW Planning and Environment, City of Parramatta and developers for the granting of VPAs (at this site or alternate sites).

Opportunities
As Sydney's population grows, so does the demand for community facilities and sports fields. Schools, local councils and community organisations all have resources they could share to help meet this demand whilst improving community relationships and fostering social cohesion.

DE is also intent on exploring broad-spectrum opportunities with Council, other government bodies and community partners for joint or shared use of community facilities such as before- and after-school care, early learning centres and child care, gyms, public open space, sports fields and recreation, community infrastructure, such as libraries and other civic facilities and social assets.

Thank you for the opportunity to comment on the planning proposal, and we look forward to working with the City Of Parramatta to facilitate better community outcomes throughout the LGA.

Please contact Lesley Moodie, Senior Assets Planner on (02) 9561 8255 or Lydia Awad, Statutory Planner on (02) 9561 1130 should you require further information.

Yours sincerely

John Neish
Director, Planning & Demography
25th February 2016

c/c Ms Ann- Maree Carruthers, Director, Urban Renewal, Department of Planning & Environment
c/c Ms Caitlin Elliot, Senior Planner, Urban Renewal, Department of Planning & Environment

NSW GOVERNMENT Health
Western Sydney
Local Health District

WSLHD Ref: 16/2726

Ms Jacky Wilkes
Senior Project Officer – Land Use Planning
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Email: jwilkes@parracity.nsw.gov.au

Dear Ms Wilkes,

WSLHD response to planning proposal for 181 James Ruse Drive, Camellia

Thank you for your correspondence dated 13 January 2016 addressed to Mr Danny O'Connor, Chief Executive of the Western Sydney Local Health District (WSLHD) regarding the planning proposal for 181 James Ruse Drive, Camellia. I have been asked to respond on Mr O'Connor's behalf.

I understand that WSLHD has been in discussions with Parramatta City Council regarding potential development of this site intermittently since at least 2013. I am aware that the site is heavily contaminated with asbestos and industrial waste and will require extensive remediation prior to building a residential housing structure.

As per the attached Centre for Population Health WSLHD report that was emailed on 2 March 2016, there is concern about the proposed increase in the size and population density at 181 James Ruse Drive. While accepting there are no clear guidelines for what constitutes healthy density, there is a recommendation to consider a more modest proposal with reduced height and more consideration of the health and wellbeing of older residents and families with young children. We would also welcome more details of the social infrastructure and amenities, transport and air pollution impacts of the proposal.

In addition, there is an aspect to the population increase that requires clarification in relation to our health services planning. The planning for Westmead Hospital Redevelopment used the May 2014 release of population projections from the NSW Department of Planning and Environment. If this population increase at Camellia is over and above those projections then this could impact planning of public sector health services. Your advice on this aspect of the proposal is sought.

I appreciate the opportunity to respond to this planning proposal and look forward to being kept informed of the next steps in the future planning for this site.

Western Sydney Local Health District
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Tel. (02) 8890 4444
WSLHD-WAGM@health.nsw.gov.au

If you would like further information about this submission, please contact Associate Professor Stephen Corbett on 9840 3603 or stephen.corbett@health.nsw.gov.au or alternatively Ms Maureen Fitzpatrick, Director of Health Services Planning and Development on 8890 8898 or maureen.fitzpatrick@health.nsw.gov.au

Yours sincerely,

Andrew Newton
General Manager Westmead
General Manager Auburn

Date: 4/3/16

Cc: Associate Professor Stephen Corbett
Ms Maureen Fitzpatrick

3/8

Health
Western Sydney
Local Health District

HPRM: 16/10844

Comments from a population health perspective on:

Planning proposal for the land at 181 James Ruse Drive, Camelia

Contact:
Stephen Corbett
Director
Centre for Population Health, WSLHD
(02) 9840 3603
stephen.corbett@health.nsw.gov.au .

Introduction

This Planning Proposal seeks a change to the land use zoning, height of buildings, floor space ratio and foreshore building line provisions in Parramatta Local Environmental Plan (LEP) 2011 to allow for the mixed use development comprising a mix of retail, commercial and high density residential development on the subject site.

In particular permission is sought to massively increase the height of the proposed apartment buildings from 9 to 12 metres to 35 (8 storeys) and 126 metres (40 storeys). In addition the proposal seeks to reduce the amount of open space on the river frontage from 30 to 25 metres.
This proposed 10 fold increase in size and population linked to this development raises some serious concerns for WSLHD in terms of the potential health impacts of this development on future residents.

We know that the Camellia precinct presents a complex set of issues for re-development. Long standing industrial uses and other facilities such as the Rosehill Racecourse and the Sydney Speedway/Granville Showground have been co-located for many years. Historical industrial uses have led to major pollution of the precinct land and the Parramatta River. James Ruse Drive is a high traffic volume road, sufficient setbacks should be considered as part of any future development standards, to reduce resident's exposure to vehicle pollution.

However, WSLHD is supportive of the Precinct Planning Principles, as many of them underpin improvements in health and wellbeing, for both the current and future workers and the potential new precinct residents. Improvements to pedestrian and cycling connectivity of people and places, and improvements to public transport, will increase physical activity opportunities for residents and workers, both within the precinct and to other major destinations in proximity to the precinct.

Key Considerations

Housing Density and Health

Increasing housing density, if carefully planned, has the potential to produce numerous benefits to the environment and the health of the community by:

- increasing the use of active modes of transport and public transport reducing vehicle miles travelled
- improving air quality
- reducing traffic congestion
- providing more affordable housing closer to amenities; and
- reducing the footprint of cities by reducing the amount of space required for each person.

The evidence suggests that the success or otherwise of the implementation of policies to increase population density will depend on three main factors:

- the **building** (its location, construction, design, management and maintenance)
- the **social, socioeconomic and cultural make-up** of residents and the local neighbourhood;
- the **quality and amenity of the neighbourhood environment** in which higher density housing is located.

The evidence also suggests that it is optimal for higher density housing to be located away from roads with heavy traffic, but within easy access of public transport, shops, services and a hierarchy of public open space. This includes on-site open space that can be surveilled by parents as their children play. There are some specific design principles which have been recommended;

- designing balconies so that they do not overlook roads with heavy traffic
- using Crime Prevention Through Urban Design features that enhance territoriality and promote natural surveillance
- providing opportunities for selective (but not enforced) interactions between residents (including children); and
- co-locating families on the same levels
- ensuring adequate noise insulation and breeze-ways that optimise ventilation

These design features will provide for the daily transport and recreational needs of residents, and also assist in creating a sense of community and protecting the health of residents.

Increased density or urbanisation is likely to increase urban related problems such as noise, air quality, traffic etc. Planning should consider specific ways to address these potential issues in relation to the local context. [1]

Demand for Employment

Employment can have a powerful effect on health and well-being, as access to employment opportunities is an important determinant of health and wellbeing. It is noted that the proposal outlines new job opportunities for the Camellia Precinct, in addition to the current heavy industrial jobs. Having a wider distribution of jobs within the precinct will encourage lower levels of car based commuting, (as future residents who obtain jobs within the precinct will have no need to travel far for work). Also there are associated adverse health impacts of the car as travel mode, so reducing travel by this mode will have positive health impacts. [2]

Public Open Space - Walkability and access to green space

Public open space can include parks, gardens, shopping areas, sporting fields, public squares and plazas, playgrounds, walking and cycling tracks and natural areas. Generally it is widely accepted that access to public space improves physical and psychological health. Providing public open space encourages people to exercise, to meet with others and to be more active and engaged with their community which is all positive for health and well-being. [2]

It is noted that currently there is limited public open space in Camellia with limited access to the Parramatta River foreshore, (currently a heavily contaminated riparian zone). Opportunities for Camellia to link to local, district and regional open spaces in Parramatta, particularly to pedestrian and cycle ways on the northern side of Parramatta River, and Sydney Olympic Park are welcomed, as this will increase pedestrian and cycling activity and generally improve the liveability of the precinct, by connecting it to other activity based areas of Sydney.

Separated cycle ways are also vital infrastructure for Camellia, given that the precinct will remain a heavy traffic area. Separated cycle ways, i.e. from traffic and pedestrian paths, will provide a physical activity opportunity in a safe environment. It is highly unlikely the cycle use will be high unless the cycleway are separated, which should be possible as part of the precinct urban planning.

Streets are considered "open space" too as they are part of the public realm. To reduce the domination of vehicles, including heavy vehicles, on streets within the precinct, it is suggested that

the street design allocates more than the usual spaces for footpaths. This will create a perception of safety for people using the footpaths and thus encourage greater usage.

Shade planning, both built and natural, is a vital component of urban design to complement connectivity and the use of public domain spaces within the precinct. Also aesthetics are a powerful driver of physical activity, as people walk and cycle more frequently in areas that are perceived as being pleasant and safe, i.e. pleasant with greenery.

Lastly there is extensive evidence that demonstrates that public access to the natural environment is particularly important for good health[2].

Early Provision of Social Infrastructure & Amenities

High Density housing works best with planning that incorporates and embraces quality urban design. These include socially connected and purposefully built infrastructure that is equitably accessible to a wide range of people, promotes safety and active transport options to lower care dependence, provides opportunities for lower income earners to afford homes and places human health as a core feature.

Residential Housing Development and Residential Take Up Housing Mix – social, community and affordable housing

Housing is an important determinant of health and basic housing is fundamental to human health and well-being. The housing availability should aim to assist with decreasing the overall high levels of housing stress amongst low income households and especially renters, and declining affordability of home purchasing in Western Sydney. As James Ruse Drive is a high traffic volume road, sufficient setbacks should be considered as part of any future development standards, to reduce exposure to vehicle pollution of the residents.

Considerations for Specific Need Users/Residents

Children and Young Families

To optimise outcomes across the spectrum for current and/or future residents, there appears to be a strong preference and desirability for families to live on the lower floors of medium-density housing of no higher than three to five storeys. Moreover, this accommodation should be large enough to avoid issues of over-crowding, and allow families to be co-located to create a sense of community.

The elderly

Achieving higher densities through lower rise development would appear to be optimal not only for families, but also older adults. [3]

Higher density combined with greater connectivity and having destinations within walking distance facilitate walking. Older adults perceive local services e.g. shopping centres & libraries, walking and traffic infrastructure, neighbourhood aesthetics and the availability of public transport to influence physical activity.

Another important factor for the elderly are points of access for home care services. Extreme high density creates problems for caregivers to access the elderly in their homes.

Conclusion

The proposal for a 10 fold increase the size and population residing at 181 James Ruse Drive seems to fly in the face of long established principles of urban planning, which strive to create liveable and sustainable neighbourhoods which contribute to the health and well being of future residents.

This proposed building is on the site which is heavily contaminated by asbestos and other industrial waste. It may be that the costs of remediation have driven the need for height increases but the scale of the proposed expansion is excessive. Whilst extreme high rise is not incompatible with healthy populations and a healthy lifestyle, it is difficult to see a strong rationale for acceptance of the proposal in its current form.

A more modest proposal which contains more detail about future amenity, transport and air pollution impacts would be welcome.

References

1. Haig F, Ng C, Harris P. Housing density and health: A review of the literature and health impact assessments, UNSW 2011): Centre for Health Equity Training, Research nd Evaluation, UNSW, 2011.
2. NSW Health. Healthy Urban Development Checklist, 2009.
3. Giles-Corti B, Ryan K, Foster S. Increasing Density in Australia: maximising the health benefits and minimising the harm: Heart Foundation of Australia, 2012.

Transport Roads & Maritime Services

24 February 2016

Chief Executive Officer
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Attention: Jacky Wilkes – Senior Project Officer Land Use Planning

Dear Sir/Madam,

RE: Public Exhibition of Planning Proposal for land at 181 James Ruse Drive (James Hardy Site), Camellia

Thank you for your letter dated 15 January notifying Roads and Maritime Services (Corporate Property) of the above mentioned planning proposal.

Roads and Maritime Services has reviewed the planning proposal and does not wish to make specific comment on either the proposed increases in permitted building heights or floor space ratios. In terms of the proposed zoning, Roads and Maritime requests that any rezoning of land not extend onto land owned by Roads and Maritime.

A plan is attached detailing land ownership in the locality.

The wetland area owned by Roads and Maritime Services adjoining the subject site is known to contain contaminated material. The suitability of residential development on the site adjoining an area of known land contamination raises a number of issues in respect to the potential for exposure to contaminated material, clean up requirements including any requirement for the removal of mangroves as well as the long term maintenance of this area.

Notwithstanding this, Roads and Maritime are open to discuss the remediation of the adjoining wetland including the long term management of the area. However, please be advised that Roads and Maritime accepts no financial liability for any remediation works or ongoing monitoring or maintenance of the area.

Yours sincerely

Susannah Webb
Senior Manager
Property, Strategy and Planning

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY

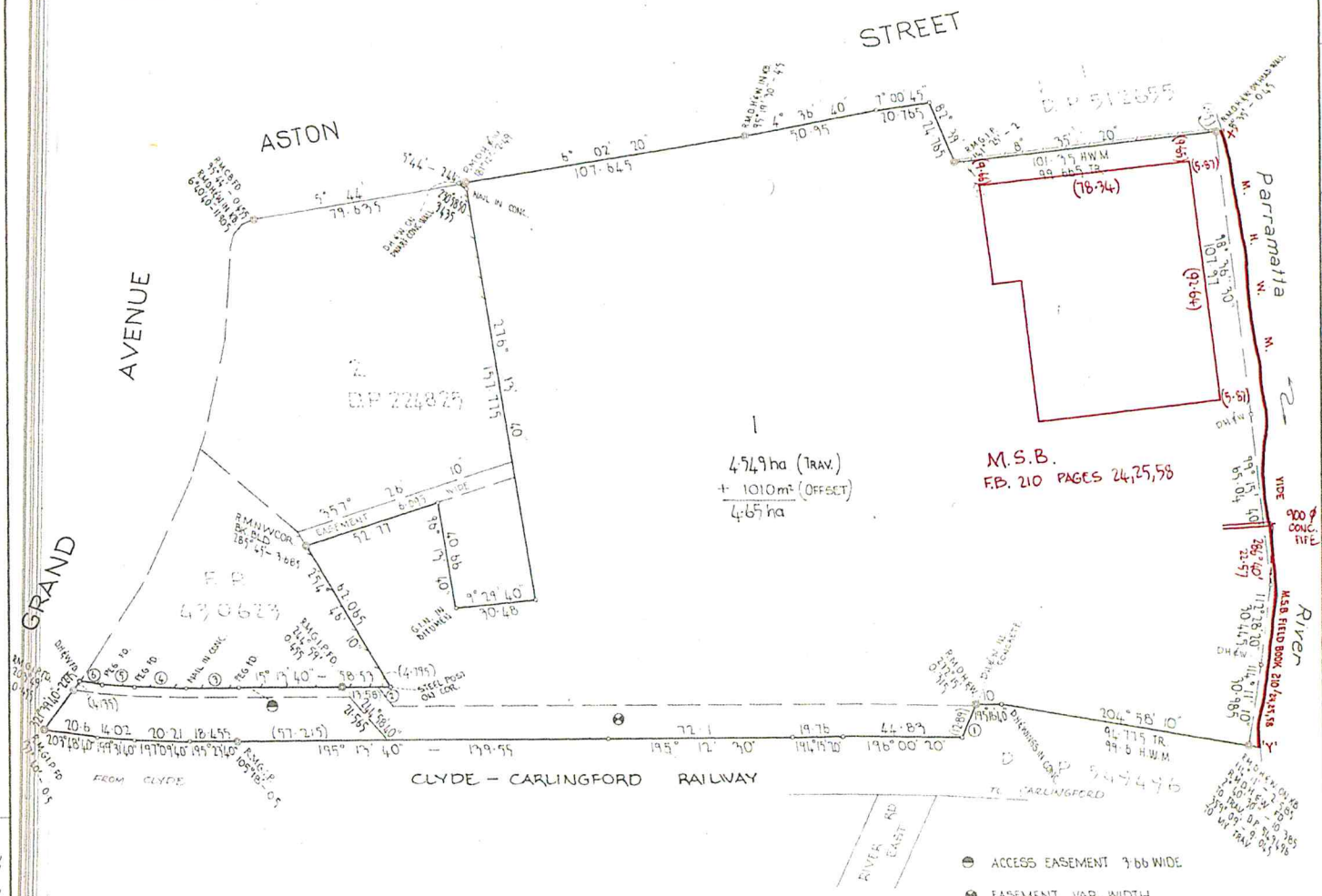
Signatures and seals only.

The Maritime Services Board of New South Wales has investigated and approved of the boundary of Certificate of Title Volume 5018 Folio 1 as defined by the mean high water mark shown hereon in red between the points marked 'X' 'Y'

The Common Seal of the Maritime Services Board of New South Wales was hereto duly affixed in pursuance of a resolution of the Board and in the presence of the Commissioners whose signatures are set opposite hereto

SCHEDULE OF SHORT BOUNDARIES

NO	BEARING	DISTANCE
1	127° 54' 20"	17.665
2	64° 58' 40"	9.66
3	15° 23' 40"	18.11
4	17° 09' 40"	19.485
5	19° 31' 40"	12.853
6	23° 48' 40"	9.22



Council Clerks Certificate

I hereby certify that

(a) the requirements of the Local Government Act, 1919, (other than the requirements for the registration of plans), and

*(b) the requirements of section 348 of the *Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, *Hunter District Water, Sewerage, and Drainage Act, 1938, as amended

have been complied with by the applicant in relation to the proposed ..... (Insert "new road", "subdivision" or "consolidated lot") set out herein

Subdivision No. .....

Date .....

(Signature) .....

Council Clerk

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water, Sewerage and Drainage Board and the Hunter District Water Board.

†Delete if inapplicable

Registered:

C.A.

Title System:

Purpose:

Ref. Map:

Last Plan:

PLAN OF SUBDIVISION OF PT. LOT 1, LOTS 2 TO 17 INCL., PT. LOTS 18 TO 21 INCL. AND LOT 25 D.P. 6856. LOT 1 TO 6 INCL. D.P. 2757 LOTS 7A & 9A F.P. 418035, LOT 2 D.P. 512655, LOT 2 D.P. 549496 LOT 1 D.P. 224825, LAND IN C.T. V. 8454 F. 193, V. 7272 F. 82 & GRANT V. 11586 F. 157

Reduction Ratio 1 : 1250

Lengths are in metres

Mun./Shire City: PARRAMATTA

Locality: CAMELLIA

Parish: ST. JOHN

County: CUMBERLAND

This is sheet 1 of my plan in 2 sheets (Delete if inapplicable)

I, ENRICO GIOVANNI MARONESE, of EALLY SMITH O'KEEFE & PARTNERS P.O. BOX 41 PARRAMATTA 2150

a surveyor registered under the Surveyors Act 1929, as amended, hereby certify that the survey represented in this plan

is accurate and has been made *(1) by me ~~or under my immediate supervision~~ in accordance with the Survey Practice Regulation, 1933, and was completed on 1 – 2 – 1980

Signature ..... Surveyor registered under Surveyors Act, 1929, as amended. Datum Line of Azimuth: A – B

*Strike out either (1) or (2). †Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

PREPARED BY SCC
EXAMINED KS
FIELD BOOK 210 PAGES 58
J. Ireland SURVEYOR

RG 1215

2/2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYOR'S REFERENCE 60191

NSW GOVERNMENT | Planning & Environment

16/05356

Mr Greg Dyer
Chief Executive Officer
Parramatta City Council
PO Box 32
Parramatta NSW 2124

Attention: Jennifer Concato, Manager City Strategy

Dear Mr Dyer

Planning Proposal – 181 James Ruse Drive, Camellia

I am writing in relation to the recent exhibition of the planning proposal for 181 James Ruse Drive Camellia and the associated technical studies.

Since the Gateway Determination was originally issued for this planning proposal in 2014 and subsequently altered in September 2015, the Department has undertaken a significant amount of strategic planning work and technical investigations for the Camellia Precinct.

As you would be aware, the Department and Council exhibited a Land Use and Infrastructure Strategy (the Strategy) for Camellia in August 2015 for public comment. This Strategy is to guide future redevelopment including identifying a vision, future land uses and infrastructure required to support growth, and summary of the issues raised in submissions was recently released.

Additional investigations to inform a rezoning proposal are also nearing completion. The Department therefore considers it appropriate to provide comment on the planning proposal in the context of the investigations being undertaken for the entire precinct.

The Department is supportive of the rezoning of 181 James Ruse Drive to facilitate urban renewal and recognises that adequate development capacity is required to support the cost of remediating the site. However, the Department considers that development capacity also needs to be balanced with the capacity of the transport network to support growth. There are risks to the development of the balance of the Camellia Peninsular, particularly the proposed town centre if the proposed density on this site is approved.

Additionally, mechanisms for the funding of local, regional and State infrastructure to support a new community along with the capacity of developers to contribute to this infrastructure also needs to be carefully considered.

The Department has been working closely with Council and Transport for NSW to analyse the capacity of the transport network and to identify and cost all the infrastructure that would be required to support renewal of the precinct.

On this matter the Department would like to offer the following advice for your consideration in assessing this planning proposal:

1. Capacity of the Transport Network

Preliminary investigations indicate that the capacity of transport network will limit the development potential of Camellia, primarily as a result of constraints associated with connections to James Ruse Drive, Victoria Road and Silverwater Road, as well as the cost of new access roads and bridges that would be required.

The Department will provide further advice on this matter shortly and details of how the transport network could limit retail, employment and residential yields.

2. Contributions towards State and Regional Infrastructure

The Department is investigating the potential for a State Infrastructure Contribution (SIC) for the precinct. The Department will be exhibiting a draft SIC framework with the rezoning proposal for the Camellia Precinct identifying infrastructure required to support growth (such as public transport, roads, schools and regional open space), the cost of this infrastructure and the developer levy proposed.

Consequently, in finalising the planning proposal for 181 James Ruse Drive the Department will require a satisfactory arrangements provision for contributions towards the provision of designated State public infrastructure identified as part our investigations to be included in the final instrument. This will ensure that the development of 181 James Ruse Drive also contributes to State and regional infrastructure required for renewal until the draft SIC is endorsed.

3. Contributions towards Local Infrastructure

The Department is also working with Council staff to inform the preparation of a Section 94 Contributions Plan as it is considered that Council's current Section 94A Plan will not adequately provide for the local infrastructure specifically required for the Camellia Precinct.

While I am advised that Council is negotiating a Voluntary Planning Agreement with the landowners of 181 James Ruse Drive, I understand that the works identified are limited and do not cover contributions towards all the local infrastructure that would be required (for example playing fields, drainage and upgrades to public domain).

It is important that all landowners with the opportunity to develop in the precinct make a contribution to the development costs.

4. Other Comments

Comment on other specialist studies that are being undertaken that could assist you in finalising the planning proposal can be found in Attachment 1.

The Department is available to meet with Council at a convenient time to discuss any of the above issues. If you have any questions regarding this matter, please contact Geoff King Director, Greater Parramatta. On (02) 9860 1506

Yours sincerely

Brendan O'Brien
Executive Director
Infrastructure, Housing and Employment

ATTACHMENT A – Comments on Planning Proposal for 181 James Ruse Drive, Camellia

Technical Area	Comments
Density	The proponent's main justification for the high density (floor space ratio (FSR) of 5.3:1) is that adequate development capacity is required to support the extensive remediation costs. The proponent valued the cost of remediation (excluding foreshore works) at $5 million (as part of the remediation DA). To inform the Strategy, the Department engaged a technical specialist to prepare remediation costings for a number of sites within the precinct to understand the costs of remediation and the impact it would have on future development. The proponents cost of $5 million are broadly consistent with the Departments findings of cost per hectare for sites with similar contaminants. In addition, the Department has commissioned an economic feasibility analysis for the precinct, incorporating remediation costs to determine what density would be feasible across the precinct. The preliminary analysis indicates that even including the remediation costs and additional development levies, residential development in Camellia is feasible at significantly lower FSRs than those proposed by the proponent. Therefore, the proponent's justification and economic underpinning for requiring such high densities due to remediation costs could be questioned. The Council needs to consider the proposed density capacity of this site in the context of existing and proposed infrastructure development.
Views	A broader view study to assess the impact of the proposed height and density on the precinct and surrounds.
Overshadowing	Overshadowing diagrams indicated the proposed town centre and adjacent landowners (identified as mixed use zone in the Strategy) could be impacted by overshadowing from the proposal. It would be appreciated if Council could confirm that the proposal will comply with *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* and that potential overshadowing impacts, as a result of the heights proposed, on adjacent properties have been considered.
Demand for Retail	The Department is proposing a new town centre in close proximity to the future light rail which will include a mixture or retail, commercial and residential uses. In addition, to the proposed 15,000m^2 of retail as part of this planning proposal, other land owners within the precinct are requesting considerable floor space for retail (in excess of 100,000m^2). The Department is undertaking further economic analysis to understand the demand for retail in the precinct and will provide this information as it becomes available.
Contamination and Remediation	It is acknowledged that the site (and much of the precinct) contains significant volumes of contaminated material. The Department supports the inclusion of the local clause in the Parramatta LEP 2011 that requires the remediation of land before it is used for the proposed purpose. The Department in consultation with the NSW Environmental Protection Authority, and NSW Health will be investigating additional development controls that may be required to ensure potential impacts associated with residents living adjacent to remediation sites are managed.
Flooding	The Department has undertaken flood modelling for the entire Camellia Precinct. The modelling indicates that part of the subject site is in a 'High

Technical Area	Comments
	Flood Risk' area which generally includes areas below the 100 year flood that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties. The subject site is located in an area of high hazard risk which will have implications on the urban design including basement car parking as well as emergency evacuation from the site. Due to the low lying nature of the site, emergency evacuation needs to be a key consideration. The Department will be liaising with State Emergency Services on this matter.
Hazards	Land use safety planning in NSW is a mechanism for dealing with actual or potential conflicts between sources of risk and surrounding land uses to ensure appropriate development in appropriate locations. The Department's *Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning* (HIPAP No 10) sets out the principles and risk criteria for strategic land use safety planning in NSW. The main principle is that 'the primary emphasis needs to be on the suitability of land for the proposed range of uses, having regard of existing risk exposure and the sensitivity of the current use'. Guidance on the risk criteria relevant to strategic planning is provided in Section 5.3 of HIPAP No 10. In relation to the proposal, the site is located adjacent to an existing high pressure pipeline for the transport of hydrocarbons, owned by Caltex and managed by Freyssinet Australia. The pipeline transports hazardous materials and this activity has the potential to pose risks to surrounding land uses. The introduction of a new residential population is more vulnerable than industrial of business populations and is considered a potential risk. In accordance HIPAP No 10 planning proposals must demonstrate that risks from the pipeline to the proposed future land uses (i.e. mixed use zone) comply with the relevant risk criteria in HIPAP No 10. The Department is undertaking a risk analysis for the entire precinct and this analysis will inform appropriate setbacks from the pipeline. The Department notes that the proponent has addressed the requirements in relation to works in the vicinity of the pipeline which would apply during the construction period. However, the proponent has not addressed the potential risks imposed by the pipeline on the future population living on the site and the necessary setbacks required. Council can rely on the analysis that has been commissioned by the Department to inform setbacks however, it will not be finalised until late May 2016. If Council would like to progress the finalisation of the planning proposal ahead of this timeframe, it is recommended a risk analysis in accordance with HIPAP No 10 is undertaken for the planning proposal.

Transport for NSW

Jacky Wilkes
Senior Project Officer
Land Use Planning
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2124

Planning Proposal - 181 James Ruse Drive

Dear Ms Wilkes

I refer to the recent determination by the Department of Planning and Environment (DP&E) to alter the completion date for the above planning proposal to the 15 February 2018.

This submission is the combined response of Transport for NSW and Roads and Maritime Services (RMS) collectively TfNSW. Further details are at **Annexure A**. The key issues are:

- TfNSW is continuing work to refine the exact 'footprint' of land on the 181 James Ruse Drive site that is required to allow for the potential future grade separation of James Ruse Drive / Grand Avenue / Hassall Street. DP&E, Council and relevant parties will be advised at each significant stage of investigation.

- The site is also impacted by the Parramatta Light Rail Project (PLR). Similar to the above TfNSW are working with the proponent to refine the anticipated 'footprint' of land required within the 181 James Ruse Drive site.

- If the proponent wishes to progress rezoning in advance of detailed design for either project, TfNSW has provided some options for progressing the Planning Proposal in the Annexure.

- TfNSW does not support additional traffic signals on James Ruse Drive as it would compromise a future upgrade of James Ruse Drive / Grand Ave / Hassall Street intersection.

- NSW Government is currently preparing an Infrastructure Schedule and associated Special Infrastructure Contributions plan (SIC) to support growth in the Greater Parramatta to Olympic Peninsula Priority Growth Area (GPOP). TfNSW would support the proponent dedicating land required for the aforementioned projects to be an agreed offset contribution against the yet to be determined SIC.

Transport for NSW
18 Lee Street, Chippendale NSW 2008 | PO Box K659, Haymarket NSW 1240
T 02 8202 2200 | F 02 8202 2209 | W transport.nsw.gov.au | ABN 18 804 239 602

- TfNSW supports the ongoing inclusion of the proposed Satisfactory Arrangements Clause in the Planning Proposal.

TfNSW will arrange a meeting with Council and the proponent to discuss the issues outlined in this submission. In the meantime, please don't hesitate to contact Mr Tim Dewey, Senior Transport Planner, on 8202 2188 or Tim.Dewey@transport.nsw.gov.au for clarification if required.

Yours sincerely

03/11/2017

Andrea Parker
Acting Executive Director
Transport Planning

CD17/12142

Annexure A

Footprint requirement for grade separation of James Ruse Drive and Grand Avenue Hassall Street

Issue

Investigations undertaken by TfNSW suggest that irrespective of Camellia Priority Precinct being released, grade separation of James Ruse Drive / Grand Ave / Hassall Street would likely be required at some point in the future. James Ruse Drive is a key State Road and forms the eastern part of the Parramatta Ring Road. Land uses identified as part of any rezoning of land include provision for an appropriate 'footprint' of land to be identified and preserved on which to construct a future grade separated crossing. TfNSW is working towards this outcome will continue to liaise with Council and DP&E and the proponent at each significant stage of development.

Once the Preferred Strategic Design and Business Case are completed a final footprint can be advised. Two suggestions to facilitate the rezoning to proceed while TfNSW continues to work to refine the land requirements are provided below. It is anticipated that the land identified post Strategic Design would be included in the Greater Parramatta to Olympic Peninsula Priority Growth Area Special Infrastructure Contribution.

Recommendation

TfNSW will work with DP&E, Parramatta Council and the proponent to advise an initial area of land on the subject site for the future grade separation footprint. When the Strategic Design and Business Case are completed it is possible that this area may reduce in size.

Footprint requirement for Parramatta Light Rail Project Land within the 181 James Ruse Drive Site

Issue

Parramatta Light Rail Project requires a portion of land within the 181 James Ruse Drive Site for the purposes of that project. Parramatta Light Rail is an essential project to underpin the housing densities proposed at this site as well as the Greater Parramatta to Olympic Peninsula Priority Growth Area.

Recommendation

TfNSW for NSW will continue to work with the proponent to determine an area of land on the subject site for the Parramatta Light Rail Project.

Infrastructure footprint investigation proceeding in tandem with rezoning

Issue

TfNSW would like to ensure that the Planning Proposal does not permit development on land likely to be required for both the James Ruse Drive upgrade and the PLR project. Based on TfNSW understanding on this matter, two possible alternative mechanisms for dealing with the Planning Proposals that could be considered are outlined below:

Alternative 1 - Part zoning of the site

- Rezoning of a portion of the site not likely to be impacted by the transport projects (deferred matter and would maintain existing planning controls). There are precedents for this approach but it may require the need for re-exhibition. The proponent has indicated some level of support for this approach in a previous meeting.

Alternative 2 - Restrictions on certain parts of the subject site

- Rezoning the whole site, but with a restriction on that part of the site that is likely to be affected by the James Ruse Drive and Parramatta Light Rail requirements. Any development on the site would require transport (either TfNSW and / or RMS) concurrence before development consent could be granted. A similar approach was taken as part of the rezoning of the Schofields Precinct in the Sydney Growth Centres to "protect" a future extension of the Sydney Metro – Northwest.

Recommendation

- TfNSW would continue to work with DP&E and Parramatta Council to determine the most appropriate way to facilitate the Planning Proposal while the land footprint requirements for the two key projects are determined.

Response to revised final traffic modelling report by proponent

Issue

- There are some issues with the TMAP and traffic modelling which should be changed / addressed. Detailed issues are as follows:
    - TfNSW and Roads and Maritime oppose the proposed additional traffic lights at the James Ruse Drive/River Road West/Tasman Avenue intersection permitting all turning movements as this would compromise the design of the grade separation of James Ruse Drive. The proposed grade separation of James Ruse Drive would subsequently limit movements to / from both River Road West and Tasman Avenue to left-in / left-out. Therefore, TfNSW and RMS require future movements at Tasman Avenue's intersection with James Ruse Drive to be left-in / left-out with the provision of a suitable deceleration lane.
    - As mentioned above, the grade separation of James Ruse Drive would also result in future movements at Grand Avenue North's connection with James Ruse Drive being limited to left-in / left-out.
    - There are a number of other detailed modelling issues that TfNSW would be willing to meet with the proponent to discuss.

Recommendation

- TfNSW is willing to meet with the proponent and their representatives to advise the identified issues with respect to the revised final traffic modelling report.

Measures proposed in draft TMAP

Issue

- The draft TMAP recommends several improvements which may not be feasible, require further detailed information to be provided or rely upon other property owners as described below:
    - The proposed foreshore pedestrian and cycleway connection under James Ruse Drive seems to connect to the development sites at 14A, 14B, 14C River Road West. The draft TMAP needs to provide greater clarity whether this is the intended outcome. Should this be the case then such a connection is reliant upon the land owner(s) and council agreeing to permit this proposed pedestrian and cycleway connection through to River Road West. No indication is provided that the owner(s) of these sites and Council would agree to this proposed connection. If agreement about this connection is reached then the proposed connection must not impact upon the structural integrity of the James Ruse Drive carriageway and James Ruse Drive bridge over Parramatta River.

- The applicant will need to provide further details / information to demonstrate that the proposed widening of the James Ruse Drive Bridge over Parramatta River (for cyclists/pedestrians) would be feasible. The applicant will need to provide necessary details to prove that their widening could:

    - Work without compromising the existing bridge structural capacity;
    - Be designed to satisfy current Bridge Design Standards (AS 5100 – 2017) and appropriate Roads and Maritime Bridge Technical Directions;
    - Be maintainable safely; and
    - Not result in additional maintenance costs for Roads and Maritime (which will also be dependent upon the material used).

Recommendation

- The draft TMAP should be updated to address the above matters.

Parramatta Light Rail

Issue

- There have been further announcements with regards to Parramatta Light Rail (Stages 1 and 2) since the TMAP was last drafted. The proponent is working with the Parramatta Light Rail Team to provide land for track curvature requirements.
- There are a number of changes to the local road and active transport networks as a result of the Parramatta Light Rail project, which will mean that some aspects of the TMAP will need to be reviewed.

Recommendation

- The draft TMAP should be updated to take into consideration the latest published information regarding Parramatta Light Rail (Stages 1 and 2) and associated changes to the transport network.

Future Road Connectivity Plan

Issue

- The Future Road Connectivity Plan (Figure 14) and the Stage 3 Transport Future Modelling Upgrades (Figure 15) are likely to differ from that illustrated within the Draft TMAP. Further details of these changes will be known once the Draft Camellia Town Centre Masterplan is publically exhibited.

Recommendation

- The Draft TMAP should include some commentary indicating that the Future Road Connectivity Plan (Figure 14) and the Stage 3 Transport Future Modelling Upgrades (Figure 15) are likely to differ from that illustrated within the Draft TMAP and that

further details of these changes will be known once the Draft Camellia Town Centre Masterplan is publically exhibited.

Parking Provision - Development Control Plan (DCP)

Issue

- The current Parramatta DCP 2011 parking rates are used, which are substantially higher than the rates identified in Roads and Maritime technical directions and guidance documents. The provision of high rates of parking is not conducive to sustainable outcomes for development in this area – especially given the level of commitment by NSW Government in Parramatta Light Rail. In addition, high parking provision would not support the use of reduced traffic generation rates in the modelling forecasts.

Recommendation

- The Planning Proposal should adopt lower parking provision, supported by a site specific DCP which should apply the car parking rates identified in the Guide to Traffic Generating Developments – High Density Residential for Metropolitan Regional (CBD) Centres as maximums.