

The Proper Officer
Department of Planning and Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Copy to: Transport for NSW (parramattalightrail@transport.nsw.gov.au)

16 December 2022

Dear Officer

Subject: PARRAMATTA LIGHT RAIL STAGE 2
PUBLIC (OWNER) SUBMISSIONS

40-48 ANTOINE STREET, RYDALMERE

We advise that we act as representative for  ("GPL") in relation to the above property ("Property").

We refer to the correspondence from Transport for NSW dated 9 November 2022 and enclose copy of the same for your reference. The purpose of this correspondence is to make submission in relation to the Stage 2 Project including the Parramatta Light Rail Stage 2 Environmental Impact Statement published by the Department in November 2022 ("EIS") and we do so below.

These submissions are arranged as follows:

- Part A - Definitions
- Part B - Brief Background and Description
- Part C - Analysis and Submissions
- Part D - Alternate Solutions
- Part E - Summary and Concluding Comments

By way of preliminary comment, we note that that GPL supports the Stage 2 Project in principle, however, has a significant number of concerns regarding the EIS as detailed below.

We ask that personal information included with these submission (such as all names, information contained on our letterhead, information contained in any attachments and all contact details) be redacted or otherwise not made public.

PART A - DEFINITIONS

- 1.0 In these submissions, the following defined terms are utilised:
- 1.1 **Camelia Fact Sheet** means Parramatta Light Rail Stage 2 Camelia Precinct Fact Sheet published by the Department in November 2022
 - 1.2 **Camellia Place Strategy** means Directions for Camellia-Rosehill Place Strategy published NSW Department of Planning, Industry and Environment in September 2021
 - 1.3 **Corridor 1** means:
 - 1.3.1 Corridor 1 per the EIS
 - 1.3.2 Option 1 per the EIS
 - 1.3.3 Option 1 per the Scoping Report
 - 1.4 **Corridor 2** means:
 - 1.4.1 Corridor 2 per the EIS
 - 1.4.2 Option 2 per the EIS
 - 1.4.3 Option 2 per the Scoping Report
 - 1.5 **Department** means NSW Department of Planning and Environment
 - 1.6 **EIS** means Parramatta Light Rail Stage 2 Environmental Impact Statement published by the Department in November 2022
 - 1.7 **Property** means Lot 1 in Deposited Plan 776984 being the property known as and situate at 40-48 Antoine Street, Rydalmere
 - 1.8 **Stage 1 Project** means Parramatta Light Rail Stage 1
 - 1.9 **Stage 2 Project** means Parramatta Light Rail Stage 2
 - 1.10 **Scoping Report** means Parramatta Light Rail Stage 2 Scoping Report published by the Department in June 2019
 - 1.11 **WSU** means Western Sydney University

PART B - BRIEF BACKGROUND AND DESCRIPTION

- 2.0 The Property is located in the Rydalmere precinct and currently used as a warehouse and storage facility with associated offices, providing local economic output and jobs.
- 3.0 The Property was purchased by GPL and Western Sydney Sunshine Pty Ltd (“WSS”) in October 2021 in two equal shares. These submissions are made on behalf of GPL only. Independent submissions may be made by or on behalf of WSS.
- 4.0 The Department has sought to compulsorily acquire the Property for the purpose of completing the Stage 2 Project. GPL is of the strong view that the Property is not required for that purpose and that doing so is not in the best interests of the Department, the community or other stakeholders.

PART C - ANALYSIS AND SUBMISSIONS

- 5.0 GPL has reviewed the EIS, the Scoping Report and other documentation associated with the Stage 2 Project. Pursuant to the same, it appears that the current overall intent of the Department is for the Stage 2 Project to adopt Corridor 2.
- 6.0 We submit that the Property ought not be compulsorily acquired in the manner detailed in the EIS for the below reasons.

Inconsistency with prior publications

- 7.0 We refer to:

- 7.1 Page 1 of the Scoping Report, which provides:

“Stage 2 of PLR (the Stage 2 Project) was announced in October 2017 with the preferred route connecting to Stage 1 at Rydalmere and running north of the Parramatta River through the rapidly developing suburbs of Ermington and Melrose Park, before crossing the Parramatta River at Wentworth Point and continuing to Sydney Olympic Park.”

- 7.2 Figure 5.5 on Page 5.8 of the EIS

- 7.3 The Camellia Precinct Fact Sheet

which identify Corridor 2 as the preferred route option for Stage 2 Project. Pursuant to the same, the proposed tracks cross Parramatta River and connect to John Street without traversing the Property at all.

- 8.0 In the absence of special reasoning which explains why Corridor 1 is no longer viable, the Department ought not depart from its own prior publications which support the use of Corridor 1. On that basis, the Department ought to revert to the initially intended position, which is to for Corridor 1 to be adopted.

Inadequate notice or consultation provided

9.0 We refer to:

- 9.1 Comprehensive searches conducted by GPL and WSS at the time of purchase of the Property, including but not limited to with APA Group, AusGrid, the Department of Defence, the Department of Education, the Department, Endeavour Energy, Jemana Gas Networks (NSW) Pty Ltd, LotSearch (EPA), Rail Corporation New South Wales, TransGrid and Transport for NSW (Roads). A copy of the results of the searches with the Department, Rail Corporation New South Wales and Transport for NSW (Roads) are enclosed for your reference.

The searches indicated that there was no recorded interest justifying public notification, including for the Department, Rail Corporation New South Wales and Transport for NSW (Roads). We believe it would have been a very simple matter indeed for either or all of these departments to indicate an interest in the Property if it was any serious project afoot to acquire an interest in the Property as recently as the date of those certificates (late October 2021).

- 9.2 The following excerpt from <https://www.parramattalightrail.nsw.gov.au/parramatta-olympic-park>:

“Stakeholder engagement

The team is working closely with major landowners in Camellia, Melrose Park and Wentworth Point to design the light rail so that it integrates and properly supports future development in these suburbs.”

10.0 We note as follows:

- 10.1 As indicated earlier, the Property was purchased in October 2021.

- 10.2 At that time, there was no publicly available information in relation to the Stage 2 Project indicating that the Property either:

10.2.1 fell within a preferred route

10.2.2 fell squarely within any alternate route

10.2.3 was of interest to the Department, local council or other public authority or department for acquisition purposes

- 10.3 It was clearly detailed in the Scoping Report that a logical and sensible route through WSU and South Street was preferred.

- 10.4 Since purchase of the Property, there has been no consultation with GPL or WSS at all in relation to what appears to be a recent change to acquire the Property even though multiple properties owned by associated parties have been now marked for compulsory acquisition by the Department for the purpose of the Stage 2 Project.

- 11.0 In the absence of adequate notice or consultation with GPL or WSS, the Department ought not consider departing from its initial proposal. On that basis, the Department ought to revert to the initially intended position, which is to for Corridor 1 to be adopted.

Flood risk

12.0 We refer to:

12.1 Figure D.5 on Page D.14 of the EIS

12.2 Figure 2 on Page 7 of the Camellia Strategy

which identify the Property, including Corridor 2, as falling within a significant flood risk zone.

13.0 It is not appropriate that Corridor 2 be adopted given the exposure of the track alignment to significant flood risk. We note, in that regard, that the Department is aware of this risk and that, as a direct result, Corridor 2 does not appear in later options.

Entire Property not required

14.0 On any view, the entirety of the Property is not required for the purpose of the Stage 2 Project, even with the alternate route that now appears to be preferred.

15.0 By reference to properties to be acquired to the immediate north of the Property, it is clear that only a fraction of the Property is necessary to complete the Stage 2 Project.

16.0 Further, with a relatively minor amendment to Corridor 2, there is no need to acquire any part of the Property or the neighbouring site at 50 Antoine Street, Rydalmere at all. For further details, see Alternate Solution 2 below.

PART D - ALTERNATE SOLUTIONS

- 17.0 Should the Stage 2 Project proceed, we invite the Department to consider each of the Alternate Solutions detailed below.

Alternate Solution 1

Corridor 1

- 18.0 Strictly, this is not an alternate solution but a reversion to the preferred route marked in the Scoping Report.
- 19.0 We propose that the Department revert to Corridor 1 as initially intended. That is, for the Stage 2 Project to share with the Stage 1 Project the rail bridge otherwise known as James Ruse Drive and connect to South Street bearing east. For reference, see:
- 19.1 Figure 4.2 on Page 28 of the Scoping Report
- 19.2 Figure 5.5 on Page 5.8 of the EIS
- 20.0 There are a number of benefits associated with the above Alternative Solution, including but not limited to the following:
- 20.1 Passengers travelling from the east to WSU need only board a single continuous service rather than transferring between a Stage 1 Project service and a Stage 2 Project service. The effect is a reduction in both travel and waiting times as well as an increase in overall convenience. For reference, see:
- 20.1.1 Figure ES.5 on Page vii. of the EIS
- 20.1.2 The Camelia Fact Sheet
- 20.2 An additional bridge crossing the Parramatta River need not be built. That is:
- 20.2.1 Unnecessary construction costs will not be incurred
- 20.2.2 Unnecessary environmental damage will not be incurred. Most particularly, the wetlands along Parramatta River, which contain rich swathes of wildlife, will not be negatively impacted.
- Further, in that regard:
- 20.2.3 Level crossings at Vineyard Creek and Subiaco Creek may instead be established, which would be a significantly cheaper, quicker and more environmentally friendly solution than construction of a new bridge as above.
- 20.2.4 The existing foot and utility bridge connecting Thackeray Street and Reid Park on the west side of Rydalmere Wharf may be upgraded, which, again, would be a significantly cheaper, quicker and more environmentally friendly solution than construction of a new bridge as above.

See Figure 5.2 on Page 30 of the Scoping Report for reference.

- 20.3 An additional stop at Sandown Boulevard need not be built. That is:
- 20.3.1 The proposed stop at Sandown Boulevard is in very close proximity (a 1-minute walk) to the Camellia Stop. Forgoing the proposed stop at Sandown Boulevard will save unnecessary construction costs and provide opportunity for those costs to be applied toward a new stop and increase the catchment of both the Stage 1 Project and the Stage 2 Project. For reference, see:
 - 20.3.1.1 Figure ES.5 on Page vii. of the EIS
 - 20.3.1.2 The Camelia Fact Sheet
 - 20.3.2 Consistent with the above, the appropriate solution is to revert to Corridor 1 and construct an additional stop immediately after the turn off from the Stage 1 Project. The same preserves a direct line of access between the east and WSU and creates a more even spread of stops which both enables and encourages greater use of both Stage 1 and Stage 2 Projects as a result.
 - 20.3.3 It is further observed that the distance between the proposed stop at Sandown Boulevard and the next proposed stop bearing east is very long. Maintaining such an uneven spread of stops lowers access to the Stage 2 Project and, accordingly, utilisation of the Stage 2 Project is less encouraged.
- 20.4 Exposure to heavily contaminated sites in Camellia is avoided. For example, see:
- 20.4.1 Figure 7.1 on Page 52 of the Scoping Report
 - 20.4.2 Diagram 9 between Pages 21 and 22 of *Camellia Precinct: Contamination Study - Part 1 - High Level Contamination Review* published by Golder Associates (and submitted to the Department) on 18 September 2015.
- 20.5 There is no negative impact to Reid Park and its facilities to users. Dissecting Reid Park as proposed per Corridor 2 very much limits if not destroys its utility.
- 20.6 If Corridor 2 is adopted, that will have significant negative economic and social impacts on the Rydalmere precinct. By way of example, we refer to the following five industrial sites:
- 20.6.1 40-48 Antoine Street, Rydalmere
 - 20.6.2 50 Antoine Street, Rydalmere
 - 20.6.3 50 John Street, Rydalmere
 - 20.6.4 52 John Street, Rydalmere
 - 20.6.5 54 John Street, Rydalmere
- The above sites have a combined land size approximately 6,000 square meters. Acquisition of these sites for the purpose of the Stage 2 Project is extremely costly and will remove any economic output and jobs that these sites currently provide.
- 21.0 The Department itself acknowledges that Corridor 2 is problematic and not necessarily the preferred option. For example, see:

- 21.1 Paragraph 4.1.3 on Page 26 of the Scoping Report, which provides that there are ‘limited growth opportunities in Camellia East, Silverwater and Newington’.
- 21.2 Page 5.11 of the EIS, which provides that ‘(Option 2) did not offer the advantages of integration with areas proposed for future urban development and population growth. This option also had higher costs, potential property impacts, and construction constraints associated with narrow sections of South Street and the presence of complex utilities.’

Alternate Solution 2

- 22.0 With minor amendment, the number of properties that the Department will need to acquire in order to complete the Stage 2 Project may be significantly lower, saving millions of dollars in expenditure.

Amendment A to project alignment for Corridor 2

- 23.0 There are several road reserves on South Street between John Street and Silverwater Road that the Department may acquire in order to widen South Street, establish a stop thereon and ease the turning circle without acquiring some or all of the five industrial sites referred to above and thereby save millions of dollars. Further, noting the proximity to the Rydalmere Wharf, this stop will not be inferior to the proposed stop on John Street between South Street and Antoine Street pursuant to Corridor 2. See Stylised Image 1 below for reference:



Stylised Image 1

Amendment B to project alignment for Corridor 2

- 24.0 If the project alignment for Corridor 2 is adopted, it is appropriate that the alignment be amended in accordance with Stylised Image 2 below as follows:
- 24.1 Cross the Parramatta River using the new bridge connecting Grand Avenue, Camellia to John Street, Rydalmere
- 24.2 Bearing north, upon landing in Rydalmere, curve the track alignment so that the Stage 2 Project passes between 50 Antoine Street, Rydalmere and 54 Antoine Street, Rydalmere



Stylised Image 2. See also Figure D.5 on Page D.14 of the EIS for reference.

- 25.0 The above proposed track re-alignment is preferable for the following reasons:
 - 25.1 There is sufficient public land adjacent to 50 Antoine Street, Rydalmere to accommodate the above re-alignment
 - 25.2 Not seeking to acquire 50 Antoine Street, Rydalmere will save millions of dollars in expenditure. In that regard, the Department need only acquire part of the Commuter Car Park servicing the Rydalmere Wharf, which will be significantly cheaper.
 - 25.3 Not seeking to redevelop the already developed land occupied by 50 Antoine Street, Rydalmere will save millions of dollars in expenditure. In that regard, it will be significantly cheaper, quicker and more environmentally friendly to redevelop the Commuter Car Park only.
 - 25.4 Similarly, seeking to acquire a smaller portion of the Commuter Car Park will save significant dollars in acquisition, redevelopment and associated expenditure.

Alternate Solution 3

- 26.0 If Corridor 2 is adopted, it is otherwise appropriate that its route be amended in accordance with the Stylised Imaged 3 below as follows:
 - 26.1 Cross the Parramatta River using the new bridge connecting Camellia to the bottom of Park Road, Rydalmere
 - 26.2 Bear north along Park Road
 - 26.3 Turn east on to South Street



Stylised Image 3

27.0 The above proposed amendment is preferable for the following reasons:

- 27.1 Not seeking to acquire the abovementioned sites along Antoine Street, Rydalmere and John Street, Rydalmere will save tens of millions of dollars in expenditure.
- 27.2 Not seeking to redevelop the already developed land occupied by the abovementioned sites along Antoine Street, Rydalmere and John Street, Rydalmere will save millions of dollars in expenditure. In that regard, it will be significantly cheaper, quicker and more environmentally friendly to redevelop the affected parts of Park Road and South Street only.
- 27.3 Exposure to flood risks in Rydalmere is minimised
- 27.4 Exposure to contaminated lands in Camellia is minimised
- 27.5 Both Park Road and South Street are relatively wide and are able to accommodate much higher volumes of traffic as compared to Antoine Street and John Street
- 27.6 Positive and pleasant commuter experience in utilising Reid Park for the short walk to access Rydalmere Wharf.

Alternate Solution 4

28.0 Should the Department proceed with acquisition of the Property, it is appropriate that only the smaller portion of the Property actually required by the Department is acquired.

- 29.0 The above Alternate Solution is preferable for the following reasons:
- 29.1 Not seeking to acquire the entirety of the Property will save millions of dollars in expenditure.
 - 29.2 Not seeking to redevelop the entirety of the already developed land occupied by the Property will save hundreds of thousands of dollars in expenditure. In that regard, it will be significantly cheaper, quicker and more environmentally friendly to redevelop the smaller portion required only.

PART E - SUMMARY AND CONCLUDING COMMENTS

- 30.0 The Property ought not be compulsorily acquired as detailed in the EIS for the following reasons:
- 30.1 To do so would be inconsistent with prior publications of the Department
 - 30.2 No information has been provided detailing the reasons for abandoning the eminently sensible Corridor 1 as detailed in all publicly available information in favour of the Corridor 2, which is less than ideal in many ways
 - 30.3 To do so would be inequitable given that inadequate notice or consultation was provided to GPL and WSS
 - 30.4 To do so would be inappropriate given the exposure to significant flood risk
 - 30.5 To do so would be inappropriate given the exposure to contaminated land sites
 - 30.6 To do so would be unnecessary given the only a small portion of the Property is required on any view

In that regard, none of the above reasons would be an issue were Corridor 1 adopted as initially intended by the Department.

- 31.0 Should the Stage 2 Project proceed, we invite the Department to consider each of the following Alternate Solutions:
- 31.1 Revert to Corridor 1
 - 31.2 Amend the project alignment of Corridor 2 by utilising the road reserves on South Street between John Street and Silverwater Road.
 - 31.3 Amend the project alignment of Corridor 2 by introducing a minor curve so that the project alignment may pass between the junction where Antoine Street, Rydalmere meets John Street, Rydalmere
 - 31.4 Amend the route for Corridor 2 by utilising Park Road, Rydalmere so that multiple sites along Antoine Street, Rydalmere and John Street, Rydalmere need not be acquired or redeveloped
 - 31.5 Acquire only that portion of the Property as required

It is noted that each of the above Alternate Solutions will achieve significant cost and environmental savings for the Department without impacting the utility of the Stage 2 Project.

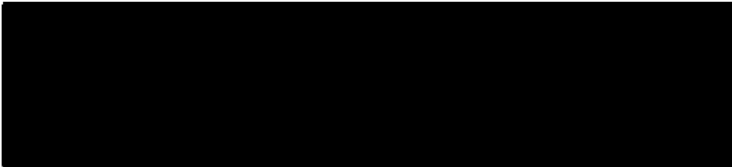
Should the Department have any questions or queries in relation to the above, please do not hesitate to contact the writer.

Yours faithfully,

[Redacted signature block]

Parramatta Light Rail Stage 2

9 November 2022



Dear property owner

Transport for NSW is progressing planning and development of Parramatta Light Rail Stage 2 and has submitted an Environmental Impact Statement (EIS) to the NSW Department of Planning and Environment for assessment. The EIS will be on public display from 9 November to 7 December 2022.

Please note that in June 2022 the NSW Government announced \$602.4 million for Parramatta Light Rail Stage 2, and work is now underway to undertake the detailed planning process and to deliver a new bridge connecting Wentworth Point to Melrose Park. Work beyond this – and any subsequent property requirements -- will be dependent on a further investment decision by the NSW Government.

I am writing to inform you that your property at **48 Antoine St, Rydalmere** has been identified as a land use requirement by the proposed design. The impacts in relation to the proposed design will be explained in the following sections of the EIS:

- Chapter 13 – Land use and property
- Appendix E – Preliminary land requirements
- Appendix D – Camellia foreshore to Rydalmere option – preliminary environmental scoping

From 9 November, the EIS will be available to view online via the project's Virtual Engagement Room: plr2.ghdengage.com/virtual-room/

We would like to speak to you about the impacts this may have on your property. Please contact the project team via the 24-hour community information line on 1800 139 389 or email parramattalightrail@transport.nsw.gov.au

NEW SOUTH WALES LAND REGISTRY SERVICES

CENTRAL REGISTER OF RESTRICTIONS

INFOTRACK PTY LIMITED

APPLN NO: 2752935

ISSUED: 21/10/2021 3:46 PM

YOUR REFERENCE: KEANRYDALMERE

PAGE 1

CERTIFICATE

REFERENCE: 1/776984

LGA: CITY OF PARRAMATTA

PARISH: FIELD OF MARS COUNTY: CUMBERLAND

NO. OF AUTHORITIES INQUIRED OF: 1

THE FOLLOWING AUTHORITIES HAVE NO INTEREST IN THIS PROPERTY:

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT
THE RECORDS OF THE DIVISION OF RESOURCES AND ENERGY DISCLOSE THAT
THE SUBJECT AREA IS NOT AFFECTED BY ANY PERMIT OR LICENCE OR
RELATED APPLICATION UNDER THE PIPELINES ACT 1967.

REGISTRAR GENERAL

***** END OF CERTIFICATE *****

APPLICANTS SHOULD SATISFY THEMSELVES AS TO THE CORRECTNESS OF THE LAND
DESCRIPTION (INCLUDING PARISH/COUNTY) RECORDED HEREON AGAINST WHICH THIS
INQUIRY HAS BEEN UNDERTAKEN.

Property Information Inquiry Form

Authority: Rail Corporation New South Wales

Application No 2752937 **Application Date** 21/10/2021 3:46:42 PM
Application Ref KEANRYDALMERE
Source INFOTRACK PTY LIMITED

Applicant Details
 INFOTRACK
 135 KING STREET
 SYDNEY 2000

Email ECERTIFICATES@INFOTRACK.COM.AU
Phone 1800738524
Fax
ABN

Local Council CITY OF PARRAMATTA
Parish/County FIELD OF MARS CUMBERLAND
Property Location
 48 ANTOINE ST, RYDALMERE 2116

Title Reference
 1/776984

Item Description(s)
 Proposals by Rail Corporation New South Wales

***** END OF REPORT *****

A SEARCH OF OUR RECORDS INDICATES THAT AT THIS DATE TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES (TAHE) HAS NO APPROVED PROPOSAL TO ACQUIRE ANY RIGHT OR INTEREST IN THE PROPERTY. THIS INFORMATION DOES NOT APPLY TO ANY AFFECTATION REGISTERED ON TITLE OR DISCOVERABLE BY PHYSICAL INSPECTION OF THE PROPERTY.

**\$46.00
 PROPERTY SEARCH**

21 October 2021

NEW SOUTH WALES LAND REGISTRY SERVICES

CENTRAL REGISTER OF RESTRICTIONS

INFOTRACK PTY LIMITED

APPLN NO: 2752941

ISSUED: 21/10/2021 3:46 PM

YOUR REFERENCE: KEANRYDALMERE

PAGE 1

CERTIFICATE

REFERENCE: 1/776984

LGA: CITY OF PARRAMATTA

PARISH: FIELD OF MARS COUNTY: CUMBERLAND

NO. OF AUTHORITIES INQUIRED OF: 1

THE FOLLOWING AUTHORITIES HAVE NO INTEREST IN THIS PROPERTY:

TRANSPORT FOR NSW (ROADS) (FORMERLY KNOWN AS RMS)

CUSTOMER INTERFACE LAND INFORMATION

TRANSPORT FOR NSW (ROADS) (FORMERLY KNOWN AS ROADS AND MARITIME
SERVICES OF NEW SOUTH WALES) HAS NO CURRENT PROPOSAL TO ACQUIRE ANY
INTEREST IN THE LAND SUBJECT OF THIS APPLICATION.

REGISTRAR GENERAL

***** END OF CERTIFICATE *****

APPLICANTS SHOULD SATISFY THEMSELVES AS TO THE CORRECTNESS OF THE LAND
DESCRIPTION (INCLUDING PARISH/COUNTY) RECORDED HEREON AGAINST WHICH THIS
INQUIRY HAS BEEN UNDERTAKEN.