

29 August 2008

NSW Department of Planning
Strategic Sites & Urban Renewal
Director Strategic Assessments - Mr Michael File
GPO Box 39,
SYDNEY, NSW, 2001

Dear Michael,

**Part 3A - Project Application (Application No. MP 07_0099)
Potts Hill Sydney Water Redevelopment by Landcom (Bankstown LGA)**

Council writes in reference to the public exhibition of the proposed Environmental Assessment and Concept Plan Application for the Sydney Water Corporation land at Potts Hill. Landcom has had various consultation meetings with Council throughout the last year to develop the Concept Plans, which are now on exhibition. Council acknowledges the significance of the proposed concept to develop surplus land within the Potts Hill site for employment generating land uses and the remaining land for residential uses adjoining the suburb of Birrong.

Council has indicated to Landcom during various meetings a number of concerns and issues that require further consideration. Council has also written to the Department on a number of occasions (correspondences dated: 27 March 2008, 05 May 2008, 27 June 2008) highlighting particular matters.

As previously noted to the Department (on Friday 22 August 2008), Council is currently in a 'care-taker period' due to up-coming Local Government Elections on 13 September 2008, and therefore has not been able to complete a formal submission on the proposed project.

Council therefore writes this submission from a technical staff perspective as a draft submission, and will submit a formal submission to the proposed exhibition after the newly elected Councillors first meeting shortly after the elections (in October 2008).

Generally, all development on the site should be in accordance with "The Landcom Guidelines" launched on 03 July 2008.

The following staff technical matters are raised now, and will be detailed further in the formal submission:

Concept Plans

1.0 Business Park / Employment Area:

1.1 Internal Access Road matters:

- 1.1.1 Council wrote to the Department on 27 June 2008 (see Attachment 1) regarding major concerns over future ownership of the two (2) proposed internal access roads in the Business Park / Employment Zone. Council still has concerns over the design, use and long-term maintenance of these internal access roads. As previously described, these roads should remain in the ownership of the current or future landowners of the subdivided sites, and be identified as 'rights-of-ways', driveways or as an easement over an allotment. The access roads should not be dedicated as public roads as their primary function is related to provision of vehicle access to buildings, which are not opened to general public use (semi-government authority uses).
- 1.1.2 Council's letter also details other major reasons for proposed internal access roads remaining in the ownership of the current or future allotment owners, some of which include the access roads not being compliant with Council's road standards, setback requirements from boundaries, lighting and footpath requirements, turning/swept path movements of heavy vehicles, embankments and retaining wall structures adjoining the access roads, no rateable income from future landowners to maintain access roads with no public benefit, applicant requirements for dual access to sites, (see Attachment 1).

2.0 Road Network:

2.1 Business / Employment Area:

- 2.1.1 The proposal for traffic signals at the new road junction at Rookwood Road is supported subject to provision of signalised pedestrian facilities and footpath links to adjacent bus stops.
- 2.1.2 The proposal for traffic signals at the Brunner Road junction is supported subject to no vehicle access from the subject site into or from Lambert Street at Brunner Road to ensure that existing residential amenity of Lambert Street remains unchanged by the proposed development.
- 2.1.3 The dedication and construction of a new pedestrian / cycleway to appropriate RTA standards along Rookwood Road fronting the subject site is to be incorporated into the design.

2.2 Residential Area:

- 2.2.1 The suggested layout of proposed roads within the residential area results in a large number of dwellings between Cooper Road and Reservoir 2 that will have poor pedestrian access to Birrong Railway Station. Increasing pedestrian and bicycle permeability though the area will maximise pedestrian access to the station. This must be a consideration within the entire site to encourage walking and cycling.
- 2.2.2 Increased vehicle access to the residential area could be provided by the construction of a new link road from Rodd Street (off Cooper Road) to the subject site. This would require the purchase of one or two dwellings on the eastern side of Cooper Road opposite Rodd Street, but would greatly improve pedestrian and

bicycle access to the Railway Station by significantly reducing the walking distance to many new dwellings within the development site.

2.2.3 Other traffic issues include:

2.2.3.1 The internal road layout contains a number of straight road sections, which will promote excessive speed. The proposed streets should be designed to limit vehicle speeds to less than 40 km/hr.

2.2.3.2 The need for pedestrians to cross roadways to walk around the site or leave the development site should be reduced to enhance pedestrian safety especially for children.

2.2.3.3 A shared bicycle / pedestrian access methodology should be implemented throughout the site.

2.2.3.4 A 2.8m wide shared bicycle / pedestrian access path to RTA standards should be developed and constructed on the northern side of Brunner Road generally along the site frontage. This proposed east-west shared bicycle path along Brunner Road should be partially incorporated within site in order to provide a 1.8m clearance from the existing kerb line in Brunner Road.

2.2.3.5 All proposed intersections in Cooper Road, Brunner Road and Rookwood Road shall be designed in accordance with RTA / Australian Standard road design standards.

2.2.3.6 A footpath network within and adjacent to the site shall be developed in consultation with Council's staff to provide safe pedestrian and bicycle links with the surrounding network of footpaths. All new pedestrian and bicycle links within and adjacent to the site shall be constructed by the applicant in conjunction with construction of the future subdivision and in accordance with recognised CPTED Principles.

2.2.3.7 A pedestrian and bicycle pathway should be provided / constructed on the eastern side of the Cooper Road / Baghdad Street Railway Bridge to permit future residents with young children to walk to the local primary school at Baghdad Street and Auburn Road without the need to cross Cooper Road.

2.2.3.8 The northern most proposed road to connect to Cooper Road has the first internal intersection in close proximity to the major intersection. Minor changes to layout will minimise traffic conflicts at this internal intersection as it was moved further to the east.

2.2.4 Construction of roads in the residential area must be to Council standards to ensure a smooth hand-over to Council after construction and an agreeable defect liability period. Details have already been forwarded to the applicant during previous meetings.

2.2.5 Council encourages innovative design, however the construction of swales in the road design will result in additional maintenance costs to Council, when the roads are transferred to Council. Council would suggest that Landcom enter into a Planning Agreement which details how the swales will be managed and maintained

in the long term. Alternatively, Council should be heavily involved in the design of the swails to ensure additional costs are not a burden to the ratepayers of Bankstown City.

3.0 Drainage and Overland Flow/Stormwater Management:

- 3.1 Stormwater and overland flow matters for the Business / Employment Area land uses are minimal with the proposed development, however off-site areas such as the Greyhound Social Club receive significant flows through their property. Council has discussed with Landcom the requirement to upgrade the downstream section of open-drain east of Rookwood Road that is owned by Sydney Water. This section of open-drain requires upgrading, as the current slow flow of stormwater has resulted in flooding of the Greyhound Social Club (see Attachment 2).
- 3.2 Appropriate measures which are sympathetic to the existing downstream drainage system will be required on the subject site.
- 3.3 A detailed Stormwater Management Plan for both the residential precinct and the business park / employment areas will be required to address stormwater management issues at development application stage.
- 3.4 Every effort should be made to capture / re-use stormwater on the site.

4.0 Other Infrastructure:

- 4.1 Installation of infrastructure such as supply of street lighting to residential streets must be constructed using similar materials and built in consultation with Council and to appropriate standards.

5.0 Residential Areas:

- 5.1 Council has previously made a submission (see Attachment 3) on the proposed zonings of the residential areas, raising concerns about the proposed use of the R1 General Residential Zone. Council acknowledges that since this time the proposed use of the R2 Low Density Residential Zone and the R3 Medium Density Residential Zone have been included in the Concept Plans, and are a more suitable zoning for this locality.
- 5.2 Council is concerned over the recent change in plans to now propose medium density housing on what was to be level useable open space in the north eastern corner of the residential area. Under the current proposal, the open spaces are generally located on uneven, vegetated land that results in only minimal flat useable open space for recreational activities, for both new and existing residents of the local area. Consideration should be given to relocating the medium density development from this northern corner of the site to other locations, to provide this flat area as a level open space / recreational area.
- 5.3 The triangle shaped allotment of land adjoining Cooper Road and Bagdad Street, north of the railway line should be considered as a separate residential area with an

access driveway rather than a residential road into the site due to the isolation of the site, which would result in better design and development potential of the allotment as possibly villa type development. Further investigation of this allotment of land in relation to overland flooding should be undertaken before development application stage.

- 5.4 Council is concerned with the lack of connectivity from the subject site to the railway station, along Rodd Street or Holland Street. The Development must encourage pedestrian and bicycle movement throughout. The opportunity to investigate whether servicing an existing residential property at the end of Rodd or Holland Streets would enable both pedestrian and vehicular access to the railway station, as currently access is via meandering pathway along various streets.
- 5.5 Connectivity and integration with the existing bus routes and networks is an important aspect to the proposal, ensuring that new residences have easy access to public transport facilities.
- 5.6 Contamination of lands, particularly in the residential areas of the subject site is an important matter to be adequately addressed. Council acknowledges that this aspect of the development will be addressed at civil works stage of the project, and will be keen to view relevant documentation at that time. Council is keen to ensure that there are no future contamination issues after residential occupation of the subject site.
- 5.7 Building heights of the proposed residential dwellings are consistent with that of the adjoining residential suburbs and are appropriate in this instance.

6.0 Open Space and Parklands:

- 6.1 The development concept includes 4 separate areas of parklands and open space within the residential precinct. The embellishment of these parks should be to a standard that Council uses for such facilities and development within open space zones. The choice and use of materials for these facilities should be semipolar to that of what Council currently uses. Detailed advice on embellishment of the parks can be obtained from Council at development applicant stage.
- 6.2 Council is supportive of the dedication of the parklands and open spaces at the completion and full sale of the residential precinct of the project, subject to embellishment being to Council's standards.
- 6.3 Council raises concern over the use of parklands as permanent stormwater retention basins, and the associated long-term management and maintenance issues. The use of these retention basins for short-term stormwater events is suitable, however long term ponding of water in these localities would be a burden on Council resources and health concerns.

7.0 Environmental Matters:

- 7.1 Council supports the proposal to revegetate the corridor areas with indigenous species. Due to the loss of Cumberland Plain Woodland vegetation, Cooks

River/Castlereagh Ironbark Forest vegetation and Sydney Turpentine Ironbark vegetation, the vegetation works should be undertaken with species representative of these communities.

- 7.2 A Vegetation Management Plan (VMP) should be prepared for the site. Currently the recommendations are that only a 5 year maintenance period be associated with the Plan, Council would suggest that there will be an ongoing cost to the community to maintain these areas and as such, the Plan should recognise the future maintenance regime and funding sources for a further period of time.
- 7.3 The areas marked as "High Conservation Areas " (specifically the triangle area of bushland in the northern most section of the residential precinct) should be protected, and detailed further in the VMP. In particular, the areas noted as containing Cooks River/Castlereagh Ironbark Forest vegetation and Sydney Turpentine Ironbark vegetation should be categorised and contained within the 'E2 Environmental Conservation' zone.

8.0 Sustainability Matters:

- 8.1 The subject site adjoins (to the north) the recently installed Sydney Water Recycled Water pipes, which operate along side the existing water mains. This development of the Potts Hill site is a unique opportunity to connect into this recycled water for use on parklands and open space at no cost to Council, along with additional uses in the residential and business park components of the development similar to the Rouse Hill Development. Council encourages Sydney Water and Landcom to incorporate this recycled water supply into the development as a showcase opportunity of other developments of the future.

9.0 Social Considerations:

- 9.1 Council encourages this proposal to develop and incorporate strong links both physical and non-physical to connect the existing and new communities together. Opportunities to incorporate or expand existing facilities through development contributions or by physical construction of various facilities should be further investigated through the development of the Social Plan for Potts Hill. Council is keen to work with Landcom and the community to ensure social interaction of these communities.

10.0 Section 94 Contributions:

- 10.1 Council supports the development of parklands and open spaces, infrastructure and embellishment of the precinct to ensure works are completed before the commencement of residential construction. Such practices are supported as off-sets equivalent to s94 contributions where appropriate. However, Council also requests that s94 contributions are provided to enable other projects and works off site are carried out as per the appropriate City-wide s94 plans unless other arrangements are negotiated with Council.

11.0 Sydney Water Facility:

- 11.1 The development of this site for innovative design and environmentally sustainable buildings in the form proposed is supported by Council. Sydney Water should ensure on-site stormwater management is adequate for the significant change in impervious areas proposed on this site, and that these additional built areas do not adversely impact on the stormwater flow over the adjoining sites, specifically the Greyhound Social Club.

12.0 Other:

- 12.1 The development of a site within the Business Park / Employment Precinct for the NSW Police provides additional jobs within the Bankstown area. These types of additional facilities and employment generating activities are encouraged. Council raises concern over the use of this facility for helicopters, as this site adjoins a residential suburb and will be affected by noise. Careful consideration to design of this facility should ensure privacy and noise impacts are minimised.

This submission is a summary of comments of Council's Planning staff, however a formal Council submission will be provided after the local government elections in October 2008. After this time, elected representatives will be briefed on the development proposal and subsequent submission provided to the Department.

If you have any questions regarding this submission or require any further clarification, please don't hesitate to contact Daniel Smith - Senior Projects Planner on (02) 9707 9097 or email on daniel.smith@bankstown.nsw.gov.au

Yours faithfully,



Luke Nicholls
Group Manager - ESD

Attachment 1: Council letter to Department (dated 27 June 2008)

Attachment 2: Map of Sydney Water Open-Drain

Attachment 3: Council letter to Department (dated 05 May 2008)

27 June 2008

Landcom
Ms Camille Abbott - Development Director
Urban Development
PO box 237,
PARRAMATTA, NSW, 2124

DX 28448 PARRAMATTA

Dear Camille,

**Part 3A - Project Application (Application No. MP 07_0099)
Potts Hill Sydney Water Redevelopment (Bankstown LGA)**

I write in reference to the Part 3A major Projects Application for the rezoning and redevelopment of part of the Sydney Water land at Potts Hill. Council wishes to highlight concerns of public infrastructure within the project.

Council has been working in consultation with Landcom to develop the most suitable outcome for the design of the eastern employment precinct of the subject site. Landcom proposes to include two (2) new roads within this precinct to access specific public infrastructure facilities and buildings. These two (2) roads will access the site off Rookwood Road and from Bruncker Road.

It has been suggested by Landcom that at the completion of the project that these roads would be handed over to Council. Council raises various concerns regarding the ownership of these roads. The following matters have been raised with Landcom recently, however Council is of a position that the roads should remain in the ownership of the current landowner, potentially as a easement or Right of Way (RoW) over the proposed allotments, for the following reasons:

- The proposed roads are not fully compliant with Council's standards for new roads to be handed over upon completion, for example road widths,
- Setbacks of the road off the Racetrack site, off Rookwood Road will not enable sufficient footpath and maintenance widths,
- Concern over turning/swept path movements of trucks from Rookwood Road into the new road,
- Long term maintenance of substantial retaining walls to the road (on the north west corner of the Racetrack), and the substantial embankments on the north side of the northern access road,
- Long term maintenance of overland and piped drainage issues across the site from the north, under the new road and through the Racetrack, and
- Long term maintenance of guard rails required adjoining the retaining walls to the road.

Other matters of concern to Council include:

- The Proposed two (2) roads will only provide private access to four (4) (infrastructure/service providers) sites and their employees. Therefore there is no need or requirement of the general public to access these roads,
- There is no community or public benefit to Council owning these roads, when they are more suited to a private road and/or RoW classification over individual allotments within the new subdivision layout. This reduces the requirement for large road widths and the necessary requirements associated with Council standards,
- Council is not obliged to provide more than one (1) access point to a site from a public road. The proposal is for two (2) sites to have dual access. It is therefore possible to eliminate one (1) of the roads completely,
- The nature of the proposed road construction including heavy duty pavements, embankments and cuttings could potentially be a burden on the community with no tangible benefit, and
- Sydney Water currently does not pay rates to Council, noting its operations as a critical infrastructure provider. The proposed landowners of the newly subdivided sites will be of a similar nature and will not be required to pay rates to Council, therefore there is no rates (or similar) from the new users of the land to provide for the long term maintenance of the proposed roads and associated infrastructure. As such, the roads/driveways should remain the ownership of the landowners.

Last week Council staff meet with Council's Asset Management Group to clarify matters in relation to the proposed roads. It is noted that Council is of the understanding that the two (2) proposed roads are best suited to be RoW's or private roads that are built and maintained by the landowners, as there is no community or public benefit from either of these roads. Landcom should therefore ensure that its planning documents and plans include this note in the Part 3A application to the Department,

Council will be able to maintain and take ownership of the two (2) new intersections (on Rookwood Road and Brunner Road) to the site, however the new roads (private roads or RoW's) will be the sole responsibility of the landowners (Sydney Water or the multiple infrastructure providers).

If you have any questions regarding Council's concerns or require clarification, please don't hesitate to contact us on (02) 9707 9097.

Yours faithfully,

Bruce Macdonnell
Manager - Strategic Planning - ESD

27 June 2008

NSW Department of Planning
Major Projects Assessments - Strategic Assessments
Mr Simon Bennett - Team Leader
GPO Box 39,
SYDNEY, NSW, 2001

Dear Simon,

**Part 3A - Project Application (Application No. MP 07_0099)
Potts Hill Sydney Water Redevelopment by Landcom (Bankstown LGA)**

I write in reference to our conversation on 24 June 2008 regarding the redevelopment of the Sydney Water site by Landcom at Potts Hill. During this conversation I raised a number of matters regarding the future ownership of the proposed roads within the eastern precinct of the subject site.

Council has discussed these concerns with Landcom and provided written advice to confirm Council's position. The following attachment is a copy of that written advice to Landcom.

If you have any questions regarding this letter or require any further clarification, please don't hesitate to contact me on (02) 9707 9097.

Yours faithfully,

Bruce Macdonnell
Manager - Strategic Planning - ESD



Sydney Water Open Drain Downstream of Rookwood Road

05 May 2008

NSW Department of Planning
Major Projects Assessments
Executive Director: Chris Wilson
23-33 Bridge Street,
SYDNEY, NSW, 2000

Dear Chris,

**Part 3A - Project Application (Application No. MP 07_0099)
Potts Hill Sydney Water Redevelopment by Landcom (Bankstown LGA)**

I write in reference to the Part 3A Application before the Department for the rezoning and redevelopment of part of the Sydney Water land at Potts Hill by Landcom. Council requests that the Department clarify specific matters regarding processes of the application.

Council requests that information be provided as to whether Council will receive s94 Contributions in the assessment of this Part 3A Project, or alternatively if the Department prefers that Landcom enter into a Planning Agreement with Council as part of the project? Such details will need to be negotiated with Council and placed on public exhibition accordingly.

Council also wishes to raise concern about the proposal to use the R1 General Residential Zone on this site. Council in its development of the new LEP for the City, does not propose to use this zone, as it does not provide clarity to the community of the type of development potential of a site. In this instance, Council requests that a more suitable zone is used on the subject site, such as R2 Low Density Residential Zone and R3 - Medium Density Zone, or as appropriate for a specific area. Council also notes that this project will result in two (2) LEP's in Bankstown, as Council does not currently use the new LEP Template zonings or format in its LEP. Council anticipates that Stage 1 of the new Bankstown LEP for the City will be complete in early 2009, therefore requiring this project to use the zones currently in the Bankstown LEP 2001.

Council looks forward to the Department providing Council with advice as to how these matters will be addressed and incorporated into the project at Potts Hill. If you have any enquiries regarding this request for clarification, or require further information, I can be contacted on (02) 9707 9472.

Yours faithfully,

**Luke Nicholls
Group Manager - ESD**