

Planning Services
Department of Planning and Environment
GPO Box 39 Sydney NSW 2001
Attention: Director – Industry Assessments

Our Ref	NCA/2/2019
Contact	Kate Lafferty
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13 March 2019

Dear Mr Ritchie,

**COUNCIL SUBMISSION
SSD 9302 – 9 DEVON STREET – CAMELLIA
VIVA ENERGY CLYDE WESTERN AREA REMEDIATION PROJECT**

I refer to the public exhibition of the above application seeking approval for the remediation of land.

Council officers have reviewed the application package and wish to advise that no objections are raised to the proposal. We request however that the following comments are taken into consideration in the assessment of the application.

ENVIRONMENTAL HEALTH COMPLIANCE

The review has found that the EIS appears to suitably address potential waste, environmental and public health impacts arising from the proposed development.

It is noted that further documentation is referenced in the EIS to be completed prior to the remediation works commencing, including but not limited to the following:

- Remediation Action Plan
- Project Management Plan
- Air Quality Management Plan
- Remediation Environmental Management Plan (with sub-plans: Waste Management Plan, Soil and Water Management Plan & Noise and Vibration Management Plan)
- Long-Term Environmental Management Plan.

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It is anticipated that drafts of these documents will be made available to Council for review prior to their approval.

Further, it is noted that a staged Validation process will be taking place as the remediation process is completed in phases. It is anticipated that copies of the Validation Reports and Site Audit Statements issued by a suitably accredited NSW Site Auditor will be provided to Council for review as the development progresses.

It is requested that conditions be imposed requiring the above consultation and review of documentation by Council.

NATURAL RESOURCES

The proposed works adjoin the Duck River riparian corridor, which is mapped as 'Wetlands Protection Area' under the *(Sydney Harbour Catchment) 2005* deemed SEPP and 'Natural Resources – Riparian Land and Waterways' under the *Parramatta Local Environmental Plan 2011*. The site is largely devoid of vegetation, with potential habitat in the form of human made structures such as tanks, having now been demolished and removed as part of the Clyde Terminal Conversion Project. Swamp Oak Floodplain Forest Endangered Ecological Community is present within the adjoining Duck River riparian corridor and along the western boundary drainage line. Whilst these waterway corridors provide potential habitat for threatened species, including the Green and Golden Bell Frog, they have been excluded from the proposed works to avoid direct impacts.

The Biodiversity Development Assessment Report (BDAR) confirms that no native vegetation occurs within the site and that the project is unlikely to result in any prescribed or direct impacts on threatened species or ecological communities due to the absence of suitable habitat. Therefore, as the project excludes the adjoining riparian and has been designed to avoid impacts to native vegetation and threatened species, biodiversity offset credits are not required.

However, the proposed works have the potential to indirectly impact adjoining habitat within the adjoining Duck River riparian corridor and along the western boundary drainage line. To minimise the potential for indirect impacts, the following condition (consistent with the BDAR) is recommended:

Before Commencement of Works

The Applicant shall prepare and implement a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:

- (a) be prepared in consultation with Council;*
- (b) be approved by the Secretary prior to the commencement of works;*
- (c) include measures to be taken to minimise impacts on the Duck River riparian corridor, Swamp Oak Floodplain Forest, and the Green and Golden Bell Frog population consistent*

with the recommendations in the Biodiversity Development Assessment Report (Appendix I) and the Mitigation and Management Measures (Chapter 15) of the EIS.

Reason: *To minimise impacts upon the Duck River riparian zone.*

Council also defers to the Department of Industry for their comments and technical expertise in riparian impacts.

TRAFFIC MATTERS

The submitted Traffic Report estimates that project-related vehicle trips during each peak hour would be in the order of 80 private vehicles and 20 heavy vehicles carrying remediation equipment or materials. On this basis, the report evaluated the performance of three intersections using SIDRA Intersection software. The results of the SIDRA modelling show that the increases of private and heavy vehicle movements generated by the project would have negligible impacts on existing traffic.

Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. The proposal can be supported on traffic and parking grounds subject to the following traffic related condition.

During Construction or Works:

Oversize vehicles using local roads require Council's approval. The applicant is required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within the City of Parramatta LGA.

Reason: *To ensure maintenance of Council's assets.*

HERITAGE

The site of proposed development is not individually heritage listed, however, it is in the vicinity of listed wetlands, and has some archaeological potential (Aboriginal and European), as identified by the EIS.

In this regard, Council defers to the referral comments of the Office of Environment and Heritage, particularly if the application requires any approval under the NSW Heritage Act 1977 as a prescribed development application.

STORMWATER AND CATCHMENT MANAGEMENT

The water, wastewater and flooding details of the submitted EIS are considered to be well prepared and comprehensive. Providing all details of the EIS and supporting documentation are implemented, Council officers raise no concerns regarding stormwater and catchment management.

TREE MANAGEMENT AND LANDSCAPING

No concerns relating to existing vegetation within the proposed work areas of the site are raised. Appropriate protection of the riparian foreshore is addressed elsewhere within this submission.

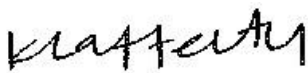
DEVELOPER CONTRIBUTIONS

The information submitted did not appear to contain a quantity surveyor's report stating the proposed cost of works. This should be submitted to determine the applicable Section 7.12 contributions to be paid to Council. In this regard, Council requests to review this report and for the Department to impose a condition requiring the payment of developer contributions for the project. A condition can be recommended for imposition to the Department once the information has been submitted and developer contributions are determined.

Council appreciates the opportunity to comment on the above application and looks forward to further consultation on this matter.

Should you wish to discuss the above matters, please contact me direct on 9806 5393 or at klafferty@cityofparramatta.nsw.gov.au

Yours sincerely



Kate Lafferty
Executive Planner
City Significant Development