

Submission by Ryde Community Alliance re SSD 9741 - Proposed Data Centre, 1 Sirius Road, Lane Cove West.

Ryde Community Alliance is an informal alliance of community and environmental groups and local residents formed in 2010 in response to many concerns regarding environmental and planning issues across the Ryde LGA and the surrounding areas and waterways; noting that much of Ryde LGA comprises an elevated plateau bounded by the Parramatta and Lane Cove Rivers, with areas of low lying land along the river frontages. Many important creek lines enter the Lane Cove River in Ryde and Lane Cove LGAs. These include Pages Creek, Buffalo Creek and Kitty's Creek in the Ryde LGA and are characterised by saltmarsh, wetlands, mangroves, sandstone gully forest, and

As the proposal has only come to our attention very recently, this submission will be brief but will highlight those matters which are of particular interest to the community in Ryde LGA and are potentially likely to adversely impact on the environment of the Lane Cove River Valley, and the slopes above the river in the Ryde LGA. These lands are variously zoned Public Recreation, Residential, National Park, Environmental Conservation, and Residential, and are protected under the provisions of Sydney Harbour Catchment REP and DCP, SEPP Bushland in Urban Areas, and Ryde LEP 2014 and DCP.

The Alliance previously made a submission in respect of 150 Epping Road, Lane Cove West, and made a presentation to the PAC. However, the matters raised in our submission were ignored, and development was approved without regard to the provisions of Sydney Harbour Catchment REP and DCP. The result is an over-development, with major visual impacts on the Lane Cove River Valley, as the submissions predicted. **Over-riding established Local and State environmental planning controls has adverse impacts which are avoidable. These and other concerns are relevant to this development.**

Ryde Community Alliance seeks that the Department **ensure that the proposed development is consistent with the relevant State and Local environmental planning instruments and controls applying to the land**, see below, as these were prepared with extensive research and community engagement, plus public comment. These include:

SREP (Sydney Harbour Catchment) 2005 -The proposal is subject to SREP (Sydney Harbour Catchment) 2005 and Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005. The SEPP has planning principles for the Sydney Harbour Catchment, extract as follows:

Sydney Harbour Catchment

The planning principles for land within the Sydney Harbour Catchment are as follows:

(a) development is to protect and, where practicable, improve the hydrological, ecological and geomorphological processes on which the health of the catchment depends,

(b) the natural assets of the catchment are to be maintained and, where feasible, restored for their scenic and cultural values and their biodiversity and geodiversity,

(c) decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment,

(d) action is to be taken to achieve the targets set out in Water Quality and River Flow Interim Environmental Objectives: Guidelines for Water Management: Sydney Harbour and Parramatta River Catchment (published in October 1999 by the Environment Protection Authority), such action to be consistent with the guidelines set out in Australian Water Quality Guidelines for Fresh and Marine Waters (published in November 2000 by the Australian and New Zealand Environment and Conservation Council),

(e) development in the Sydney Harbour Catchment is to protect the functioning of natural drainage systems on floodplains and comply with the guidelines set out in the document titled Floodplain Development Manual 2005 (published in April 2005 by the Department),

(f) development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour,

(g) the number of publicly accessible vantage points for viewing Sydney Harbour should be increased,

(h) development is to improve the water quality of urban run-off, reduce the quantity and frequency of urban run-off, prevent the risk of increased flooding and conserve water,

(i) action is to be taken to achieve the objectives and targets set out in the Sydney Harbour Catchment Blueprint, as published in February 2003 by the then Department of Land and Water Conservation,

(j) development is to protect and, if practicable, rehabilitate watercourses, wetlands, riparian corridors, remnant native vegetation and ecological connectivity within the catchment,

(k) development is to protect and, if practicable, rehabilitate land from current and future urban salinity processes, and prevent or restore land degradation and reduced water quality resulting from urban salinity,

(l) development is to avoid or minimise disturbance of acid sulfate soils in accordance with the Acid Sulfate Soil Manual, as published in 1988 by the Acid Sulfate Soils Management Advisory Committee.

The development as proposed does not comply with a number of these principles and should therefore be refused.

The Lane Cove River is zoned W2 Environmental Protection on Zoning maps 5 and 6 of the REP where the subject site is located, extract as follows:

Zone No W2 Environment Protection

The objectives of this zone are as follows:

(a) to protect the natural and cultural values of waters in this zone,

(b) to prevent damage or the possibility of longer term detrimental impacts to the natural and cultural values of waters in this zone and adjoining foreshores,

(c) to give preference to enhancing and rehabilitating the natural and cultural values of waters in this zone and adjoining foreshores,

(d) to provide for the long-term management of the natural and cultural values of waters in this zone and adjoining foreshores.

The subject site is within the area to which the development control provisions of the Sydney Harbour REP apply, and development should not be approved within this area adjacent to the river foreshores **unless it complies with the development assessment criteria provided by the REP and the accompanying DCP**, which includes detailed ecological mapping and urban design guidelines which are relevant to the subject land.

The subject land is zoned Light Industrial under Lane Cove LEP 2009 and it is understood to have significant contamination from previous uses. This has resulted in it remaining fenced to exclude the public for more than a decade. Given its proximity to the river the community would need to be assured that the contamination is removed prior to redevelopment being approved, for the long-term health of the river and the environment. **Decontamination should precede any approval for redevelopment in accordance with SEPP No. 55 (Remediation of Land) and relevant EPA Guidance.**

SEPP No. 19 (Bushland in Urban Areas) - The subject site adjoins bushland which is protected by the provisions of SEPP 19. The SEPP contains provisions relating to the protection of bushland on land adjoining SEPP 19 bushland which apply to the current proposal. The proposed development includes the clearing of natural vegetation which for ecological reasons should be maintained, as part of the bushland corridor along the river, and its contribution to the visual landscape of the River.

Lane Cove National Park is an item of environmental heritage significance under Ryde LEP 2014, and located along the opposite bank of the Lane Cove River. The height, scale and imposing form of the proposed buildings will have a negative impact on views from the National Park which is traversed by the Great North Walk along the River foreshores opposite the subject land. **The development as proposed has not addressed the requirements of the relevant environmental planning instruments and DCPs applying to the land which require specific regard to visual impacts on the catchment and tributaries of Sydney Harbour, and seek to protect the natural landscape setting of the Lane Cove River Valley.**

The subject land, which is currently vacant, is potentially an important addition to the Lane Cove National Park. Ryde and Lane Cove LGAs are experiencing a rapid population increase the result of State government policies since the mid-1990s. The existing local environmental planning powers were subsumed by the State and established local environmental planning instruments have been overridden, resulting in mixed land use developments most of which are high rise, high density residential developments, in excess of the three times the scale of prior developments. **These developments have increased the pressure on the natural environment in the surrounding suburbs of Ryde and Lane Cove.**

The existing zoning of the subject land as Light industrial is now redundant, following the approval of major residential and mixed uses at 150 Epping Road, Lane Cove West. In addition, the Lane Cove

LEP, gazetted in 2009, is due to be reviewed in accordance with State Government policy. In all of the circumstances, **the proposal for the subject land should be refused and the future uses of the site be subject to a strategic planning review, having specific regard to the value of the land for alternative uses which are compatible with the immediate proximity to the Lane Cove National Park and public foreshore open space and conservation lands in Lane Cove.**

The Ryde Community Alliance appreciates the opportunity to comment on the above proposal.

Sincerely,

Jennie Minifie
for Ryde Community Alliance.