CITY OF PARRAMATTA

Department of Planning, Industry and Environment
Parramatta Square, 12 Darcy Street
Parramatta NSW 2124

Our Ref	**NCA/3/2020**
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27 October 2020

Dear Mr. Koppers,

COUNCIL SUBMISSION
SSD 10459 – CENTRAL SYDNEY INDUSTRIAL ESTATE AND DOWNER SUSTAINABLE ROAD PRODUCTS COMPLEX

I refer to the public exhibition of the above application for subdivision and infrastructure works to create the Central Sydney Industrial Estate and Stage 1 works for the development and operation of Downer's Sustainable Road Products Complex.

Council officers have reviewed the application package and formally **object** to the proposal primarily on the following grounds:

- Riparian Corridor (40m)
  - The riparian corridor should be increased to be 40m rather than the 30m proposed corridor in line with the NSW Fisheries Guidelines and Natural Resource Access Regulator (NRAR);
- Contribution offsets
  - The new road and future bridge easement are offered on the basis that they will be offset against future contributions payable in relation to Lot 5. In addition, the riparian corridor is also proposed to be offset against Lot 5. This is not considered to be appropriate.
- Insufficient Information
  - Whilst the height non-compliance appears to demonstrate a low to moderate impact, an architectural plans package detailing RL levels of the height non-compliance as well as elevations and sections has not been provided to enable an accurate assessment of the proposal.

These matters have been discussed in detail below. Further to this, Council has provided additional matters which should be addressed by the Proponent.

BIODIVERSITY & HABITAT

Biodiversity Development Assessment Report (BDAR)

Whilst the site is largely devoid of native vegetation or other potential habitat outside the Duck River riparian corridor, there is a potential for indirect impacts from runoff and the location of the proposed new stormwater outlets on land included on the biodiversity values map. However, it is noted that both planning and environment agencies have determined that the proposed development is not likely to have any significant impact on biodiversity values and a BDAR is not required.

Flora and Fauna Assessment (FFA)

The FFA confirms that the majority of the site is significantly disturbed due to previous heavy industrial development, with Estuarine Swamp Oak Forest and Estuarine Mangrove Forest threatened ecological communities occurring along the southern boundary within the Duck River riparian corridor. The presence of mature canopy and mid-storey vegetation in the Duck River riparian corridor provides potential *'habitat and foraging resources for arboreal mammals such as microbats, megabats, gliders and possums. This vegetation is likely to provide occasional roosting and foraging opportunities for a variety of birds, including aquatic and marine birds that would interact with the brackish environment of Duck River and the Parramatta River/Sydney Harbour corridor more generally. Drainage channels within the Site may provide some habitat for reptiles, with lizards and snakes known to occur.'* The establishment of a wider vegetated riparian corridor utilising a full stratum of indigenous species provides an important opportunity to increase the biodiversity value of the Duck River wildlife corridor.

Nocturnal species that utilise this corridor, particularly bats and birds, could be potentially impacted through increased light spill. This will need to be managed through the use of directional lighting that minimises the potential for overspill into the riparian corridor. The proposed two new stormwater outlets that are to be located on cleared land to the rear of the mangroves also have the potential to result in erosion and scouring through the concentration of flows following high rainfall events. Any new stormwater outlets are to be directed downstream and designed consistent with the Department of Primary Industries 'Guidelines for Outlet Structures' to provide for a smooth transition between constructed drainage and natural flow regimes as well as minimising the potential for impacts on the biodiversity values of the Duck River riparian corridor.

Vegetated Riparian Zone

The applicant proposes a minimum 30m wide (from top of bank) vegetated riparian zone along Duck River consistent with the 'foreshore building line' and as approved for the Western Area Remediation Project on the subject site. Whilst this is consistent with the Natural Resource Access Regulator (NRAR) *'Guidelines for controlled activities on waterfront*

land' for a third order stream, these guidelines recommend a minimum width of 40m for 'estuaries, wetlands and parts of rivers influenced by tidal waters' as follows:

Watercourse type	VRZ width (each side of watercourse)	Total RC width
1st order	10 metres	20 metres + channel width
2nd order	20 metres	40 metres + channel width
3rd order	30 metres	60 metres + channel width
4th order and greater (includes estuaries, wetlands and parts of rivers influence by tidal waters)	40 metres	80 metres + channel width

Duck River is tidal in this location, as evidenced by the presence of mangrove forest, which is also mapped as Coastal Wetlands. It is also mapped as Key Fish Habitat that typically requires a 50-100m buffer zone under NSW Fisheries guidelines. An increased average minimum width of 40m is therefore considered to be more appropriate and consistent with NRAR and NSW fisheries guidelines. This would provide greater capacity for the riparian corridor to accommodate a shared pedestrian cycleway without encroaching into the 30m core vegetated zone, with the cycleway to be located along the landward edge to maximise ecological functionality.

Vegetation Management Plan / Landscape Design Plan

It is noted that a controlled activity approval is not required and that a Vegetation Management Plan (VMP) has been prepared to ensure best-practice management of the Duck River riparian corridor. This VMP currently utilises sub-canopy species characteristic of Swamp Oak Floodplain Forest, however lacks the provision of canopy species required to maximise habitat value and foraging resources within the corridor. This is inconsistent with the Landscape Design Report that recommends the use of *Eucalyptus tereticornis* (or similar species) to achieve a canopy cover of 60%.

The riparian corridor proposes to retain a 30m corridor of Coastal Wetlands along Duck River with the aim of protecting the existing areas of Mangrove Forest and Swamp Oak located along here which is supported. The Riparian Corridor Planting schedule has specified most of the species listed on the Swamp Oak Floodplain Forest Revegetation species list within the VMP report, however some species do not correlate and these should be replaced with species that are found on the list. Species to be replaced include: *Eucalyptus tereticornis* (replace with *Melaleuca quinquenervia* for example), *Melaleuca decora* tree, *Bursaria spinosa* and *Indigofera australis* shrubs and *Ficinia nodusa* grasses.

The VMP also lacks a planting layout and the minimum densities required to achieve the objectives within each of the specified management zones. It should also identify weeds of national significance (and those of state and regional priority under the Greater Sydney Regional Strategic Weed Management Plan) that are present within the site and require priority treatment.

Biodiversity and Habitat Recommendations

- All headwall outlets are to incorporate flow velocity reduction and filtration controls (i.e. bedded boulders and native sedges / rushes) to provide for a smooth transition between constructed drainage and natural flow regimes, and minimise scouring impacts and nutrient loads to Duck River as per NSW Department of Primary Industries 'Guidelines for Outlet Structures'.
- Increase the width of the Duck River vegetated riparian zone to 40m from top of bank consistent with the Natural Resource Access Regulator 'Guidelines for controlled activities on waterfront land (Riparian Corridors)' for tidal waters.
- Amend Vegetation Management Plan to address the following:
    - Supplement Swamp Oak Floodplain Forest species with Eucalyptus tereticornis (or similar endemic species) to maximise habitat value and foraging resources within the Duck River corridor;
    - Specify planting densities and layout for revegetation species; and
    - Identify weeds of national significance and state / regional priorities under the Greater Sydney Regional Strategic Weed Management Plan.

LAND USE PLANNING

The EIS has acknowledged that Council and DPIE expressed concern that the maximum structure height of 41 m will exceed the LEP limit of 12m. Council's previous comments to DPIE dated 19 May 2020 requested a comprehensive Visual Impact Analysis to be carried out to justify the proposed height non-compliance – *"considering impacts from the broader context of the surrounding area, including any potential visual impacts to the future residents of the potential Camellia Town Centre, and public domain areas, including the Parramatta and Duck rivers."*

The EIS has assessed the potential visual impact from five public and private viewpoints including the following (refer to **Figure 1** below):

- VP1: Rosehill Racecourse Members Stand;
- VP2: Residential apartments, James Ruse Drive, Rosehill (indicative view from Rosehill Racecourse stable area);
- VP3: Residential apartments (indicative view Allambie Street foreshore, Ermington)
- VP4: Silverwater bridge, Silverwater;
- VP5: Patricia Street, Rydalmere.

Land Use Planning Officers have reviewed the assessment and consider that the impact on the visual amenity of the off-site viewpoints is considered low to moderate. It is noted however the visual impact analysis, does not include visual impact assessment from the potential future Camellia Town Centre. It is also noted from our last meeting with the applicant, that more proximate views such as the view from along/across the river (Carnarvon Street) may be significant – if nothing else as a wayfinding and skyline/night-lighting features recreating the industrial aesthetic of the former refinery.

It is noted that the EIS has addressed the potential impacts regarding the visibility within Camellia by describing that any visual change associated with the staged subdivision and earthwork would result in a minimal visual impact without having completed any views analysis to demonstrate this The Planning Proposal for 181 James Ruse Drive, Camellia (part of the future Camellia Town Centre) seeks to have residential buildings up to 40 storeys (126m) and is currently with DPIE for finalisation. Whilst this Planning proposal is still yet to be gazetted by DPIE, and is currently awaiting State Government decision on Camellia, it is requested that a visual impact assessment be carried out from 181 James Ruse Drive site as an viewpoint from the potential Camellia Town Centre (Please refer to the circle shown in red in **Figure 1** below) from the upper levels. This is consistent with Council's previous advice.

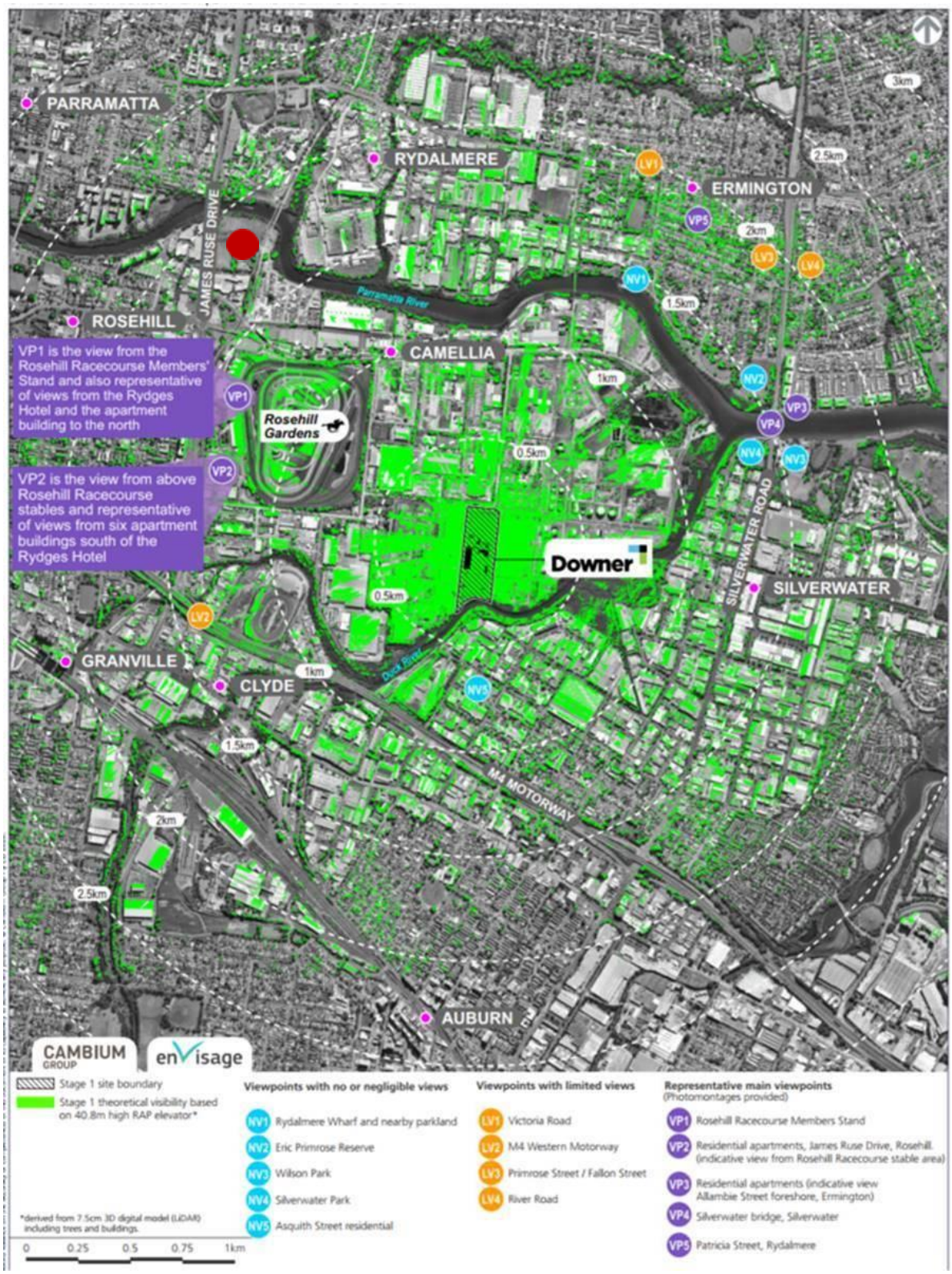

Figure 1: Theoretical visibility and assessed viewpoints

Developer Contributions:

The proposal will require the payment of developer contributions in accordance with the City of Parramatta S94A Development Contribution Plan (Amendment No.5). A cost of development works calculated in accordance with Clause 25J of the EPA Regulation 2000 should be prepared by a suitably qualified quantity surveyor.

Further, it is noted that Council Officer's previous comments regarding proposed offset to future Contributions still stands. Council's position is that no offset should be considered. Public foreshore access should be provided as part of any redevelopment especially given the FSR would have been extracted from this land as part of redevelopment. Further, the proposed public access easement is located within the foreshore riparian corridor (40m riparian zone along the length of Duck River) which means that the portion of the site is undevelopable.

Consistencies with the Draft Camellia Town Centre Masterplan

The proposed development is consistent with the Draft Camellia Town Centre Masterplan 2018 as the project will facilitate some of its objectives (https://www.planningportal.nsw.gov.au/draftplans/under-consideration/draft-camellia-town-centre-master-plan) by providing a public road which could link Camellia to Silverwater via a future bridge over Duck River and the riparian zone along the Duck River foreshore for a pedestrian/cycle path.

ADDITIONAL MATTERS TO BE ADDRESSED

LANDSCAPE AND TREE PROTECTION

The proposal was referred to Council's Tree and Landscape Officer who provided the following comments to be addressed:

- Clarification is required whether the intent is to have a footpath proposed on both sides of the Access Road. The typical street section shows the footpath on one side only, however, the street tree planting details show a footpath adjacent to the trees;
- An increase to the swale species diversity from the limited 3 x species proposed of grasses and rushes to include at least a 8 – 10 species mix as listed in the revegetation species list should be provided within the VMP report;
- An increase in the bioretention basin planting mix from the limited 5 x species proposed of grasses and rushes to include at least a 8 – 10 species mix as listed in the Revegetation species list is requested to be provided within the VMP report;
- The engagement of a AQF Level 5 Arborist ('Project Arborist') to provide a Tree Impact Assessment, Tree Protection Plan and Tree Management Specification to

incorporate specific tree protection measures to the street trees located along Devon Street, in accordance with AS4970-2009 (Protection of Trees on Development Sites) and a Tree Removal Plan for any trees proposed to be removed;
- In accordance with Table 3.1.3.15 of the Parramatta Development Control Plan 2011, sites within an Industrial zone should demonstrate 10% landscaped area.

TRANSPORT PLANNING

The proposal incorporates a 2.5m wide deco gravel maintenance path that has been provided at the south of the site within the riparian corridor which is considered inadequate. Council is investing in separated walking and cycling along the Parramatta River as a 3m wide shared path is considered inadequate for the speeds and volumes of pedestrians and cyclists on the path.

For an overview of Pedestrian and Cyclist Counts of Parramatta River please refer to the following link:
https://parracity.maps.arcgis.com/apps/opsdashboard/index.html#/68a46defcc5249c3b86eb233734d574d

Given the inadequacies that a 2.5m path may impose it is requested that the proposal provide the following:

- A separated walking (2m) and cycling (3m) path in concrete within the 40m from top of bank along the full extent of Duck River frontage. For areas where this is either ecologically or topographically challenging, this can be in the form of a boardwalk.
- Council shall be granted an easement for ongoing public access of this path. It is noted that no subdivision plans for approval have been provided and details of Council's role within the easement. Further detail must be provided to ensure Council are satisfied with the easement.

The above requirements are consistent with the Future Transport (Principle Bicycle Network) and Sydney's Cycling Future (Strategic Bicycle Corridor) that require separated walking and cycling facilities. Please refer to the following:

Future Transport (Principle Bicycle Network)
- https://future.transport.nsw.gov.au/plans/future-transport-strategy/future-network

Sydney's Cycling Future (Strategic Bicycle Corridor)
- https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/sydneys-cycling-future-web.pdf

In addition, the Central District Green Grid Priorities C13 and C16 highlights Duck River within the top 2 priorities:

- *A continuous walking and cycling north-south link between Parramatta, Camellia, Granville, Auburn, Regents Park to Bankstown. Enhancing and expanding the existing open space assets will establish the corridor as regional open space with improved recreational space, habitat for ecological communities and better treatment of stormwater.*

The proposed new road will become a Council Asset. As part of the road, a shared path (3m wide) connection along the eastern verge and along the eastern edge of the future road alignment should be provided. In this regard, street trees are to be provided on the eastern side between carriageway and shared path (this can be in the parking lane if required, or the reservation can be widened).

Consideration should also be given to incorporating a shared path on the southern side of Devon Street.

URBAN DESIGN & AMENITY MATTERS

Preliminary discussions were held between Council and the applicant pre-exhibition of the EIS. At this time it was established that the visual impact assessment provided was rigorous and thorough.

The following comments were also provided at pre-exhibition which require further consideration in the assessment of the SSDA:

- The subdivision plan provided for the site recognises the need for the bridge crossing at Duck River connecting with Carnarvon Street, which meets an objective of the structure plan, however the subdivision plan does not address other broader objectives that the structure plan would address including:
  - Public access along Duck River with a 40m corridor set out from top of bank;
  - Connections through and around the site so that in the long term the site does not 'block' access to:
    - The confluence of the Duck and Parramatta Rivers in the east
    - Camellia Town Centre and school in the north.
- The subdivision plan provides for a 20m wide road, with future connection to a future bridge crossing connecting to Carnarvon Street. Using a structure plan, this road width should be tested to ensure the proposed minimum width fits in with the broader road hierarchy and is appropriate for the future development and user demands.
- A bicycle path at the new road and the riparian corridor be included. Using a structure plan, the bicycle path location and connections at the broader scale should be tested and shown.

Recommendations:

- A structure plan is to be prepared with the subdivision. The structure plan is to show:
    - Devon Street on the northern boundary
    - A 40 metre riparian corridor along Duck River
    - Fully considered road network and hierarchy options with proposed road located so that it aligns with the midpoint of:
        - Colquhoun Street in the north south direction
        - Durham Street in the north south direction
        - Option to extend Unwin Street connecting through to Durham Street
    - Where streets straddle a boundary, a 'paper road' 10 metres wide be provided on both sides of that boundary, other than the riparian setback boundary where the road should be within the site boundary
    - In the paper road zone no buildings or permanent heavy infrastructure are to be located.
    - Minimum road easement width be 20m that allows for variation of road cross section set up informed by road hierarchy and the structure plan.

STORMWATER AND CATCHMENT MANAGEMENT

Council's Senior Catchment and Development Engineer has reviewed the 'Flood Impact Assessment Report' prepared by WMA Water, Appendix G updated 21 August 2020 and the 'Surface Water Impact Assessment and Civils Report' Appendix F (also titled Civil Engineering Report incorporating Water Cycle Management Strategy) by Costin Roe Consulting Rev A dated 17 Sept 2020.

Consultation was held between Council and the applicant prior to the exhibition of the EIS. As part of this advice it was requested that the low and high volume stormwater and overland river flows be dealt with together within a Flood and Water Management Strategy. It is noted that this has not been provided within the SSDA submission.

The report supplied by WMA has provided flood modelling output maps for both overland flow and for the river flooding from Duck Creek (and at higher levels, Parramatta River). These reaffirm that the site is severely affected by flooding in 1% AEP and PMF events both from overland flow and from the river system. This includes a large area of 'high hazard' flooding. However, the documentation does not provide detailed information about how the site would be designed to manage these flood flows with the necessary degree of safety.

In addition to this, increased flooding is expected at Devon, Colquhoun and Unwin Streets due to the proposed development and the impact to surrounding properties for larger flood events above 0.2% AEP up to the PMF event. Further consideration should be

applied for flood events greater than 0.2% AEP given the significant depth of flooding for the PMF is reported to be 2m above ground surface levels.

It appears the report defers much of the management of the impact of flooding to future development applications for individual lots. The flood report should provide detail in designing the whole precinct to manage the severe flood conditions and flood waters to meet current standards - if this is possible. In addition, there is minimal information about overland flow paths on both the roads and swales and how the large volumes of displaced floodwaters will be accommodated.

The report prepared by WMA recommends that evacuation should be undertaken prior to inundation of the road network. As part of preliminary comments with Council it is noted that the Applicant was requested to liaise with SES as it was considered that an Evacuation and a Flood Emergency Response Plan should be established for this high hazard flood site.

In addition, Figure C8 within the WMA Report showcases hydraulic hazard conditions for the proposed developed area to be predominantly H4 and H5. This indicates it is unsafe for people and vehicles and where structural damage to buildings and building failure is possible.

Similarly the surface water impact assessment does not address Council's pre-exhibition comments. Further detail is required concerning the site as a whole given the scope of the project. There are diagrams for erosion control sediment basins and the like, but no overall WSUD concept for this large tract of land that drains directly into the river.

The WMA Water report also states that only increase rainfall subject to climate change has been considered and that *"The proposed design has not specifically considered a climate change rainfall increase as any increase can be accommodated within the freeboard allowance for building floors."* This is not considered an acceptable approach. The freeboard of 500 mm is intended to consider unknown impacts and acts as a factor of safety. Given that there are recommended guidelines for future change in climate it is recommended that this should be considered on top of the 500 mm freeboard requirement.

It is recommended that the following matters are also addressed:

- A Flood and Water Management Strategy be developed for the site including overland flow, riverine flooding and Water Sensitive Urban Design; and
- An Evacuation and Flood Emergency Response Plan be provided in consultation with SES; and
- Implementation of Council's preliminary comments which were incorporated in the SEARs request and further comments dated 4.09.2020.

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TRAFFIC MATTERS

The information submitted by the application is not clear regarding what agreement will be in place regarding the possible easement/right of way from the proposed road to Duck River to allow for a future link to Carnarvon Road, Silverwater. This is to be clarified with appropriate information submitted to Council for review.

The proposed 27.1m wide driveway for Stage 1 is considered excessive. This can be hazardous for pedestrians as they will have to travel a long distance within an area where there will be reasonable truck movements. Accordingly, the design of the driveway is to be revised so that it does not exceed what is necessary to allow access for a 26m long B Double vehicle.

The detailed design plans of the proposed new road are to be submitted to Council's Traffic and Transport Manager for consideration of the Parramatta Traffic Committee and approval by Council prior to construction. Accordingly, a condition of consent should be imposed should any approval be recommended.

Conclusion

It is noted that this is the recommendation of Council officers and this objection has not been endorsed at a Council meeting.

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 5571 or at tfernandez@cityofparramatta.nsw.gov.au

Yours sincerely

Myfanwy McNally

Myfanwy McNally
City Significant Development Manager