NSW GOVERNMENT | Office of Environment & Heritage

DOC18/890252
SSD 9403

Mr Cameron Sargent
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Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Andy Nixey

Exhibition of Residential Development - 1 & 2 Murray Rose Avenue, Sydney Olympic Park (SSD 9403)

Dear Mr Nixey,

I refer to your letter dated 16 November 2018, requesting input from the Office of Environment and Heritage (OEH) on the exhibition of the SSD application for a residential development at 1 & 2 Murray Rose Avenue, Sydney Olympic Park. The proposal seeks approval for:

- two residential buildings (294 units) comprising a total gross floor area (GFA) of 27,395m²
  - 8 to 12 storeys with 168 apartments at 1 Murray Rose Avenue
  - 8 to 15 storeys with 126 apartments at 2 Murray Rose Avenue
- a landscaped ground plane, comprising private communal open space, deep soil landscaping and through site link
- three levels of basement parking per residential building (330 car spaces and 430 bicycle spaces).

Please find attached OEH comments in Attachment 1.

Please note that a separate response may be provided on heritage matters by the Heritage Division of OEH as delegate of the Heritage Council of NSW. Should you have any queries regarding this matter, please contact Svetlana Kotevska, Senior Conservation Planning Officer on 8837 6040 or at Svetlana.kotevska@environment.nsw.gov.au.

Yours sincerely

S. Harrison 07/12/18

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Attachment 1 – Office of Environment and Heritage (OEH) comments – Exhibition of Residential Development - 1 & 2 Murray Rose Avenue, Sydney Olympic Park (SSD 9403)

Biodiversity

Opposite the site across Bennelong Parkway are the Badu Grey Mangroves, Bennelong Pond and wetlands within Bicentennial Park in Sydney Olympic Park. To the north of the site is the Brick Pit Park and the Brick Pit, the latter which supports habitat for the Green and Golden Bell Frog. These areas adjoining the site to the north and east are zoned E2 Environmental Conservation due to their high biodiversity values.

OEH has reviewed the Biodiversity Development Assessment Report (BDAR) prepared by Niche Environment and Heritage dated 22 October 2018 and advises it is satisfactory. The proposal involves clearing of approximately 0.08 hectares of planted native trees and some juvenile native regrowth however does not generate the need for offsets as the vegetation integrity scores are <20. The site appears unlikely to be habitat for the Green and Golden Bell Frog. Overshadowing and other potential indirect impacts on adjacent areas appear to be relatively minor and can be mitigated and managed. OEH recommends the following conditions on a development consent consistent with the proponents' BDAR:

- Identification of stormwater, erosion and sedimentation controls in a Stormwater Management Plan
- Inclusion of endemic tree and shrub species in landscaping
- Restriction of external lighting to the pathways and communal areas on the lower levels, with all external lighting to be inward facing
- A weed management plan must be prepared.

Four high threat weeds were recorded during field surveys and the biodiversity values of nearby sensitive environments need to be protected.

Water Quality

Runoff, sediment and water quality from the development site must be managed as water and sediment discharged from the site will flow east into the Bicentennial Park mangroves and wetlands, which are used recreationally, then into Homebush Bay and the Parramatta River. The study area is located less than 50m west from the Bennelong Pond, which is serviced by Powells Creek and 755m south of Haslams Creek. The proposal must mitigate the impacts of sediment and runoff on nearby waterways, vegetation communities and aquatic habitats that supports threatened species.

OEH notes a Detailed Site Investigation undertaken for both 1 and 2 Murray Rose Avenue by EI Australia identified that both sites are contaminated and found:

- carcinogenic PAH's exceeded the adopted health-based investigation levels in multiple samples
- Benzo(a)pyrene exceeded thresholds in multiple samples.

Given the sensitive environment surrounding the site and past contamination, appropriate site management is required. Any forthcoming consent must require compliance with the preliminary Construction Traffic Management Plan (CTMP) and Stormwater Management Plan and Maintenance Plan as well as a Remediation Action Plan.

OEH supports the stormwater treatment measures outlined in the Integrated Water Management Plan (IWMP) and the plan must be conditioned on any forthcoming development consent. The plan details how the proposal performs against the targets set in the *Sydney Olympic Park Authority Policy – Stormwater Management and Water Sensitive Urban Design policy 2016*. The results of the MUSIC model show the proposal's performance of the nominated treatment trains exceed the pollutant removal targets outlined in the Policy (i.e. the proposal provides for a greater reduction in pollutants and nutrient discharged then the minimum policy targets - refer to Table 6-2 of IWMP). However, the plan is contradictory as it states in section 9 Tailored Ecological Protection Measures that "There are no known or identified ecological habitats or species of particular significance in the vicinity of the site... The proposed development incorporates devices to improve water quality and

restrict flows from the site to predevelopment levels thus protecting the downstream, receiving network where there is habitat for GGBF".

The above plans and conditions will ensure the proposal is consistent with the following policies including the Sydney Harbour Catchment REP, Central City District Plan priorities/actions and the Coastal SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
Clause 21 requires that:
(a) development should have a neutral or beneficial effect on the quality of water entering the waterways
(b) development should protect and enhance terrestrial and aquatic species, populations and ecological communities and, in particular, should avoid physical damage and shading of aquatic vegetation (such as seagrass, saltmarsh and algal and mangrove communities)
(c) development should promote ecological connectivity between neighbouring areas of aquatic vegetation (such as seagrass, saltmarsh and algal and mangrove communities),
(g) development on land adjoining wetlands should maintain and enhance the ecological integrity of the wetlands and, where possible, should provide a vegetative buffer to protect the wetlands

It is noted the proposal overshadows adjacent areas of mangroves to the east with impacts in the late afternoon from 2pm.

Central City District Plan: Priority C13 "Protecting and improving the health and enjoyment of the District's waterways".

Coastal Management SEPP: The site is identified as being located within the Proximity Area for Coastal wetlands under the Coastal Management SEPP.

Flooding
The flood modelling undertaken for the development site indicates the flooding impact would be minor and insignificant which could be eliminated by adding a free board of 0.5m. As such, OEH raises no flooding concerns.

Aboriginal Cultural Heritage
The recommendations of the Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Artefact dated October 2018 must be implemented and the following conditions included on a forthcoming consent:

- A Heritage Interpretation Strategy should be prepared, and a plan implemented, in consultation with Aboriginal stakeholders/Registered Aboriginal Parties. This plan would include methods of incorporating identified Aboriginal heritage values into the design process, such as interpretative elements, signage and plantings providing information on Aboriginal lifeways within the study area and surrounding area.
- An unexpected finds policy should be implemented, with the following conditions:
  - Stop work within the affected area,
  - protect the potential archaeological find, and
  - inform environment staff or supervisor
  - Contact a suitable qualified archaeologist to assess the potential archaeological find.

  In the event of unexpected finds, the registered Aboriginal parties should be sent an update on the project everything six months until construction is completed.
- If Aboriginal archaeological material is identified, works in the affected area should cease, and the NSW OEH should be informed. Further archaeological mitigation may be required prior to works recommencing.
- If human remains are found:
  - do not disturb or move these remains
  - immediately cease all work at the location
  - notify NSW Police

- notify DECCW's Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location
- do not recommence any work at the location unless authorised in writing by OEH.

Landscaping and Urban Tree canopy cover
The landscape plan shows a 3m wide deep soil planting area along the sites eastern boundaries fronting Bennelong Parkway that represents:

- Site 1 - 7.41% deep soil area of the site area with woodland species 291.11m²
- Site 2 - 12.8% deep soil area on site and 332.05m²

The deep soil area to Site 1 is less than that required under the Apartment Design Guide of 9.55%.

The landscape plan planting strategy calls this planting the 'wetland interfacing planting' area and the indicative plants proposed includes natives in 200L- 400L plant pot sizes. OEH recommends the landscape masterplan planting schedule be updated to include the use of local provenance plants to recreate threatened ecological communities, where appropriate. OEH discourages the use of exotics plants in this sensitive environment nearby to the Badu Grey mangroves/wetlands.

OEH also notes that the Arborist plan shows the removal of trees along the Site 1 northern perimeter boundary in particular Trees 8 and 10 (identified as being in good condition) and also Trees 9, 15 and 17 all of which are native canopy species of *Corymbia eximia* (Yellow Bloodwood) and *Eucalyptus robusta* (Swamp Mahogany) (see image below). It is unclear why these trees are proposed to be removed when given their locations along the site's perimeter could easily be retained via an adequate setback from the building footprint. This would provide amenity to new residents as they are established mature trees.

It is also noted that a number of trees located outside the sites boundary along Bennelong Park are proposed to be removed as shown on the Vegetation Management Plan and it is unclear whether approval has been given by the Sydney Olympic Park Authority to the proponent for works outside their site. Further their removal would appear to be inconsistent with the Sydney Olympic Park Master Plan that encourages a leafy street character and a buffer strip along the Bennelong Parkway frontage to mitigate traffic noise and provide a tree lined parkway. The Master Plan states:

"Parkview Precinct adjoins Central Precinct. It is defined by Australia Avenue, Bennelong Parkway, the parklands to the east and the Brick pit to the north. Its existing industrial and commercial uses will progressively give way to higher densities and a mix of uses to create a compact urban neighbourhood with a vibrant and leafy street character, with views and outlook over Bicentennial Park and the Brick pit".

A Planning Priority C16 in the District Plan is to increase urban tree canopy cover and deliver Green Grid connections. To achieve this priority the District Plan identifies opportunities for green grid connections and outlines the NSW Governments target is to increase tree canopy cover across Greater Sydney to 40 per cent. The proposal needs to detail how much green cover is provided on site and what canopy cover percentage will be achieved on site to be consistent with this target. OEH is supportive of the setback areas with deep soil planting to allow for canopy forming trees to grow and contribute towards meeting this target.

Sustainability and Building Design
The proposal should clearly outline measures proposed relating to sustainability including water sensitive urban design, urban tree canopy and green cover to assist with reducing the urban heat island effect, and local temperatures and improving liveability. OEH recommends the development incorporate green walls, green roof and/or a cool roof into the design. The benefits of Green Roofs and Cool Roofs are outlined in the *OEH (2015) Urban Green Cover in NSW Technical Guidelines* which can be found at the following link:
http://climatechange.environment.nsw.gov.au//Adapting-to-climate-change/Green-Cover

- It is noted on the Roof Plan - Site 1 that a green roof with large shade trees is incorporated as part of the passive recreation/amenity areas. However, this is limited to only the eastern half of the roof and it is unclear why the western half of the building has no green roof.

- The Roof Plan – Site 2 green roof is very limited in terms of green cover and shows extensive paved areas.
- The gabion wall as shown on landscape plan 'Indicative Illustration -Site 2 - Gabion Wall' - could be a feature green wall and also provide a better visual connection between the site and surrounding wetlands and achieve the desired landscape intent to create a 'Green Ribbon'.

Green roofs can increase habitat and biodiversity at the site, particularly if local native plant species are used from the relevant native vegetation community

OEH also recommends that the NSW and ACT Governments Regional Climate Modelling (NARCliM) climate change projections developed for the Sydney Metropolitan area are used to inform the building design and asset life of the project. These include over 100 climate variables, including temperature, rainfall, hot days and cold nights, severe Forest Fire Danger Index (FFDI) and are publicly available online and at fine resolution (10km and hourly intervals) for 20-year time periods: 2020–2039 near future and long- term 2060–2079.

The proposal should detail how it meets the following priorities and objectives including the Central City District Plan priority C19 'Reducing carbon emissions and managing energy, water and waste efficiently' that is linked to Objective 33: A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change. It is noted that the EIS states the proposal is capable of achieving a 6 Star Green Star Rating against the Design & As Built Tool by the Green Building Council of Australia.

Plate 1. PCT1231 at the Site

(END OF SUBMISSION)