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REVIEW OF ENVIRONMENTAL FACTORS

PROPOSED AMENITIES BUILDING, CYCLEWAY AND ASSOCIATED WORKS

ERIC PRIMROSE RESERVE, RYDALMERE

DRAFT

OCTOBER 2018

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DISCLAIMER

This report forms part of a Development Assessment pertaining to the subject site. It is to be used for that purpose solely and for the client exclusively. No liability is extended for any other use or to any other party. Whilst the report is derived in part from our knowledge and expertise, it is based on the conditions prevailing at the time of the Report and upon the information provided by the client.

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TABLE OF CONTENTS

1.0	INTRODUCTION.....	5
2.0	THE SUBJECT SITE	6
2.1	LOCATION	6
2.2	PROPERTY DESCRIPTION	6
2.3	EXISTING USE AND DEVELOPMENT	6
2.4	OWNERSHIP AND PUBLIC LAND MANAGEMENT	11
3.0	PROPOSED ACTIVITY	14
3.1	BACKGROUND	14
3.2	NEED FOR PROPOSAL	14
3.3	PROPOSED WORKS	15
3.4	ALTERNATIVES	17
4.0	STATUTORY FRAMEWORK	19
4.1	OVERVIEW	19
4.2	SEPP (INFRASTRUCTURE) 2007	19
4.2	SREP (SYDNEY HARBOUR CATCHMENT) 2005	21
4.3	SEPP No 55 - REMEDIATION OF LAND	27
4.4	SEPP (COASTAL MANAGEMENT) 2018	28
4.5	PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011	29
4.6	NSW WATER MANAGEMENT ACT 2000 (WM ACT)	37
4.7	LOCAL GOVERNMENT (LG) ACT, 1992	38
4.8	COMMONWEALTH LEGISLATION	39
4.9	CONFIRMATION OF PART 5 POSITION	40
5.0	ENVIRONMENTAL IMPACT ASSESSMENT	42
5.1	LAND USE	42
5.2	LANDSCAPE CHARACTER AND VISUAL IMPACT	43
5.3	FLORA AND FAUNA	44
5.4	DRAINAGE/HYDROLOGY/WATER	46
5.5	TRAFFIC, ACCESS + PARKING	48
5.6	CULTURAL HERITAGE	49

5.7	WASTE MANAGEMENT	50
5.8	SOCIAL IMPACT	50
5.9	CONSTRUCTION	52
5.10	CUMULATIVE IMPACTS	54
6.0	MITIGATING MEASURES	55
7.0	STATUTORY CHECKLISTS	60
7.1	CLAUSE 228 FACTORS	60
7.2	IS AN ENVIRONMENTAL IMPACT STATEMENT (EIS) REQUIRED ...	63
7.3	MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE	63
8.0	CONCLUSION	66
9.0	CERTIFICATION	67

ANNEXURE A: DEPARTMENT OF PLANNING AND ENVIRONMENT CONCURRENCE	68
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ANNEXURE B: PROPOSED PLANS	71
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ANNEXURE C: AHIMS SEARCH	75
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1.0 INTRODUCTION

Cityscape Planning + Projects has been engaged by *City of Parramatta* (CoP) to prepare a Review of Environmental Factors (REF) with regard to the proposed amenities building, cycleway and associated works within the Eric Primrose Reserve, Rydalmere.

The purpose of the REF describes the proposed activity, documents the potential impacts on the environment and identifies mitigation measures to be implemented. It should be read in conjunction with the accompanying plans.

CoP is the proponent and the determining authority under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP & A Act). The REF has been developed in the context of Section 5.5 of the EP & A Act, which requires the determining authority to examine and take into account to the fullest extent possible, all matters affecting or likely to affect the environment by reason of the activity. Clause 228 of the *Environment Planning and Assessment Regulation 2000* and other environmental legislation has also been addressed.

The findings of the REF also provide a basis for making the decision on whether an Environmental Impact Statement (EIS) is required in accordance with Section 5.7 of the EP & A Act.

2.0 THE SUBJECT SITE

2.1 LOCATION

The subject site is a large irregular shaped parcel of land located on the northern bank of the Parramatta River, approximately 60m east of the Rydalmere Wharf. The site is located approximately 3.5km west of the Parramatta CBD and rail station.

2.2 PROPERTY DESCRIPTION

The site is known as *Eric Primrose Reserve*, which is comprised of several lots. The lands that will accommodate the proposed activity have the following real property description:

Lot: 1	DP: 235759
Lots: 554-570	DP: 15160
Lot: 2	DP:502231
Lot: 1	DP: 127509

Figure 1 provides a plan that shows the location of the site. Figure 2 provides an image which identifies the cadastral boundaries of the subject site and Figures 3-4 provides aerial photos of the site.

2.3 EXISTING USE AND DEVELOPMENT

The aerial photos demonstrate the eastern section of the site accommodates a ferry wharf facility, access road and car park. The remainder of the site provides shared pathways, garden, lawns, and picnic area including tables, shelters and a barbeque.

Images of the site and its key features are provided at Figures 5-8.

Figure 1: LOCATION OF SITE

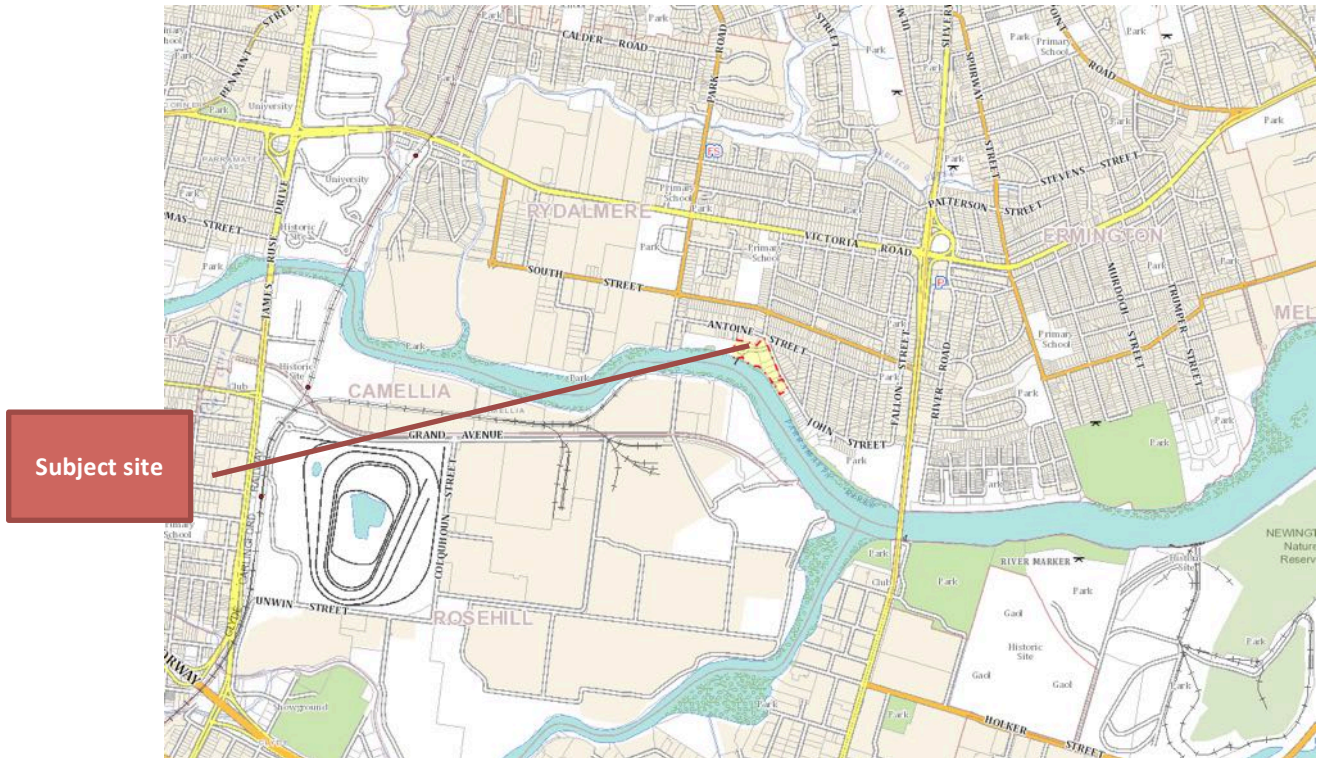


Figure 2: CADASTRAL BOUNDARIES OF SITE

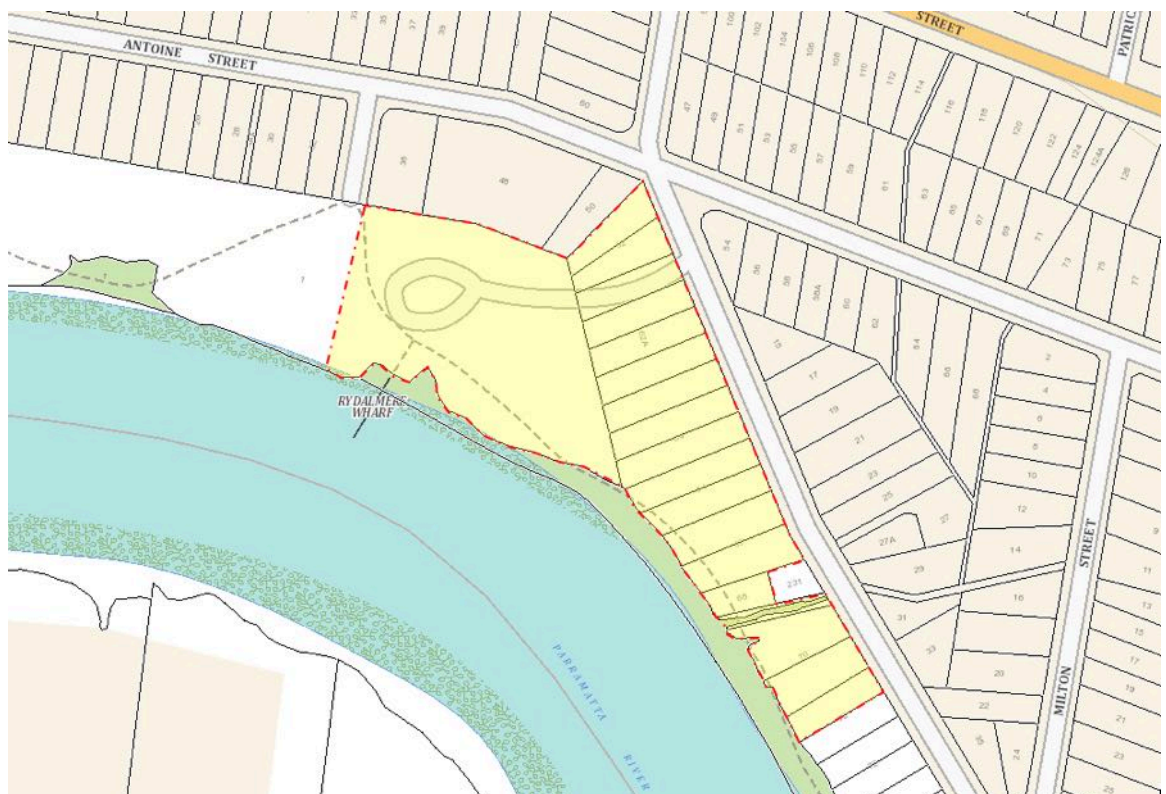


Figure 3-4: **AERIAL PHOTOS OF SITE**

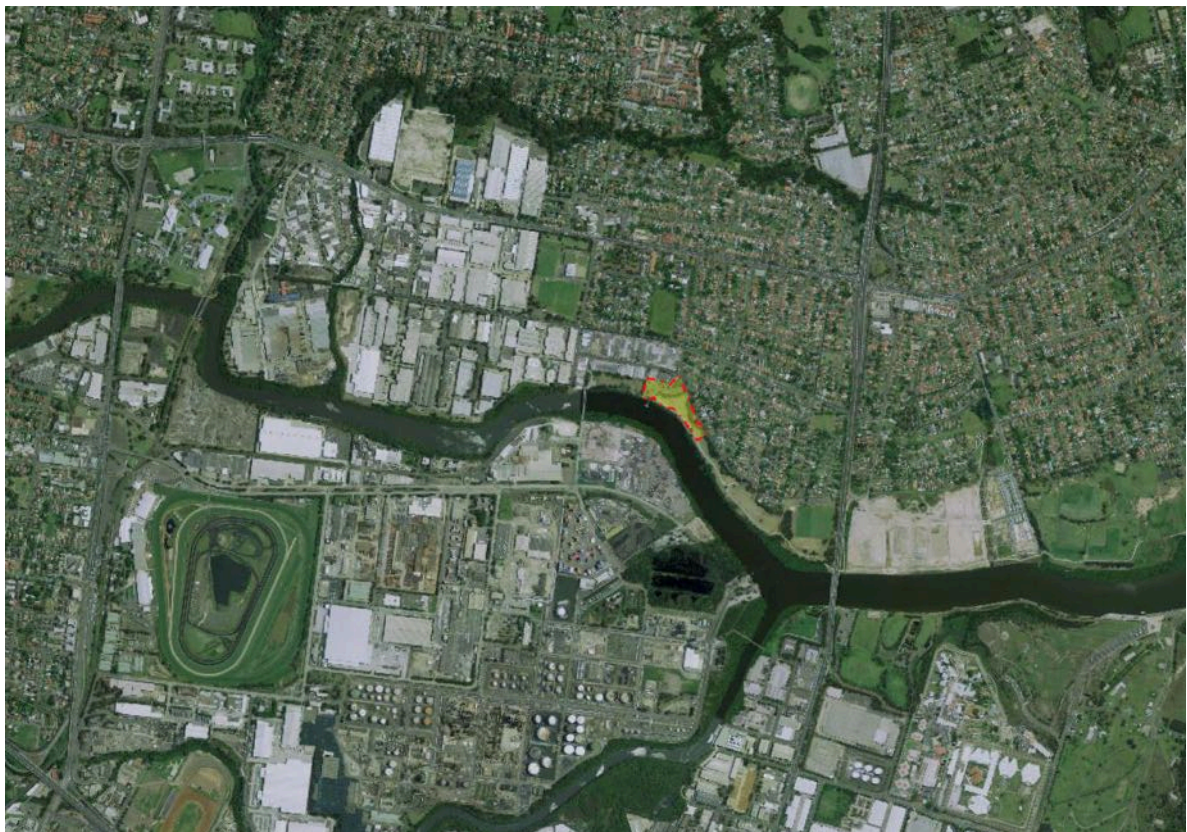


Figure 5: **VIEW OF PARK**



Figure 6: **FERRY TERMINAL**



Figure 7: **PATH FROM FERRY TERMINAL**



Figure 8: **CAR PARK**



2.4 OWNERSHIP AND PUBLIC LAND MANAGEMENT

The subject lands currently has ownership and management as follows:

Lot	Owner	Statutory Position
Lot: 1 DP: 235759 Lots: 555, 556, 558, 559, 560, 562, 563, 569, 570 DP: 127509	City of Parramatta Council	Classified as <i>Community Land</i> , and categorised <i>General community use</i> and <i>Park</i> under Part 2 of the Local Government Act 1993.
Lots: 554, 561, 564-568 DP: 15160 Lot: 2 DP: 502231 Lot:1 DP: 127509	Department of Planning and Environment but placed under Care, Control and Management of CoP.	Reserved for public recreation. Classified as <i>Community Land</i> , and categorised <i>General community use</i> and <i>Park</i> under Part 2 of the Local Government Act 1993.
Lot:970 DP: 752028	Crown Land	

An extract of the relevant CoP Community Land Plan of Management 2014 that identifies the categorisation of the reserve is provided at Figure 9, whilst a plan showing land ownership is provided at Figure 10.

The Department of Planning and Environment (Office of Strategic Lands) as owner part of the subject site has reviewed the proposed activity and provides its concurrence to the project. This is provided at Annexure A.

Figure 9: COMMUNITY LAND CATEGORISATION



Figure 10: **LAND OWNERSHIP**



3.0 PROPOSED ACTIVITY

3.1 BACKGROUND

The *Stronger Communities Fund* was established by the NSW Government to provide councils with \$15 million funding to assist in the delivery of projects that improve community infrastructure and services.

The Stronger Communities Fund incorporates two programs:

- A Community Grants program allocating up to \$1 million in grants of up to \$50,000 to incorporated, not-for-profit community groups for projects that build more vibrant, sustainable and inclusive local communities.
- A Major Projects program of up to \$14 million funding larger scale priority infrastructure and service projects that deliver long-term economic and social benefits to communities.

In June 2016, a process was undertaken to combine the strategic directions of all adjoining Councils in order to determine the community priorities for this fund.

Community consultation for the various projects to be undertaken under program was undertaken in September 2016, with over 170 ideas for infrastructure or service projects received. The selected major projects were announced in April 2017 and included proposed activity to that is now known as the *Rydalmere Eastern River Foreshore Transformation – Stage 1*.

3.2 NEED FOR PROPOSAL

CoP, in consultation with the community, have determined that the amenities building is required to add significant utility to the reserve and ferry wharf as currently the lack of such facility adversely impacts

upon the useability of the site for park users, cyclists and ferry commuters.

The community consultation process undertaken earlier this year as part of Rydalmere Wharf Interchange Upgrade also identified the need for public toilet facilities at this location.

3.3 PROPOSED WORKS

3.3.1 SCOPE OF PHYSICAL WORKS

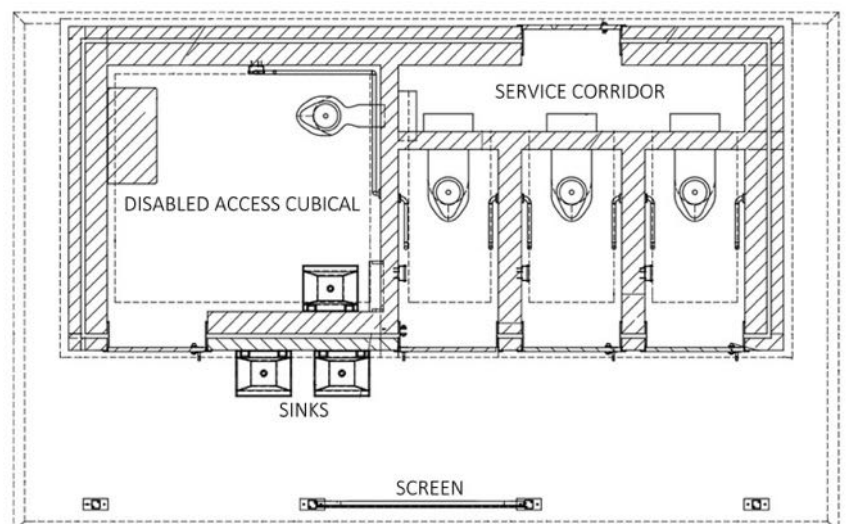
CoP is proposing to construct a new amenities building at Eric Primrose Reserve, Rydalmere as part of a wider plan to improve community facilities within the reserve. The amenities building will also be connected to the existing 3.0m wide shared pathway from a location near the ferry terminal.

The proposed amenities building will provide a total of four toilet cubicles inclusive of one accessible cubicle. It will be sited on a 9.4m x 5.7m (length and width) concrete pad and be constructed of rendered cement blocks, sheet metal roofing and metal fixtures. The rendered block-work will be painted grey and metal-work will be coloured black. The amenities block will also be connected to all services and utilities however, will also be provided with a solar panel located on a pole to meet some of the activities lighting needs.

The proposal also includes a 3m wide concrete cycleway that provides an alternate access route through the broader park. This will also be accompanied by additional native vegetation planting at the eastern extent of the site.

Plans showing the location of these facilities within the park and layout of the amenities building etc. are provided at Annexure B but an extract is provided at Figure 11. All works are proposed to be undertaken by contractors engaged by CoP.

Figure 11: **PROPOSED ACTIVITY**



3.3.2 OPERATION SCOPE OF PHYSICAL WORKS

The amenities building will be maintained by CoP and will be available for community use during daylight hours with the following opening as follows:

- 6AM-6PM (6AM-8PM during daylight savings periods)

3.4 ALTERNATIVES

3.4.1 DO NOTHING

This current operational environment is considered to provide a sub-optimal user experience as it doesn't provide the level of service typically required for either a passive recreation area or commuter interchange. There is also the potential for pedestrian and cyclist conflicts on the broader site and particularly within the proximity of the ferry terminal given increasing use of this area.

3.4.2 PROVIDE TEMPORARY AMENITIES FACILITIES

There are a range of temporary amenity type facilities that could be installed within the reserve.

However, these facilities would not provide the same level of amenity and would also provide a lesser quality of built form appearance in an important riverine and foreshore landscape.

The finishes and materials of these type of facilities also tend to be more susceptible to vandalism and therefore potentially result in higher ongoing maintenance

3.4.3 INCORPORATE AMENITIES INTO FERRY TERMINAL

This would present the most significant alternative available. However, other than the increased costs this option would also have other disruptive impacts upon the continued operation of the ferry terminal during the construction period. This option would also likely causes additional impacts in relation to heritage, flooding and foreshore visual quality of the foreshore environment.

This option has also been considered and dismissed as part of the community consultation process for the Rydalmere Ferry Wharf Interchange Upgrade. This option would also not be as accessible to cyclists or other recreational users of the park and reserve.

4.0 STATUTORY FRAMEWORK

4.1 OVERVIEW

As noted in Section 1, the *EP & A Act, 1979* provides the statutory context for the assessment of the proposed activity. The project is subject to an assessment of all factors that are likely to affect the environment under Part 5 of the *EP & A Act*, with CoP being the determining authority.

The following section provides a discussion of the relevant local, regional and State Environmental Planning Instruments and confirms that Part 5 of the Act is relevant to the proposed activity.

4.2 SEPP (INFRASTRUCTURE) 2007

4.2.1 DEVELOPMENT CONSENT NOT REQUIRED

PART 3, Division 12, of the *State Environmental Planning Policy (SEPP) (Infrastructure) 2007* deals with Parks and other public reserves.

Clause 65(3) of this division is most relevant and is provided below:

65 Development permitted without consent

(3) Any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

(a) development for any of the following purposes:

(i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,

- (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,*
- (iii) visitor information centres, information boards and other information facilities,*
- (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,*
- (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,*
- (vi) amenities for people using the reserve, including toilets and change rooms,*
- (vii) food preparation and related facilities for people using the reserve,*
- (viii) maintenance depots,*
- (ix) portable lifeguard towers,*

COMMENT:

Pursuant to 65(3)(a)(i) and (vi) of SEPP 2007, pedestrian paths, cycle ways and construction and use of the proposed building for the purpose of amenities is permitted without consent and as such would need to be assessed under Part 5 of the EP & A Act.

4.2.2 PUBLIC CONSULTATION REQUIREMENTS

Part 2, Division 1, of SEPP 2007 provides consultation requirements for development that does not require consent.

A review of this Division demonstrates that there are no formal consultation requirements required for the proposed activity.

However, it is understood that despite the absence of a need to undertake any consultation, Council will still undertake a formal community consultation process.

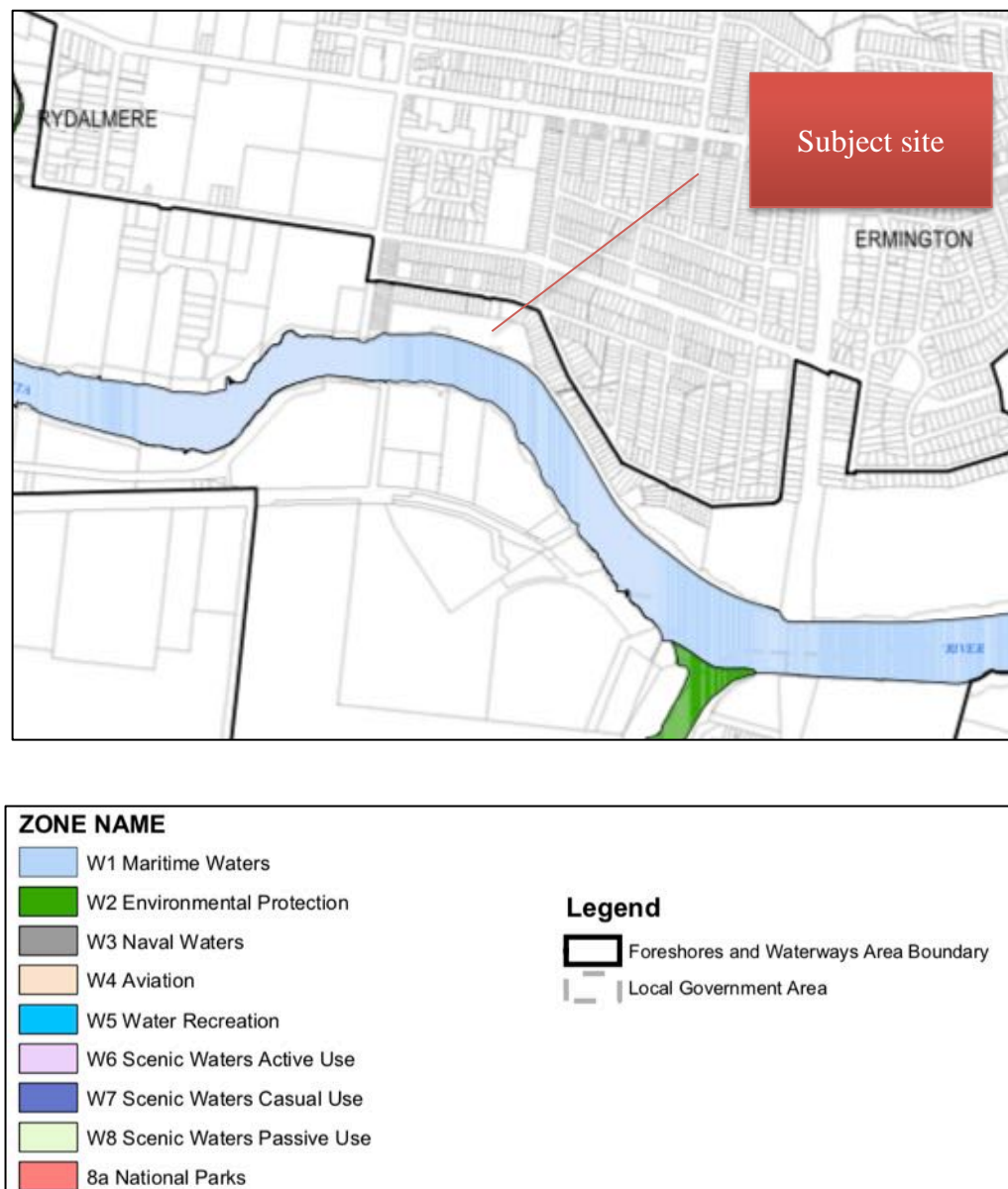
4.2 SREP (SYDNEY HARBOUR CATCHMENT) 2005

Part 3 Foreshores and Waterways

Division 1 Development Control

The site is not zoned pursuant to this planning instrument but is located within the foreshores and waterways boundary. An extract of the relevant SREP zoning map is provided at Figure 12.

Figure 12: **EXTRACT OF ZONING MAP**



Division 2 Matters for consideration

21 Biodiversity, ecology and environment protection

The proposed activity is located approximately 30m from the river bank and is therefore well removed from any aquatic vegetation and will only result in the disturbance of turfed areas provided within the park.

22 Public access to, and use of, foreshores and waterways

The proposed development will both maintain and improve public access to the foreshore area through the retention of existing pathways and the provision of a new shared-pathway.

23 Maintenance of a working harbour

The proposed activity does not seek to change the existing use of the land and will not have any detrimental impact upon the existing ferry wharf use of the site or adjacent industrial lands.

24 Interrelationship of waterway and foreshore uses

The proposed activity will promote the equitable use of foreshore land and the waterways by improving accessibility and functionality of both spaces and the activities associated with those spaces.

Similarly, the proposed activity will not cause any land use conflict with land uses adjacent to the foreshore.

25 *Foreshore and waterways scenic quality*

The activity provides a modestly scaled built form and will be finished in monochromatic tones of grey and black. As such, it will be a visually recessive element in the local landscape.

The activity provides a modestly scaled built form that will be constructed in dull, earth toned colours and as such will be a visually recessive element in the local landscape.

The design also encompasses a low skillion roof that further reduces the bulk and scale of the proposed built form.

It will also be located in the foreground to a row of large mature trees, that will further soften the visual impact of the built form when viewed from the river and its foreshore area.

The proposed pathway provides no building volume and therefore will have very limited visibility from the river or within the park. Nevertheless, the new pathway provides a standard visual element of a park and therefore any visibility of that element will not cause a detrimental visual impact.

These factors contribute to mitigate any significantly adverse visual impacts of the development and ensure the scenic qualities of the river and its foreshore are maintained.

26 *Maintenance, protection and enhancement of views*

The proposed activity provides a very modest scale built form and is not located within any key viewshed to or from the river as viewed from neighbouring lands and development.

27 *Boat storage facilities*

Not relevant to the site or the proposed activity

Part 6 Wetlands Protection

The site is identified as being located within a Wetland Protection Area under the SREP. An extract of the relevant SREP map is provided at Figure 13.

Figure 13: **EXTRACT OF WETLAND PROTECTION MAP**



63 Matters for consideration

(a) the development should have a neutral or beneficial effect on the quality of water entering the waterways,

The proposal will generate limited stormwater and all those waters will be harvested and discharged to an existing stormwater pit located in the car park area to the north of the site. Accordingly, the activity is considered to have a neutral effect on the quality of water entering the waterway

(b) the environmental effects of the development, including effects on:

- (i) the growth of native plant communities,***
- (ii) the survival of native wildlife populations,***
- (iii) the provision and quality of habitats for both indigenous and migratory species,***
- (iv) the surface and groundwater characteristics of the site on which the development is proposed to be carried out and of the surrounding areas, including salinity and water quality and whether the ecosystems are groundwater dependent,***

The proposal is not located in close proximity to any native plants, communities or fauna habitat and will not require the disturbance or remove off any of those ecosystems.

(c) whether adequate safeguards and rehabilitation measures have been, or will be, made to protect the environment,

The proposal includes measures to harvest and discharge of all waste waters to existing infrastructure and waste water systems.

Other safeguards will need to be implemented during the construction phase.

(d) whether carrying out the development would be consistent with the principles set out in The NSW Wetlands Management Policy (as published in March 1996 by the then Department of Land and Water Conservation),

The policy lists the following 5 principles for wetland protection:

- Protecting adjacent wetland habitat during construction and operation
- Promoting wetland recovery by moving impact further away by establishing no-go zones during construction which would prevent impact to mangroves
- Providing hard pile surfaces to maintain habitat connectivity
- Retaining scenic values by retaining underwater habitat connectivity
- Avoiding unnecessary impact to habitat to allow ecosystem functions to be maintained.

The subject site and its activity is sufficiently removed from the foreshore area to ensure that it causes no conflict with these principles.

(e) whether the development adequately preserves and enhances local native vegetation,

The proposal is sited in a location that ensures that it will have no adverse impact upon any aquatic or terrestrial native vegetation.

(f) whether the development application adequately demonstrates:

(i) how the direct and indirect impacts of the development will preserve and enhance wetlands, and

(ii) how the development will preserve and enhance the continuity and integrity of the wetlands, and

(iii) how soil erosion and siltation will be minimised both while the development is being carried out and after it is completed, and

- (iv) how appropriate on-site measures are to be implemented to ensure that the intertidal zone is kept free from pollutants arising from the development, and*
- (v) that the nutrient levels in the wetlands do not increase as a consequence of the development, and*
- (vi) that stands of vegetation (both terrestrial and aquatic) are protected or rehabilitated, and*
- (vii) that the development minimises physical damage to aquatic ecological communities, and*
- (viii) that the development does not cause physical damage to aquatic ecological communities,*
- (g) whether conditions should be imposed on the carrying out of the development requiring the carrying out of works to preserve or enhance the value of any surrounding wetlands.*

The proposal is sited in a location that ensures that it will not require the removal of any aquatic vegetation. All waste waters will be harvested and discharged to existing infrastructure and waste water systems.

Mitigation measures will also need to be implemented through the construction phase to ensure no adverse impacts on the nearby wetlands occur.

4.3 SEPP No 55 - REMEDIATION OF LAND

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land. In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

CoP have had a *Soil Contamination Investigation – May 2018* undertaken for lands within Eric Primrose Reserve. This study has

revealed that previous uncontrolled filling of the site has resulted in a high potential for foreign materials including asbestos to be present on site.

The study also identified a low-moderate potential for the presence of hydrocarbons and metals (particularly chromium) given the sites proximity to the Camelia precinct. Any activity undertaken on site will therefore need to ensure that the appropriate levels of contamination identification and subsequent remediation are therefore undertaken as part of that activity.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The Coastal Management SEPP commenced on 3 April 2018 and attempts to update and consolidate into one integrated policy, a series of previous SEPPs including *State Environmental Planning Policy 14 (Coastal Wetlands)*, *State Environmental Planning Policy 26 (Littoral Rainforests)* and *State Environmental Planning Policy 71 (Coastal Protection)*.

The Coastal Management SEPP gives effect to the objectives of the new *Coastal Management Act 2016* from a land use planning perspective, specifying how development proposals are to be assessed if they fall within the coastal zone.

The subject site falls within land identified as coastal wetlands pursuant to clause 10 of the Coastal Management SEPP. However, under clause 21(2) of the Coastal Management SEPP, clause 10 does not apply to:

(b) the carrying out of an activity after the commencement of this Policy, but only if:

(i) any approval that is required for carrying out the activity is

*granted by the determining authority under Part 5 of the Act
within 12 months after that commencement*

The proposed activity will be determined by Council, under Part 5 of the EP& A Act within 12 months of 3 April 2018. As such, the provisions of the Coastal Management SEPP have not been considered further.

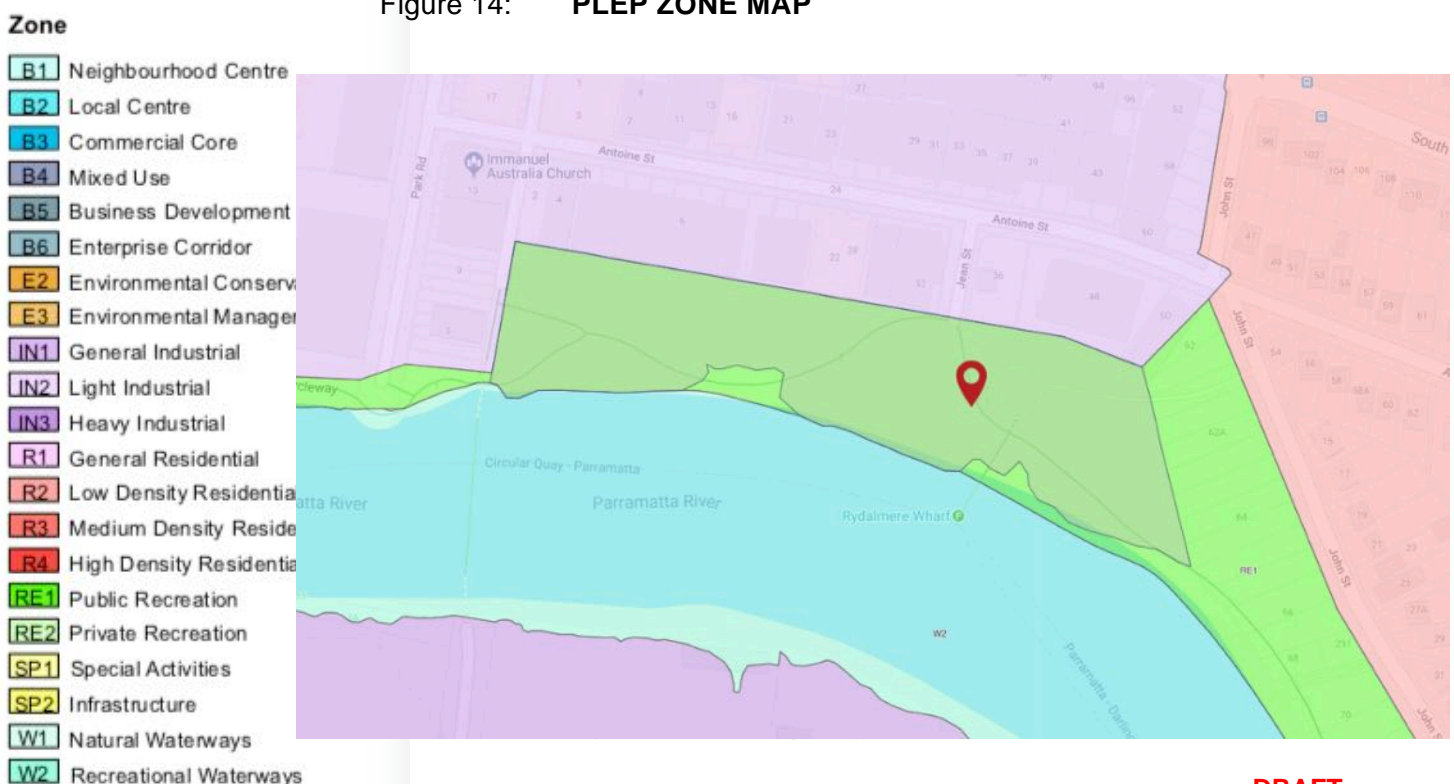
In any event, following sections of this report demonstrate that the proposed activity will not significantly impact on the biophysical, hydrological or ecological integrity of that wetland or the quality and quantity of surface and ground waters to and from the wetland.

4.5 PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011 (PLEP)

4.5.1 ZONING

The subject land that accommodates the proposed activity is zoned RE1 Public Recreation pursuant to Parramatta LEP 2011 (PLEP). An extract of the relevant zoning map is provided at Figure 14.

Figure 14: PLEP ZONE MAP



4.5.2 LAND USE PERMISSIBILITY

The land use table for the RE1 zone identifies a 'recreation area' as land use that is permissible with development consent.

The Dictionary to PLEP provides the following definition of that land use:

recreation area means a place used for outdoor recreation that is normally open to the public, and includes:
(a) a children's playground, or
(b) an area used for community sporting activities, or
(c) a public park, reserve or garden or the like,
and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

The proposed activity described at section 3.3 of this report can be considered to form an 'ancillary building' that commonly forms part of this land use.

Accordingly, the proposed activities are permissible development within the zone.

4.5.3 ZONE OBJECTIVES

The Zone objectives are provided below:

Zone RE1 Public Recreation

1 Objectives of zone

- **To enable land to be used for public open space or recreational purposes.**
- **To provide a range of recreational settings and activities and compatible land uses.**
- **To protect and enhance the natural environment for recreational purposes.**

- *To conserve, enhance and promote the natural assets and cultural heritage significance of Parramatta Park.*
- *To create a riverfront recreational opportunity that enables a high quality relationship between the built and natural environment.*

COMMENT:

The proposed activity will provide further utility and functionality to the sites existing open space and recreational values. It will also cause no loss of any natural environment features or assets and will form part of a broader public domain improvement strategy along the northern bank of the Parramatta River and its foreshore.

The proposed activity therefore causes no inconsistency with the relevant zone objectives.

4.5.4 MISCELLANEOUS PROVISIONS

5.10 Heritage Conservation

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or***
- (b) on land that is within a heritage conservation area, or***
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),***

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

COMMENT:

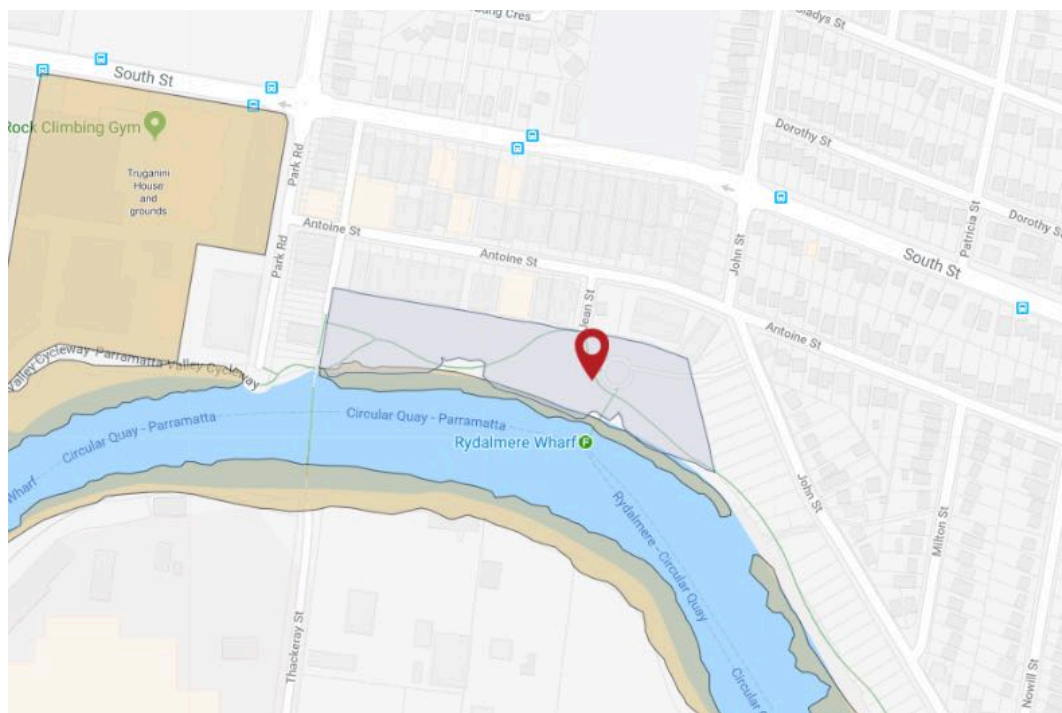
The subject site accommodates a heritage item at its southern extent, located along the river edge. This heritage item is listed as I1 Wetlands at Schedule 5 of Parramatta LEP 2011. An extract of the relevant LEP heritage map is provided at Figure 15.

This heritage item provides local significance and the relevant State Heritage Inventory (SHI) form identified the heritage significance as follows:

The wetlands along Parramatta River are of significance for Parramatta area as remnant representative areas of mangroves and salt marshes which once extensively lined the foreshores and tidal water flats of the region.

Previous discussion and analysis undertaken as part of this assessment report has demonstrated that there is adequate distance between the proposed activity and the wetland areas. Therefore, it will have no adverse impact upon the ongoing health of that ecological community.

Figure 15: **PLEP HERITAGE MAP**



Accordingly, the proposed activity can not be considered to have any adverse impact upon the conservation and significance of this heritage item.

Further, a basic search of the Australian Heritage Information Management System (AHIMS) database did not locate any Aboriginal places on site or within its vicinity. An extract of this AHIM search is provided at Annexure C.

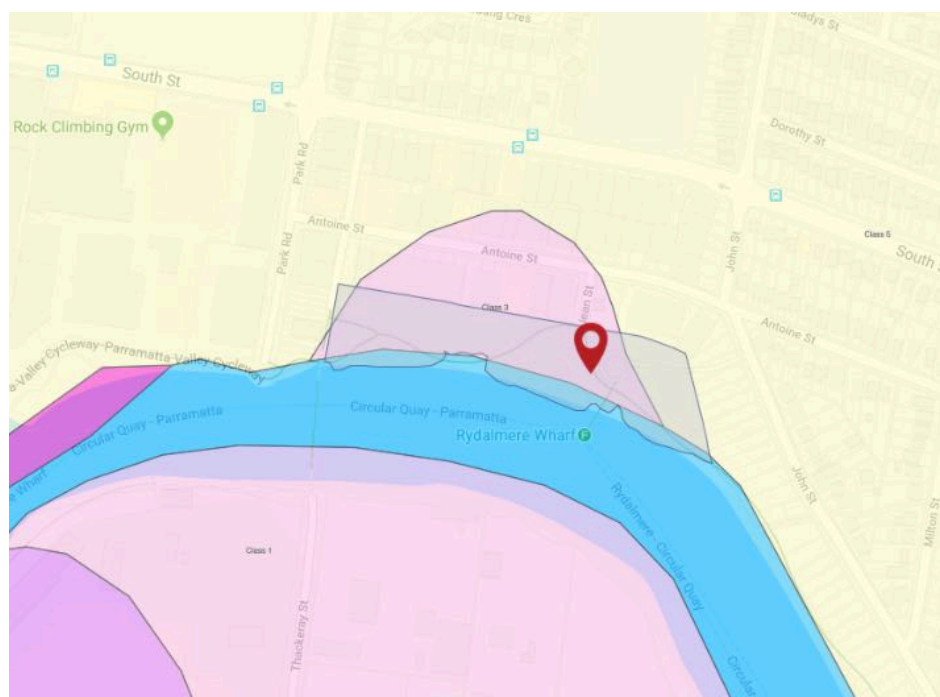
4.5.5 ADDITIONAL LOCAL PROVISIONS

6.1 Acid sulphate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The subject site is identified as being within an area that possesses Class 3 Acid Sulphate Soils (ASS). An extract of the relevant PLEP map is provided at Figure 16.

Figure 16: PLEP ASS MAP



The proposed activity involves very limited earthworks and does not involve any works that would exceed 1m below the natural ground surface. Similarly, the activity would not result in the lowering of the water table.

Accordingly, the proposed activity is unlikely to cause any environmental damage by disturbing, exposing or draining acid sulphate soils.

6.3 Flood planning

(1) The objectives of this clause are as follows:

- (a) to minimise the flood risk to life and property associated with the use of land,***
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,***
- (c) to avoid significant adverse impacts on flood behaviour and the environment.***

The subject site is identified as being flood prone on the relevant flood planning map. An extract of that Council flood map is provided at Figure 17.

The flood planning map shows that the 1 in 100 year flood level is 3.57m AHD. The proposed amenities building is to have a finished floor level of 4.10m AHD and will therefore be located above that flood level and the required additional 0.5m freeboard.

The proposed shared path will have various finished levels including a location that will be above and below the 1 in 100 year flood level.

The proposal will therefore experience limited flood risks or hazards as it will cause almost no risk to life or property during the nominated flood events.

Further, the proposed amenity building and pathway are to be constructed of robust materials that should withstand most flood events and also are not of scale or form that would cause any impact on flood behaviours.

6.7 Foreshore building line

(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.

An extract of the relevant foreshore building line map is provided at Figure 18. This plan demonstrates that the proposed amenity building will be located beyond the foreshore building line (FBL), whilst the pathway will be both located either side of that line.

Clause 6.7(2)(c) of the PLEP permits the development of pathways in this area. Further, this element of the proposed activity has no building volume and therefore will cause no inconsistency with the relevant clause objective.

The amenities building, is located beyond the FBL, with previous discussion and analysis in this report demonstrating that the activity will not cause any significantly adverse impact upon the ecology or visual qualities of the foreshore area or its natural environment.

Figure 17: **COUNCIL FLOOD MAP**

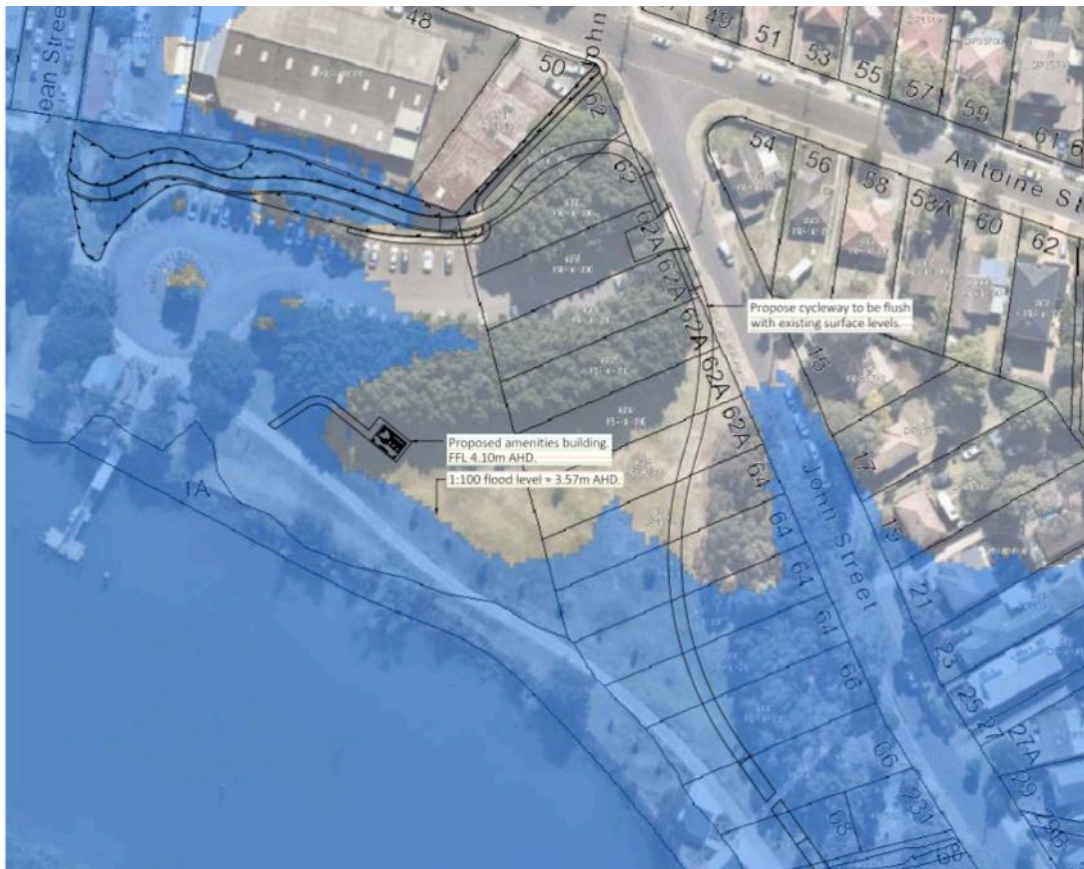


Figure 18: **COUNCIL FORESHORE BUILDING LINE MAP**



4.6 NSW WATER MANAGEMENT ACT 2000 (WM ACT)

The WM Act aims to provide for the sustainable and integrated management of water sources for NSW. It requires developments on waterfront land to be ecologically sustainable, and recognises the benefits of aquatic ecosystems to agriculture, fisheries, and recreation.

Approvals under Section 91 of the WM Act are required for controlled activities on waterfront land. These are defined at the Dictionary to the Act as follows:

Controlled Activity means:

- (a) the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979),*
- (b) the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise,*
- (c) the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or*
- (d) the carrying out of any other activity that affects the quantity or flow of water in a water source.*

waterfront land means:

- (a) the bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of, the highest bank of the river, or*
- (a1) the bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or*

(a2) the bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the estuary, or

(b) if the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the coastal waters,

where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.

Section 91E(1) of the WM Act identifies that it is an offence to carry out a controlled activity in, on or under waterfront land without gaining a controlled activity approval. However, under Clause 38 of the Water Management (General) Regulation 2011 (WM Reg) public authorities are exempt from Section 91E(1) of the WM Act, and therefore do not require any approvals for controlled activities on waterfront land.

CoP are considered to be a public authority and therefore no approval is required for the proposed activity.

4.7 LOCAL GOVERNMENT (LG) ACT, 1992

The subject site is Classified as *Community Land*, and categorised *General community use* and *Park* under Part 2 of the Local Government Act 1993.

An extract of the relevant CoP Community Land Plan of Management (POM) 2014 that identifies the categorisation of the reserve is provided at Figure 9.

Section of the POM provides an Action Plan which outlines implementation measures for CoP to achieve the core objectives for these lands.

The Action Plan provides the following key and relevant measures:

- 7.1 Access
- 7.12 Recreation Facilities and Use
- 7.13 Safety & Risk Management

The proposed activities are consistent with the performance targets outlines under each of these key actions.

4.8 COMMONWEALTH LEGISLATION

Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) commenced in July 2000 and is the main Commonwealth environmental law. It aims to provide for protection of the environment and to promote ecologically sustainable development and the conservation of biodiversity.

An assessment of the impact of the proposed activity on matters of National Environmental Significance (NES) as identified by the EPBC Act is provided in Section 7.3 of this report.

This assessment concluded that the proposed activity would not result in a significant impact on any matters of NES and that it would not be

necessary to refer the proposed activity to the Commonwealth Environment Minister.

Disability Discrimination Act (DDA) 1992

The above Act includes provisions to prevent discrimination based on ability, while also providing equal rights and access for all people.

The proposed amenity building and its access path has been sited and designed to allow access to all users and includes the provision of one wheelchair accessible cubicle. It is therefore considered to be DDA compliant.

4.9 CONFIRMATION OF PART 5 POSITION

All relevant statutory planning instruments have been examined for the proposed activity. Whilst the proposed activity is listed as development that requires council consent under the relevant Council planning instrument, *Division 12, Clause 65 of SEPP (Infrastructure) 2007* operates to remove development consent requirements.

Clause 8 of *SEPP (Infrastructure) 2007* confirms that if there is an inconsistency between this Policy and any other environmental planning instrument, then this Policy prevails to the extent of the inconsistency.

It is concluded that *SEPP (Infrastructure 2007)* prevails and therefore allows assessment of the Proposal under Section Part 5 of the EP & A Act.

For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, CoP in its consideration of an activity shall, notwithstanding any other provisions

of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

This assessment is provided in subsequent sections of this report as well as the accompanying plans and reports that form annexures to this report.

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 LAND USE

5.1.1 EXISTING ENVIRONMENT

The subject site has a long history of use as a park and open space area and as well as providing a ferry wharf for commuter services along the Parramatta River.

The site is also zoned RE1 Public Recreation to reflect that historic and current use

5.1.2 POTENTIAL IMPACTS

The proposed activity will not introduce any new land use elements to the site or broader area but seeks to simply confirm and maintain the current land use framework provided across the reserve and broader site and river corridor.

The provision of new amenities and pathways is intended to provide additional functionality and useability of the site by existing and future users.

The proposal is entirely consistent with the relevant land use zone objectives and all land uses and activities are also consistent with the adopted Plan of Management

As such the proposed activity will simply confirm the existing and long-term planned land use of the site.

5.1.3 MITIGATING MEASURES

No mitigating measures are considered necessary to safeguard the ongoing use and operation of the site.

5.2 LANDSCAPE CHARACTER AND VISUAL IMPACT

5.2.1 EXISTING ENVIRONMENT

The subject site sits within a significant linear open space corridor that provides active and passive recreational uses on northern bank of the Parramatta River. The site comprises a park like setting with rolling lawns, pathways, benches, seating, and exercise equipment, interspersed with a mix of native and introduced plantings. The river-bank area also has remnants of mangrove forest vegetation community.

This subject section of the park incorporates a commuter stop for ferry services on the river so also accommodates a large formal parking area, bus-turning loop, ferry wharf and other passenger facilities.

5.2.2 POTENTIAL IMPACTS

The proposed amenity building has been sited to ensure that no large trees will require removal.

It has been designed to provide a modestly scaled built form and will be finished in monochromatic tones of grey and black. A low skillion roof further reduces its bulk and scale to ensure it is a visually recessive element in the local landscape.

It will also be located in the foreground to a row of large, mature trees, that will further soften the visual impact of the built form when viewed from the river and surrounding foreshore, open space area.

The proposed pathway provides no building volume and therefore will have very limited visibility from the river or within the park. Nevertheless, the pathway provides a standard visual element of the existing park and therefore any additional visibility of that element will not cause a detrimental visual impact.

These factors combine to mitigate any significantly adverse visual impacts of the development and ensure the scenic qualities of the river and its foreshore are maintained.

5.2.3 MITIGATING MEASURES

No mitigating measures are considered necessary to safeguard the visual impact or landscape character value of the local area.

5.3 FLORA AND FAUNA

5.3.1 EXISTING ENVIRONMENT

Council's vegetation mapping demonstrates that the site provides very small representation of two endangered ecological communities (EEC), being Estuarine Saltmarsh and Estuarine Swamp Oak Forest. The location of these communities is demonstrated at Figure 19.

The remainder of the broader site is cleared of original vegetation and has been landscaped with a mix of native and introduced plant species, however the river-bank provides remnants of mangrove forest vegetation. This is representative of the once dominant wetland type ecosystems that occupied the river foreshore.

Figure 19: **COUNCIL VEGETATION MAPPING**



5.3.2 POTENTIAL IMPACTS

The proposal is not located in close proximity to either of the endangered ecological communities and is also approximately 30m from the river-bank. It is therefore well removed from any remnant terrestrial or aquatic vegetation.

Primary disturbance of the proposal will result in the removal of exotic turf landscaping currently provided within the park. The proposed works will also require the removal of four semi-mature trees. Tree removal will be in the vicinity of the northern edge of the carpark to allow for in the installation of the proposed concrete cycleway. The cycleway has been aligned to reduce the requirement for tree removal.

The trees to be removed are non-indigenous to the local area and therefore provide limited ecological or natural resource value. Accordingly, their removal will only result in a minor environmental impact.

Impacts from construction works would be temporary and relatively minor.

5.3.3 MITIGATING MEASURES

Potential short-term impacts during the construction phase can be mitigated by the preparation and implementation of sediment and erosion control plans during those works.

No further mitigating measures are considered necessary.

5.4 DRAINAGE/HYDROLOGY/WATER

5.4.1 EXISTING ENVIRONMENT

The site is located on the northern bank of the Parramatta River, which is a major waterway within the Sydney basin and forms an important part of the Sydney Harbour catchment.

Significant alteration to the rivers natural drainage and hydrology has occurred as part of previous use and development of the site and surrounding lands following European settlement.

However, the river still drains the site and broader catchment and flood events periodically occurring on site and within the broader area following significant rainfall.

5.4.2 POTENTIAL IMPACTS

The proposed amenities building is to have a finished floor level of 4.10m AHD and will therefore be located well above the 1 in 100 year flood level.

The proposed shared path will have various finished levels including levels that will be both above and below the 1 in 100 year flood level.

Whilst the pathway will be subject to periodic flooding, it will not restrict or impede water flows and will not increase risk to life or property during flood events.

Further, the proposed amenity building and pathway are to be constructed of robust materials that should withstand most flood events and also are not of scale or form that would cause any impact on flood behaviours.

All wastewater from the amenities building will be collected and disposed to existing the sewer or stormwater networks respectively, which will ensure that potential impacts on the river are appropriately managed.

Stormwater falling on the pathways will simply flow onto the adjacent grassed areas. However the volume and quality of this stormwater does not present any threat to water quality or the health and stability of the adjacent river system.

5.4.3 MITIGATING MEASURES

Potential short-term impacts during the construction phase can be mitigated by the preparation and implementation of sediment and erosion control plans during those works.

No further mitigating measures are considered necessary.

5.5 TRAFFIC, ACCESS + PARKING

5.5.1 EXISTING ENVIRONMENT

The subject site is located on the periphery of an urban environment and therefore vehicle access is provided from the local road network.

The local road network accommodates both private vehicles together with larger truck type vehicles associated with the adjacent industrial lands and buses associated with local public transport services.

The site also operates as a commuter car park for users of the local ferry service. It also experiences a relatively high volume of both pedestrians and cyclists accessing the ferry wharf, park facilities and recreational pathways traversing the site.

5.5.2 POTENTIAL IMPACTS

The proposed activity will make the park more attractive to all users and therefore may result in increases in traffic, parking and bike and pedestrian usage.

However, traffic increases would be considered to be negligible and well within the capacity of the local road network and parking availability.

Any increase in pedestrian and cyclist patronage will be accommodated by the provision of the additional pathways that form part of the proposed activity.

5.5.3 MITIGATING MEASURES

No mitigating measures are considered necessary.

5.6 CULTURAL HERITAGE

5.6.1 EXISTING ENVIRONMENT

A search of Council and NSW agency databases has confirmed that neither the subject site nor lands within the immediate vicinity of the site are identified as containing any identified items of Aboriginal heritage. Written confirmation of the absence of Aboriginal heritage is provided at Annexure C.

The subject site accommodates a heritage item along its southern extent on the immediate riverbank area. This heritage item is the wetland and is identified as having local significance.

5.6.2 POTENTIAL IMPACTS

The proposed activity is well removed from the wetland areas and therefore will have no adverse impact upon the ongoing health of that ecological community.

It therefore has no potential to cause adverse impact upon items of natural or cultural heritage.

5.6.3 MITIGATING MEASURES

The following mitigating measures should be implemented:

1. All works will be carried out in accordance with the Office of Environment & Heritage Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

2. Should any Aboriginal objects be uncovered during earthworks, works must cease and a qualified heritage consultant and OEH must be contacted.
3. All works are subject to an unexpected finds protocol where an archaeologist is readily available to come to site if a find is uncovered. Any finds would be assessed and recorded.

5.7 WASTE MANAGEMENT

5.7.1 EXISTING ENVIRONMENT

The park does not generate high volumes of waste material.

5.7.2 POTENTIAL IMPACTS

All waste waters will be diverted into existing stormwater and sewer networks.

No paper towel dispensers are provided as part of the facility, and no new or additional waste streams or volumes will be generated by the proposed activity.

5.7.3 MITIGATING MEASURES

No mitigating measures are considered necessary.

5.8 SOCIAL IMPACT

5.8.1 EXISTING ENVIRONMENT

The site currently operates as a popular recreation and transport interchange facility. The functionality of this space is however limited by a lack of amenities for site users.

It will therefore improve both amenity and accessibility resulting in a positive social impact.

5.8.2 POTENTIAL IMPACTS

The proposed activity will assist the useability and functionality of the site for all users by providing additional public amenities. This is considered to represent a positive social impact. One of the proposed toilet cubicles is designed to be accessible which represents a further positive impact.

Amenity buildings do have a potential to attract anti-social activities and undesirable behaviour. However, the proposed operating hours, which are limited to daylight periods, will assist in minimising that risk.

The potential risk has been further minimised by siting the building in an area with good sight lines from high usage areas such as the ferry terminal, and reserve car park and busy shared pathway. This location will ensure that the facility enjoys passive surveillance from ferry patrons other parks users, which is consistent with crime prevention through environmental design (CPTED).

5.8.3 MITIGATING MEASURES

The following mitigating measures should be implemented:

- The amenities building will be open and available for public use only during the following times:
 - 6AM-6PM (6AM-8PM during daylight savings periods)
- Regular maintenance, cleaning and graffiti removal will assist in minimising the occurrence of anti-social activity.

5.9 CONSTRUCTION

5.9.1 EXISTING ENVIRONMENT

The subject site experiences limited construction activity other than occasional maintenance works.

5.9.2 POTENTIAL IMPACTS

During the construction phase, short-term impacts associated with noise, air quality, traffic and water quality may contribute to presents a negative impact on the overall amenity of the locality.

However, the limited scale and scope of the proposed activity would not be considered to present a significantly adverse impact.

Specific mitigation measures can be implemented to minimise impacts and ensure that the short-term effects of the construction phase are appropriately managed.

The likely presence of asbestos also raises the potential for the activity to discover or disturb asbestos or other hazardous materials.

5.9.3 MITIGATING MEASURES

The following mitigating measures should be implemented:

1. It is considered that standard hours of construction should apply to the construction phase in order to generally minimise the amount of noise generated at more sensitive times of the day, such as early morning and evening periods.
2. The short-term impact of ground disturbance can be mitigated by the preparation and implementation of a sediment and erosion control plan during the construction phase.

3. During initial civil works adequate measures need to be in place to minimise the release of dust and potential fibres from the point of removal. An Asbestos Remediation Action Plan (RAP) should be prepared prior to any works within the site by a suitably qualified environmental/hygienist consultant.
4. All asbestos removal works shall be conducted in accordance with *Safework NSW Code of Practice: How to Manage and Control Asbestos in the Workplace (September 2016)*, *Safework NSW Code of Practice: How to Safely Remove Asbestos (September 2016)*, and the site specific Remediation Action Plan. Any discrepancy or ambiguity shall be referred to Council's Project Manager prior to proceeding with the works.
5. The contractor shall be appropriately licensed to remove and dispose of all hazardous materials. Hazardous materials shall be handled and disposed in accordance with relevant Australian Standards, WorkCover and regulatory agency (EPA) guidelines.
6. All waste fluids generated during the works, including from the washing of painting equipment, shall be contained for proper disposal offsite. Cleaners, solvents, paints or other inorganic liquids shall not be disposed on site.
7. All waste removal, transport and disposal, including excess spoil, shall be in accordance with the regulatory agency's (previously EPA/DECCW) current guidelines for waste. Materials shall be recycled wherever possible. Dockets or equivalent evidence shall be obtained for all recycling and waste disposal, detailing the weights, materials, time and date and waste facility used. These dockets shall be given to the CoP Project Manager.

5.10 CUMULATIVE IMPACTS

The subject site currently provides a cultural landscape with important natural, cultural landscape and heritage values.

The proposed activity provides a modest scope of works that seeks to provide better amenity and functionality to the open space area in manner that will complement the existing site values.

An assessment of the proposed activity has identified a number of positive and negative impacts. The negative impacts are relatively minor and primarily relate to short-term matters of amenity that would be experienced during the construction phases. All of these identified impacts can be suitably managed through the implementation of mitigation measures.

No significantly adverse impact will occur to the site natural or built environmental values.

These positive benefits are of a much longer-term nature and considered to outweigh the relatively minor and short-term negative impacts associated with the construction phase.

Therefore on balance the proposed activities are considered to have a net benefit to the community.

6.0 MITIGATING MEASURES

General

- It is the responsibility of Council's appointed Project Manager to ensure compliance with all these environmental safeguards and to implement all required measures. The Project Manager shall be responsible for ensuring that all persons involved in the project or activity are informed of these requirements.

Site Establishment, Traffic, Community Awareness & Public Safety

- All contractors' (and any sub-contractors') personnel employed for the works shall complete *CoP* approved site induction before commencing work. This shall cover all aspects of environmental management and safety, including these safeguards and any Conditions of Approval. Records shall be kept of all inductions and shall be provide to the *CoP* on request.
- Care shall be taken to ensure no disturbance of underground infrastructure (optic fibre cables, gaslines, water lines etc), or aboveground infrastructure (powerlines, sealed road pavement etc).
- Where works are conducted on or adjacent to public roads, appropriate traffic control procedures shall be implemented.

Incident & Spill Management

- Site induction shall include awareness of incident and emergency procedures.
- Should a spill occur during the work, the incident and spill management procedures shall be immediately implemented. All incidents shall be immediately reported.

Soil & Water

- An Erosion and Sediment Control Plan will be prepared as part of the Construction Environmental Management Plan.
- A Dust Management Plan shall be prepared and implemented that:
 - i. Details dust settling methods;
 - ii. Describes the procedures to ensure that all loads of material leaving or entering the site are covered; and
 - iii. Describes the process by which trucks will be cleaned prior to leaving the site.
- All works shall be undertaken in a manner that will minimise site disturbance and avoids or minimise erosion and sedimentation.
- All areas disturbed during the works shall be protected by installing appropriate erosion and sediment control measures so that sediment-laden runoff does not enter any drainage line or wetland. Measures may include:
 - diverting any potential upslope runoff and stormwater away from the site;
 - installing temporary erosion control devices (eg sediment fencing, sand bags, sediment basins);
 - temporary surface protection (eg surface mulching, geotextile/erosion control matting).
- All erosion and sediment control measures shall be checked and maintained on a regular basis so that they work effectively at all times, including removing trapped sediment. Control measures shall not be removed before the ground surface is stabilised. Records shall be kept of all checks and maintenance and shall be provided to the CoP on request.
- Chemicals, fuels and lubricants shall be securely stored in approved containers. No chemicals or fuels shall be stored overnight on site unless specifically approved by CoP.

Air, Noise & Vibration

- All practicable and feasible measures shall be taken to avoid raising excessive levels of dust.
- All practicable and feasible measures shall be taken to minimise noise.
- Hazardous material shall be handled as per relevant guidelines to avoid potential air pollution. Water spraying shall also be used whenever dust is being raised by windy conditions.
- Construction works that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with NSW Environment Protection Authority Noise Control Guidelines:
 - Monday to Fridays, 7am to 8pm
 - Saturdays, 8am to 8pm
 - No work is permitted on Sundays and Public Holidays

Heritage & Archaeology

- All works will be carried out in accordance with the Office of Environment & Heritage Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.
- Should any Aboriginal objects be uncovered during earthworks, works must cease and a qualified heritage consultant and OEH must be contacted.
- All works are subject to an unexpected finds protocol where an archaeologist is readily available to come to site if a find is uncovered. Any finds would be assessed and recorded.

Demolition and Construction Waste

- A waste management plan shall be prepared for the demolition and construction stages to limit wastes generated and the volume of waste disposed to landfill.

- All working areas shall be maintained, kept free of rubbish and cleaned up at the end of each working day. Equipment and materials shall be securely stored.
- The contractor shall be appropriately licensed to remove and dispose of all hazardous materials. Hazardous materials shall be handled and disposed in accordance with relevant Australian Standards, WorkCover and regulatory agency (EPA guidelines).
- All asbestos removal works shall be conducted in accordance with *Safework NSW Code of Practice: How to Manage and Control Asbestos in the Workplace (September 2016)*, *Safework NSW Code of Practice: How to Safely Remove Asbestos (September 2016)*, and the site specific Remediation Action Plan. Any discrepancy or ambiguity shall be referred to Council's Project Manager prior to proceeding with the works.
- All waste fluids generated during the works, including from the washing of painting equipment, shall be contained for proper disposal offsite. Cleaners, solvents, paints or other inorganic liquids shall not be disposed on site.
- All waste removal, transport and disposal, including excess spoil, shall be in accordance with the regulatory agency's (EPA) current guidelines for waste. Materials shall be recycled wherever possible. Dockets or equivalent evidence shall be obtained for all recycling and waste disposal, detailing the weights, materials, time and date and waste facility used. These dockets shall be given to the Council's *Project Manager*.

Site Decommissioning

- On completion of the works, all waste material, excess spoil and rubble shall be removed and disturbed surrounding areas finished to the satisfaction of Council's Project Manager.
- The contractor shall meet with the nominated CoP representative prior to the completion of the work period to

ensure that the site is decommissioned to the satisfaction of the CoP. All refuse, debris and material associated with the work shall be removed from the site and the site left in a satisfactory state.

- If any erosion control measures need to remain onsite, arrangement shall be negotiated with CoP for their removal once the ground surface has stabilised.

Operational requirements

- The amenities building will be open and available for public use only during the following times:
 - 6AM-6PM (6AM-8PM during daylight savings periods)
- Regular maintenance, cleaning and graffiti removal shall be undertaken by CoP.

7.0 STATUTORY CHECKLISTS

7.1 CLAUSE 228 FACTORS

Clause 228 of the *Environmental Planning and Assessment Regulation 2000* identifies the factors that must be taken into account when consideration is being given to the likely environmental impact of an activity.

For the proposed activity there are no specific guidelines in force, therefore 228(2) provides the relevant factors. These are addressed identified below together with an assessment of the proposed activity against them:

TABLE 1: CONSIDERATION OF CLAUSE 228 FACTORS

Factors to be taken into account	TYPE SCALE OF IMPACT				COMMENT
	Nil/NA	Temporary	Minor	Significant	
a) any environmental impact on a community			•		The proposal provides a positive social impact for users of the park and broader recreation area. The proposal has the potential to adversely affect the local amenity and environment during the demolition and construction phase.
b) any transformation of a locality	•				The proposed activity retains the primary function and land use of the site. It will improve and enhance the existing recreational role of site but will not transform the site.
c) any environmental impact on the ecosystems of the locality			•		The analysis undertaken as part of this report demonstrates that no adverse impact will occur to any aquatic or terrestrial vegetation or habitat.

Factors to be taken into account	TYPE SCALE OF IMPACT				COMMENT
	Nil/NA	Temporary	Minor	Significant	
d) any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality.			•		The activity will only enhance the recreational value of the site by providing greater accessibility and functionality to users.
e) any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations.			•		The site accommodates a local heritage item which is identified as the wetlands on the river bank area. The analysis undertaken in this report demonstrates that the activity will not adversely impact upon the conservation values of that heritage.
f) any impact on the habitat of protected or endangered fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i>)	•				The analysis undertaken as part of this report demonstrates that no adverse impact will occur to any aquatic or terrestrial vegetation or habitat.
g) any endangering of any species of animal, plant or other form of life whether living on land, in water or in the air	•				The analysis undertaken as part of this report demonstrates that no adverse impact will occur to any aquatic or terrestrial vegetation or habitat.
h) any long-term effects on the environment	•				
i) a degradation of the quality of the environment.	•				
j) any risk to the safety of the environment					Any risk will occur as part of construction stages only and can

Factors to be taken into account	TYPE SCALE OF IMPACT				COMMENT
	Nil/NA	Temporary	Minor	Significant	
		•			be suitably managed during that phase by the implementation of standard construction management measures.
k) any reduction in the range of beneficial uses of the environment.	•				
l) any pollution of the environment.		•			Impacts will be mitigated by measures implemented during the construction phase.
m) any environmental problems associated with the disposal of waste.			•		Impacts can be managed through implementation of standard waste material handling and disposal practices
n) any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply.	•				
o) any cumulative environmental effect with other or existing or likely future activities.			•		The proposed activity will create cumulative positive impacts for the subject site.
(p) any impact on coastal processes and coastal hazards, including those under projected climate change conditions.	•				

7.2 IS AN ENVIRONMENTAL IMPACT STATEMENT (EIS) REQUIRED

The proposal will not result in any significant environmental impacts. Therefore, there is no requirement to prepare an EIS to support the proposed works.

7.3 MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

Actions that have the potential to significantly impact matters of National Environmental Significance (NES) need to be assessed and approved under the provisions of the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). The matters of NES identified in the Act that trigger Commonwealth assessment and approval requirements are provided below together with an assessment of the proposed activity against them:

WORLD HERITAGE AREAS

The subject site is not located near any World Heritage Property. No direct or indirect impacts on World Heritage Properties would result from the proposed works.

NATIONAL HERITAGE PLACES

A National Heritage List has been established for natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation. There are four National Heritage Places in New South Wales. The Proposal would not affect any of the listed places.

RAMSAR WETLANDS

Twelve (12) Ramsar wetlands are listed for NSW. None of these occur in, near or downstream of the study area. Accordingly, there would be no impact on listed Ramsar wetlands because of the proposed works.

NATIONALLY THREATENED SPECIES AND ECOLOGICAL COMMUNITIES

No Endangered Ecological Community or Critically Endangered Ecological Community is recorded near the area of proposed works.

The broader site accommodates vegetation that may provide habitat for threatened species. Despite this, it is considered that the proposed activity is not likely to have an adverse effect on the life cycle of any of these species such that a viable local population of the species is likely to be placed at risk of extinction.

MIGRATORY SPECIES

There are numerous migratory species considered to potentially occur within the study area. However, the habitat of the subject site is not considered to be adversely impacted by the proposed activity. Therefore, even if any of the threatened migratory species were to occupy the site, they are unlikely to be adversely impacted by the proposed activity.

COMMONWEALTH MARINE AREAS;

The site is not listed nor in the vicinity of any Commonwealth Marine Park.

NUCLEAR ACTIONS (INCLUDING URANIUM MINING)

The proposed activity is not a nuclear action.

WATER RESOURCE IN RELATION TO COAL SEAM GAS

The proposed activity is not a coal mining action.

This assessment can therefore conclude that the proposed development would not result in a significant impact on any matters of NES, therefore it would not be necessary to refer the Proposal to the Commonwealth Environment Minister.

8.0 CONCLUSION

The subject site currently provides a highly modified and cultural landscape with important recreational, environmental, transport and landscape values.

The proposed activity provides a modest scope of works that seeks to provide better amenity and functionality to the open space area in a manner that will complement the existing site values.

An assessment of the proposed activity has identified a number of positive and negative impacts. The negative impacts are relatively minor and primarily relate to short-term matters of amenity that would be experienced during the construction phases. All of these identified impacts can be suitably managed through the implementation of mitigation measures.

No significantly adverse impact will occur to the site natural or built environmental values.

These positive benefits are of a much longer-term nature and considered to outweigh the relatively minor and short-term negative impacts associated with the construction phase.

Therefore on balance the proposed activity are considered to have a net benefit to the community.

9.0 CERTIFICATION

This *Review of Environmental Factors* provides a true and fair review of the proposed activity in relation to its likely effects on the environment. It addresses to the fullest extent possible all matters affecting or likely to affect the environment as a result of the proposed activity.

Name Vince Hardy (BTP, RPIA)
Signed
Designation Principal Urban Planning Consultant
Organisation Cityscape Planning + Projects
Date

I have examined this Review of Environmental Factors and the certification by Vince Hardy of Cityscape Planning + Projects and accept the Review of Environmental Factors on behalf of *City of Parramatta Council*.

Name
Signed
Designation
Organisation *City of Parramatta Council*
Date

ANNEXURE A: DEPARTMENT OF PLANNING AND ENVIRONMENT CONCURRENCE



Planning &
Environment

The Land Specialist
Asset Strategy & Property Management Unit
City of Parramatta
PO Box 32
PARRAMATTA NSW 2124

25 September 2018

Dear Mr Higgins

Subject: The Department of Planning and Environment's concurrence for the Rydalmere Eastern River Foreshore Transformation – Stage 1 (Proposed Cycleway in the Eric Primrose Reserve, Rydalmere).

Reference is made to the email correspondence received from yourself on Tuesday 25th Sept 2018 regarding the proposed Rydalmere Eastern River Foreshore Transformation – Stage 1 (Proposed Cycleway in the Eric Primrose Reserve, Rydalmere).

The Office of Strategic Lands (within the Department of Planning and Environment) has reviewed the information supplied:

- a) Government Gazette - Number 117 Dated 12 Sept 1975 – Notification of Placing Land under Care, Control and Management of the City of Parramatta;
- b) The Rydalmere Eastern River Foreshore Stage 1_FINAL CONCEPT drawing by the City of Parramatta dated Sept 2018; and
- c) The Eric Primrose_DPE Land by the City of Parramatta dated Sept 2018.

The Office of Strategic Lands on behalf of the Department of Planning and Environment gives concurrence to the project on the basis that:

- a) it only applies to the land described above (within the Eric Primrose_DPE Land drawing by the City of Parramatta) and comprising the following Lots:
 - a. 553//15160
 - b. 554//15160
 - c. 561//15160
 - d. 564//15160
 - e. 565//15160
 - f. 566//15160
 - g. 567//15160

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2

h. 568//15160; and

i. 2//502231

- b) the land described above in a) remains classified as 'community' and zoned as RE1 as described under the Local Government Act 1993.

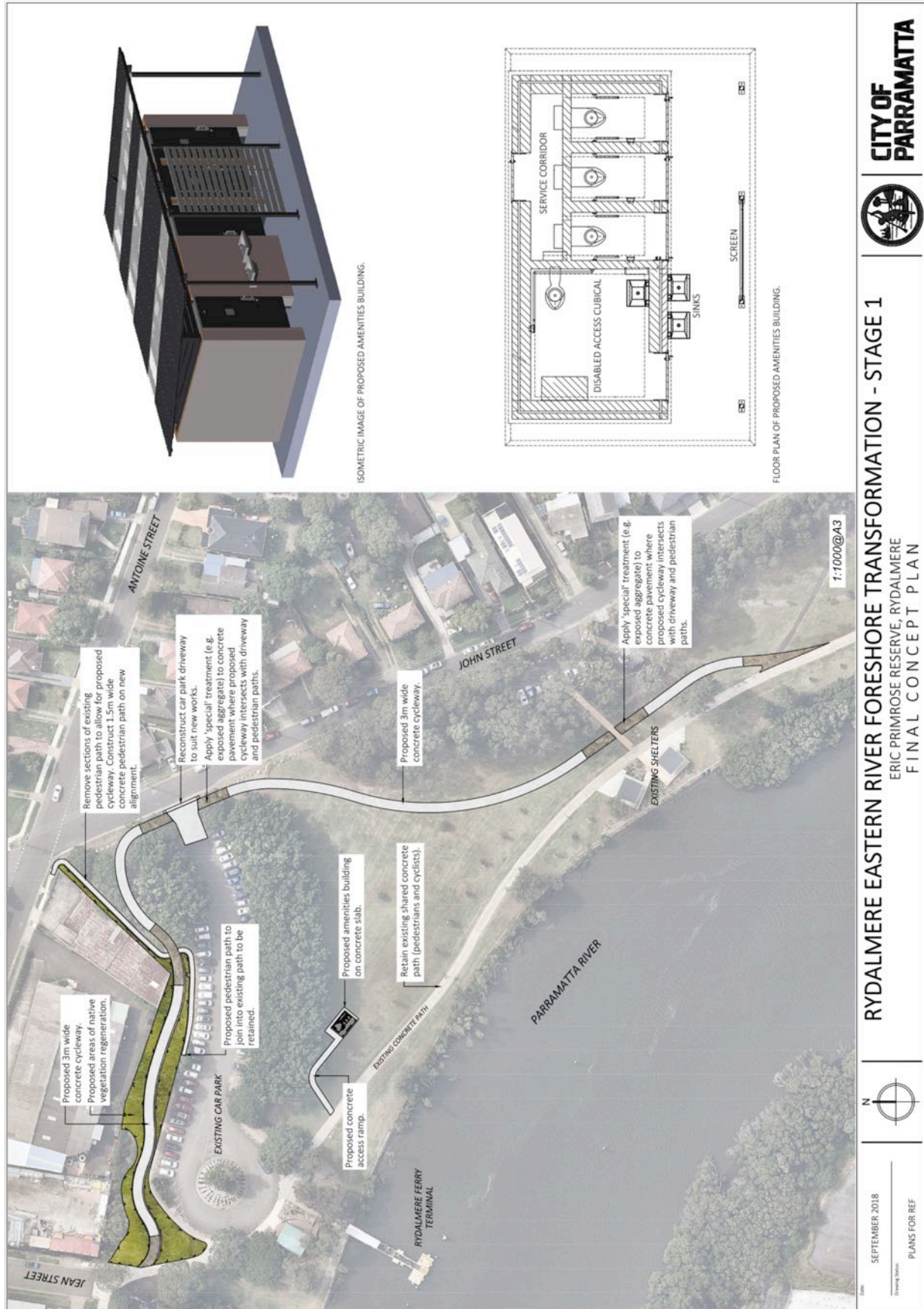
For any enquiries please contact Ben Wright, Senior Divestment Officer on 02 9860 1491.

Yours sincerely



Stephen Dewick
Team Leader Divestments
Office of Strategic Lands
Authorised delegate of the Planning Ministers Corporation

ANNEXURE B: PROPOSED PLANS







ANNEXURE C: AHIMS SEARCH



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : rydalmere

Client Service ID : 374211

Vince Hardy
16 Alexandra Cres
GLENBROOK New South Wales 2773
Attention: Vince Hardy
Email: vhardy@cityscape.net.au

Date: 04 October 2018

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP235759 with a Buffer of 200 meters, conducted by Vince Hardy on 04 October 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *