



Office of  
Environment  
& Heritage

DOC19/177765  
PP-1/2018

General Manager  
Cumberland Council  
PO Box 42  
MERRYLAND NSW 2160

Attention: Monica Cologna and Glen Weekley

Dear Mr McNulty

**OEH comments on Amended Planning Proposal for 300 Manchester Road, Auburn (Lots 11 and 12 DP1166540)**

Thank you for your letter of 28 February 2019, requesting comments from Office of Environment and Heritage (OEH) on the amended Planning Proposal for 300 Manchester Road, Auburn.

OEH appreciates Council providing it with an extension in which to provide its comments on the amended planning proposal.

OEH has previously provided submissions on the planning proposal and the most recent submission is dated 7 March 2018. OEH considers that most of the issues previously raised by OEH have not been addressed in the amended planning proposal. OEH provides its comments and recommendations on the amended planning proposal in Attachment A.

Should you have any queries regarding this matter, please contact Janne Grose on 8837 6017 or [janne.grose@environment.nsw.gov.au](mailto:janne.grose@environment.nsw.gov.au)

Yours sincerely

*S. Harrison 25/03/19*

**SUSAN HARRISON**  
Senior Team Leader Planning  
Greater Sydney  
Communities and Greater Sydney Division

## Attachment A

### OEH comments on Amended Planning Proposal for 300 Manchester Road, Auburn (Lots 11 and 12 DP1166540)

Reference is made to the Office of Environment and Heritage (OEH) previous submissions (dated 1 December 2015 and 7 March 2018) on a Planning Proposal for this site. OEH has reviewed the following documentation:

- Planning Proposal Report (APPR) – amended 30 August 2018
- Ecological Impact Assessment (EIA) – 24 November 2017
- Landscape Concept Package (LCP) – August 2018
- Urban Design Report (UDR) – 29 August 2018
- Sustainability Planning Report (SPR) – 28 August 2018
- Preliminary Site Servicing and Flood Management Advice – 29 August 2018
- Preliminary Flood Advice Sketch – 28 August 2018

and provides the following comments on the amended planning proposal.

OEH considers that most of the issues raised in its most recent submission of 7 March 2018 on the planning proposal have not been addressed. OEH reiterates its previous advice.

#### Grey-headed Flying-fox

The APPR notes an EIA has been prepared by Cumberland Ecology which assesses the potential impacts from the Proposal on threatened species, populations and ecological communities (TECs) listed under state and federal legislation, including the Grey-headed Flying-fox (*Pteropus poliocephalus*), Green and Golden Bell Frog (*Litoria area*) and River-flat Eucalypt Forest Endangered Ecological Community (EEC) (section 8.3.3, page 106). The APPR notes the EIA is an update of an assessment undertaken for the original proposal for the site. The EIA (dated 24 November 2017) which is attached to the current amended planning proposal appears to be the same report that OEH reviewed for its submission on the planning proposal (dated 7 March 2018) and as such OEH previous comments have not been addressed.

#### Green and Golden Bell Frog

OEH reiterates the comments previously provided in its submission of 7 March 2018.

#### Recommendations of the Ecological Impact Assessment

OEH repeats its recommendation that instead of conducting a study in relation to the presence of the flying-fox camp, Council prepare a Camp Management Plan for the site, in accordance with OEH's Camp Management Policy, which is available at the following link:

<http://www.environment.nsw.gov.au/threatenedspecies/flyingfoxcampol.htm>

#### Duck River Corridor

OEH previously sought clarification on the width of the Duck River corridor that is proposed to be restored as part of the planning proposal along the section of Duck River opposite the proposed development. The amended planning proposal has not addressed this and repeats that this information should be provided.

OEH recommended where space is currently available that the corridor is as wide as possible and rehabilitated with fully structured native vegetation from the relevant local native vegetation communities to enhance the habitat available for the Grey-headed Flying-fox camp, though this should not include roosting habitat near residences, and to improve the corridor link along the river. OEH repeats this recommendation.

OEH previously advised the planning proposal has the potential to impact the Duck River corridor and the habitat it provides by significantly increasing the number of residents that will potentially use

the corridor for recreational/open space purposes. While the amended planning proposal has reduced the number of proposed residential dwellings from approximately 1800 dwellings to 1150 new dwellings (see page 47 of APPR), the amended proposal will still significantly result in an additional 1150-2000 residents potentially using the corridor and placing pressure on it, including potential impacts on the Grey-headed Flying-fox colony, other native fauna and remnant and restored native vegetation.

OEH previously raised concern that the planning proposal proposed to locate new open space parkland/turf areas and various works along the Duck River corridor and advised it does not support the creation of turf areas within the Duck River corridor. The amended planning proposal still proposes to locate open turf areas (with some indigenous shade trees) within the corridor. The LCP which accompanied the planning proposal stated that "*where there is no existing bushland or only tree weeds present, PAYCE will create a clear delineation between the Bushland Management Zones and introduce grassed open space parkland with indigenous shade trees.*" The amended planning proposal is still applying this principle (see UDR, page 60).

The UDR indicates the proposal includes a vegetation management action program for about 210m of the Duck River corridor opposite the proposed residential development. The amended planning proposal still proposes to locate the following in the Duck River corridor as outlined in the UDR:

- a 3m wide shared use footpath/cycleway (sections 4.1 and 4.5, pages 56 and 60)
- grassed parkland open space with indigenous shade trees mostly adjacent to the shared path where there is no existing bushland (section 4.5, page 60)
- water quality swales parallel to the riparian edge (section 4.3, page 58)
- waterway access via a kayak launching jetty (section 4.6, page 62)
- a 'lookout' near the water's edge (section 4.5, page 60)
- shelters (section 4.5, page 60) and
- a series of exercise stations (pages 29, 60 and 61).

The APPR notes offsite public benefits of the planning proposal include the regeneration of Duck River (page 15) but the planning proposal appears to largely be using the corridor to provide an additional open space/turf area for the development rather than regenerating the corridor. Details need to be provided on the area of the Duck River corridor that is proposed to be regenerated compared to the area that is proposed to be used as new open space/turf area.

OEH reiterates that it does not support the creation of turf areas within the Duck River corridor. OEH previously recommended and reiterates:

- the Duck River corridor should be rehabilitated with fully structured native vegetation from the relevant local native vegetation community, or communities that occur or once occurred along this section of river
- open space /turf areas should be located within the proposed development site rather than within the Duck River corridor.

OEH repeats that scaled plans need to be provided which overlay and clearly show the location of:

- Duck River
- the proposed width of the corridor that is proposed to be restored (measured from top of highest bank)
- areas along the corridor which require bush regeneration/ weed control
- remnant native vegetation communities along the river
- proposed works that encroach into the corridor
- the location of Manchester Road
- the site boundary

### Footpath/cycleway

The APPR indicates that the amended proposal will contribute to pedestrian/cycle paths along the Duck River (page 78). As previously advised OEH is concerned by the level of disturbance that the proposed pathways will cause to the Duck River corridor. OEH repeats that the Cross Section A-A in the UDR (page 62) which was previously included with the planning proposal shows the pedestrian path is located in proximity to trees utilised by the Grey-headed Flying-fox colony. OEH repeats that details need to be provided on the minimum setback distance of the proposed pathway to the roost trees. As previously advised OEH considers justification is required that the impacts caused by the proposed pedestrian pathway would not be significant, permanent or long term to the Grey-headed Flying-fox colony.

OEH repeats that any pathway should be located on the outer edge of the corridor immediately adjacent to Manchester Road rather than within the corridor.

### Water quality swales

The amended planning proposal still shows swales are proposed to be located parallel to the river edge (see UDR page 58). As previously advised by OEH:

- the swales appear to be near the river within the inner riparian zone (see page 58 of the UDR). It is unclear why the swales are proposed to be located near the river and not outside the corridor to treat the water before it enters the corridor. OEH repeats that details need to be provided on this
- if the swales are located where proposed, future maintenance requirements of the swales has the potential to disturb the rehabilitated corridor. Details are required on who will be responsible for maintaining the swales and how often they are proposed to be maintained.

### Kayak launching jetty and lookout near the water's edge

The amended proposal still indicates that a kayak launching jetty and lookout is proposed to be located near the water's edge. OEH repeats its previous advice:

- details are required on the total area and length of the kayak launching jetty and whether the jetty will require clearing of any native vegetation.

The lookout as presented in the UDR appears to be quite large in area (see page 29) and OEH repeats that details are required on:

- the design of the proposed lookout
- the total area of the lookout footprint; and
- whether the lookout will require clearing of any native vegetation.

### Maintenance of Duck River Corridor

OEH previously advised that details are required on the following:

- whether Council or the applicant will be responsible for maintaining the restored section of the Duck River corridor in the long term
- the maintenance program for the restored area and who will be responsible for funding the maintenance.

This detail still needs to be provided.

### **Central Park and Streetscape**

The planning proposal originally proposed to locate the Central Park on the western side of the site. The amended proposal proposes to relocate the proposed the park to the eastern side of the high-density residential area (APPR - Manchester Road Masterplan, page 11). It is unclear why the location of the Central Park is proposed to be relocated. The LCP previously proposed to plant riverside plant species in the Central Park and streetscape fronting the river. OEH supported the use of endemic native species in the park and streetscape.

OEH recommends the Masterplan is amended so that Central Park is located between the proposed residential development and the Duck River corridor to provide a buffer between the development and the Duck River corridor.

## Landscape Concept Plan

### Restoration of Duck River Corridor

OEH recommends the restoration of the Duck River corridor is guided by the following:

- revegetation measures should only be considered when:
  - the regeneration potential has been wholly or severely depleted
  - attempts to trigger regeneration of soil-stored seed by a range of techniques have failed
  - key missing species cannot be naturally recruited to an area
- the use of indigenous species grown from local seed is essential for the revegetation project
- the aim of the restoration project should be to repair and enhance.

Where revegetation is required along the corridor (rather than regeneration), a diversity of native plant species from the local native vegetation communities that occur or once occurred along the corridor should be used. The use of local genetic plant material has numerous environmental benefits and the propagation of plants from locally sourced seeds ensures genetic integrity

### Landscaping of the site and streetscape

The APPR notes the Manchester Road site has been entirely cleared of native vegetation with no remnant woodland or forest remaining (page 106). The planting of a diversity of indigenous (local provenance) native species on the site would assist to improve local biodiversity, particularly as the site has been cleared. As part of the water management for the site, the SPR indicates that Water Sensitive Urban Design options will consider using native vegetation where applicable as part of the design approach (section 4.3, page 15-16) and it notes some of the benefits of planting native vegetation throughout the precinct which include reducing land degradation and salinity, reducing the amount of water needed for irrigation, it promotes biodiversity and provides habitat for a range of unique biodiversity including threatened species (section 8.2, page 22). OEH recommends the landscaping of the site and streetscape uses native provenance plant species from the local native vegetation community, or communities that occur or once occurred at this location rather than plant non-local native or exotic species.

OEH notes Chinese elm (*Ulmus parvifolia*) is included in the Planting Schedule for the planning proposal (see UDR, page 65). Chinese elm is listed as a weed in Appendix 2 of the Greater Sydney Local Land Services (2017) Greater Sydney Regional Strategic Weed Management Plan 2017-2022 as it poses a potential risk to biodiversity (i.e. the environment). It is recommended the Planting Schedule is amended and Chinese elm and other exotic and non-provenance native species are removed from the Planting Schedule.

The UDR shows trees are proposed to be sparsely planted along Manchester Road (page 46). In terms of mitigating the urban heat island effect, improving biodiversity, habitat for native fauna etc and enhancing the landscape qualities it is recommended additional trees are planted along the street and in the site and advanced size local native trees are used.

The Greater Sydney Region Plan - A Metropolis of Three Cities includes an objective (30) that urban tree canopy cover is increased, and the Central City Plan includes Planning Priority C16 (increasing urban tree canopy cover and delivering Green Grid connections). The Plans note that the NSW Government has set a target to increase tree canopy cover across Greater Sydney to 40 per cent. The Central City Plan indicates that in 2011, the Urban Area of the Central City District had 19 per cent tree canopy cover and that Blacktown, parts of Parramatta and Cumberland local government areas generally have less tree canopy cover.

## **Future Mixed Use and residential development**

OEH previously recommended that future development of the Manchester Road site incorporate Green Roofs and Cool Roofs into the design of the buildings where possible and the landscape Concept Package for the development addresses this. The amended planning proposal only notes the development will consider using roof gardens and vertical gardens (see sections 8.1 and 8.3 of SPR, pages 22 and 23). The planning proposal has not committed to or provided certainty that Green Roofs and Cool Roofs will be incorporated into the design of the buildings. It is recommended the planning proposal clarifies whether Green Roofs and Cool Roofs will be incorporated.

## **Floodplain risk management**

The Northrop report dated 19 August 2018 has not addressed OEH's previous comments dated 7 March 2018. OEH advised the proponent to prepare an Emergency Response Plan (ERP) in consultation with the State Emergency Service (SES) to manage floods above the proposed flood planning level (1% AEP plus 0.5m freeboard). The ERP should include an assessment of the flood evacuation needs to ensure safe evacuation is achievable.

General comments:

- NORTHROP report section 5 states; The Flood Maps provided in Auburn City Council's LEP (2010) indicate the site is not categorised as 'Flood Prone Land'. This sentence is incorrect, the site is flood prone land. The Floodplain Development Manual (2005) identifies Flood Prone Land as land susceptible to flooding by the probable maximum flood (PMF) event. Duck River flood study (WMA, August 2011) shows the site fully inundated and all access to the site cut off in the PMF event.
- The proposal comprises of 1200 new dwellings - a planning proposal of such scale should consider the safety of people in flood events larger than the design event up to the PMF as a paramount aspect of planning.

Accordingly, OEH's previous comments are still relevant.

## **Aboriginal Cultural Heritage**

Please note that OEH has decided not to provide comments on Aboriginal cultural heritage matters at this time. This does not represent OEH support for the proposal and this matter may still need to be considered by the consent authority.

(END OF SUBMISSION)



Transport  
for NSW

Monica Cologna  
Manager Strategy  
Cumberland Council  
PO Box 42  
MERRYLANDS NSW 2160

Attn: Glen Weekley

Dear Ms Cologna

**Planning Proposal Request for 300 Manchester Road, Auburn  
(Lots 11 & 12 DP 1166540) – Amended Proposal**

Thank you for your letter dated 28 February 2019 to Sydney Trains and Transport for NSW (TfNSW) regarding the subject matter. TfNSW appreciates the opportunity of providing pre-Gateway review on this amended proposal. Consultation has been undertaken with relevant stakeholders within the Transport Cluster, including Sydney Trains and Roads and Maritime Services, and a collective response is provided for consideration.

It is appreciated that changes and improvements are made to the proposal with the intention of resolving comments raised in the previous consultation. A review of the amended proposal has been undertaken and it is advised that a number of issues remain not adequately addressed. In this regard further information is required to fully assess the implication of these issues. Details of these issues are summarized in **Attachment A**.

As a way-forward it is suggested that a meeting be organised by Council involving Transport Cluster, proponent and Council officers to facilitate discussion with the proponent in regards to resolving the issues identified.

Thank you again for the opportunity of providing comments on the subject proposal. For further information or clarification regarding this matter, please contact the undersigned for discussion.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Ozinga'.

10/4/2019

Mark Ozinga  
**Principal Manager Land Use Planning and Development  
Freight, Strategy and Planning**

CD19/01908

### **Land Ownership – Sydney Trains (on behalf of RailCorp)**

RailCorp is the landowner of the rail corridor and the Clyde Marshalling Yards including the private access road (*Private Road*), which is Manchester Road west of its intersection with Chisholm Road. Whilst RailCorp still exists as the legal land owner of the rail corridor, its property functions transferred to Sydney Trains from 1 July 2014. The subject proposal creates an expectation that the RailCorp land forms part the proposal.

Further detail is required as to how and what the impacts it will have on the RailCorp owned portion of Manchester Road. This issue was raised previously on the original proposal and no consultation has occurred with Sydney Trains on this matter.

### **Potential implication to rail operation**

Irrespective of the successful implementation of building noise attenuation measures and compliance with applicable internal noise levels, there is risk that some of the future potential residents would still consider noise levels (in particular intermittent noise such as horns or brake pressure releases) to be excessive and intrusive thus leading to regular complaints being submitted. It should be noted that the nearby and relatively new maintenance facilities have not been designed to operate adjacent to high density residential development.

### **Noise Impact Assessment**

The measured and predicted rail noise levels in the Acoustic Logic reports are considered to underestimate rail noise impacts at the proposed multi-storey apartment buildings, where upper floors would likely have direct line of sight to the rail yards. The predicted worst-case rail noise levels in Table 2 of the Acoustic Logic report dated 02/08/2018 (attached) are well below (up to 9dBA) the noise levels measured previously by Acoustic Logic. It is noted that measured rail noise levels presented in Table 2 of the Acoustic Logic report dated 28/11/2017 were based on operations more than 4 years ago. The measured rail noise levels potentially include shielding from the 6 metre high noise wall which was installed as part of the Auburn Stabling Yard project.

The noise assessment should assess the noise impacts from the Town Horn being utilized within the Auburn Stabling Yard especially at exposed façade near the boundary of the proposed development that are not shielded by the existing barrier. In addition, the procedure requires the departing trains to test the Country Horn on approach to the Auburn Maintenance Centre level crossing. It is advised that arriving trains into the stabling yard can sound the Town or Country Horn on approach to the Auburn Maintenance Centre level crossing. These noise events should be assessed as noise impacts on the proposed development.

It is requested the acoustic consultant should consult with Sydney Trains and TfNSW to agree on the study methodology prior to undertaking a revised noise impact assessment.

### **Amended Masterplan**

Whilst there are now fewer buildings closer to the Clyde yard, there is a lack of detail as to what design influences will be used to counter any rail issues such as noise, view, etc.



## **Public Transport**

The issue of limited public transport options remains with the amended proposal. The nearest bus stop is on Cumberland Road which is more than 400m walking distance from most parts of the site. The amended proposal indicates a pedestrian route connecting Clyde Station to Manchester Road via a pathway along the northern boundary of The Hub, but yet the walking distance is well over 1km notwithstanding clarification is required to whether any right of way applies to this connection.

Discussion should be opened for investigating the opportunity of providing, at a minimum, an active transport connection over Duck River for future residents to access for bus services on Clyde Street.

## **Road Traffic**

The traffic assessment indicates that some parts of the existing local road network has minimal remaining capacity with the modelling indicating that many intersections are operating with Degree of Saturation close to 0.9. The do nothing/minimum for the proposal indicates that those intersections on the local network would be heavily congested with Level of Service F and Degree of Saturation above 1 for a number of intersections.

Feasibility needs to be confirmed in regards to the proposed mitigation measures, in particular:

- Extension of the right turn bay on approach to Rawson Street from South Parade. It appears to require acquisition of RailCorp land but the report does not state whether in-principal support has been received from Sydney Trains.
- Additional right turn bay at Mona Street/Chisholm Road and signalling of Redfern Street/Clyde Street creates a coordinated staggered T-intersection with Mona Street. The report states that land acquisition is not required. However, it is unlikely that the proposed layout can be achieved without road widening. Restriction to smaller vehicles on the left turn on the dual lane approach in Redfern Street would be required.
- It is noted that the proposed upgrading of Mona Street/Chisholm Street appears to require land acquisition of Council land.

As the amended proposal relies on these proposed network changes to mitigate the traffic impact, it is requested that the proponent confirm the feasibility as noted above and should consider alternatives in the event of these changes be not feasible. Without suitable agreed mitigation measures in place, there would be congestion on the local road network and associated impacts to bus operation could be envisaged as a result of the proposed development.