

**EDMONDSON PARK SOUTH  
SUPPLEMENTARY RESPONSE TO SUBMISSIONS CONCEPT PLAN  
(DECEMBER 2010)**

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|                       | DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER (letter undated, received 3 November 2010)   |   |
| DECCW 1               | The Edmondson Park Precinct is also the subject of a 2009 Conservation Agreement between NSW and the Commonwealth. The Environmental Assessment provides limited information on the process, time frame and mechanism for delivery of the Regional Park which was identified as an issue in our advice to the Department of Planning dated 26 July 2010. The delivery of the Regional Park is an integral element of the 2009 Conservation Agreement for Edmondson Park signed by the NSW and the Commonwealth Governments. The effect of the Conservation Agreement is that any development within the Edmondson Park Precinct likely to have a significant effect on any matters of national environmental significance, do not need to be referred to the Commonwealth under the Environment Protection and Biodiversity Conservation Act 1999. Failure of NSW to meet the requirements of the Conservation Agreement could jeopardise this agreement between the Commonwealth and the NSW Government. It is therefore important that the Regional Park and funding arrangements are resolved prior to approval or that a firm process and timetable for its delivery are identified and reflected in the consent conditions and/or statements of commitment. | <p>Other than the minor change (positive) to the boundary alignment of the Regional Park adjacent the town centre, the Concept Plan does not result in any other changes to the Regional Park.</p> <p>Funding arrangements for the Regional Park are not relevant to this application.</p> <p>The Part 3A application does not trigger any additional responsibilities or funding requirements with respect to the Regional Park.</p> <p>The State has already agreed to fund the Regional Park through the Conservation Agreement.</p> |
| DECCW 2               | DECCW has provided considerable input into the planning process for the Edmondson Park Release area in relation to the management of watercourse and riparian issues. The NSW Office of Water (NOW) provided advice to the Department of Planning on the watercourse and riparian issues aspects of the Director General Requirements (dated 26 July 2010) and the Environmental Assessment for the proposed South West Rail Link (dated 12 July 2010). The Environmental Assessment provides a comparison between the 2004 Riparian Corridor Management Study (prepared by DIPNR) and the 2008 Guidelines for Controlled Activities (prepared by DWE). However, DECCW notes that the Environmental Assessment Report does not consistently apply the Riparian Corridor Management Study or the more recent Guidelines for Controlled Activities. In addition, the Environmental Assessment does not address previous recommendations provided by NOW, that the zoning of riparian areas needs to better reflect the environmental significance of the riparian land.  | <p>Section 8.5 of the Concept Plan and Appendix H provide a complete assessment of the riparian corridors with respect to RCMS and NOW guidelines.</p> <p>The riparian corridors are currently zoned in Liverpool LGA are RE1 and 6(a)Local Open Space in Campbelltown LGA (equivalent to RE1). The proposed RE1 zoning of the riparian areas is consistent with the current zoning and is appropriate given the urban interface of these corridors and associated public recreation and drainage functions.</p>                        |
| DECCW 3               | Please find enclosed specific comments in relation to the Environmental Assessment Report and State Significant Site Study for your consideration. As you know there is  | The development of Edmondson Park South clearly emphasises the importance of balancing water management and ecological functions of riparian corridors with   |

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|                       | considerable work underway to consider the impacts of riparian zones on land and housing supply, while maintaining their role in water management and ecological functions. DECCW is willing to work with the Department of Planning and the proponent to assist in application of the guidelines and to resolve any outstanding issues.  | urban development and recreation outcomes.   |
|                       | Attachment 1: DECCW comments on the Environmental Assessment Report and State Significant Site Study for the Edmondson Park Concept Plan and stage 1 project application.   |  |
| DECCW 4               | <p><b>Biodiversity Certification and the Conservation Agreement</b></p> <p>The Edmondson Park Precinct is subject to the Biodiversity Certification of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) directly conferred under Part 7 of Schedule 7 to the Threatened Species Conservation Act 1995 (TSC Act). The proposal to list the area covered by the Edmondson Park Concept Plan in Schedule 3 of the State Environmental Planning Policy (Major Development) 2005 raises questions about the continuance Biodiversity Certification. However, DECCW understands DoP will be seeking legal guidance to ensure Biodiversity Certification is maintained. It is therefore important to ensure planning for the development of Edmondson Park is consistent with the Relevant Biodiversity Measures (RBM) of Biodiversity Certification, in particular, RBM 12 which relates to the retention of existing native vegetation (ENV). A copy of the RBMs are enclosed (refer Attachment 3).</p>   | Full details on the condition of vegetation (including ENV) and benefits of the boundary adjustment have been confirmed (refer to Supplementary Ecological Assessments, prepared by Ecological Australia and included at <b>Appendix G</b> of the Concept Plan PPR).   |
| DECCW 5               | <p>The Edmondson Park Precinct is also the subject of a 2009 Conservation Agreement (CA) between the NSW and the Commonwealth Governments. The CA details:</p> <ul style="list-style-type: none"> <li>▪ The protection of 79ha of Cumberland Plain Woodland (CPW) and 31ha of Sydney Coastal River Flat Forest (SCRFF) vegetation within a regional park.</li> <li>▪ The clearing of up to 36ha of CPW and the requirement for NSW to protect an additional 72 ha of CPW to offset this loss</li> </ul>   | Noted.   |
| DECCW 6               | DECCW supports the biodiversity protection measures outlined in the CA and considers the impacts of development proposed in the Concept Plan on CPW to be broadly consistent. Three areas of inconsistency with the CA are, however, noted:   | Agreed. The Concept Plan is broadly consistent with the Conservation Agreement.  |
| DECCW 7               | <ol style="list-style-type: none"> <li>1. Amendments to the configuration of the town centre and a re-alignment of the main access road will encroach on approximately 1,650 m<sup>2</sup> of derived grassland/CPW proposed for conservation in the CA. Approximately 1,250 m<sup>2</sup> of this has been mapped as non-certified existing native vegetation subject to RBM 12 of Biodiversity Certification. The Concept Plan proposes this loss be offset by the conservation of an equivalent area of better condition CPW set aside for clearing in the CA. The road forms the boundary between the town centre and Regional Park which is a better environmental outcome than retail or some other form of development directly adjoining the Regional Park.</li> <li>2. Prior to finalising the road re-alignment the impacts on the high use recreational precinct within Regional Park need to be considered and addressed. In particular, considering whether proposed visitor facilities (parking, toilets, picnic areas, pedestrian paths, etc.) can be accommodated within the remaining cleared area of land will be essential as an additional clearing of vegetation to accommodate these facilities may not be consistent with the CA and/or RBM 12 of Biodiversity Certification.</li> </ol> | <p>The proposed boundary adjustment will result in a better outcome for the town centre and the Regional Park. This is consistent with the intent of the Conservation Agreement (refer to Ecological Assessment, prepared by Ecological Australia and included at <b>Appendix G</b> of the Concept Plan PPR).</p> <p>Landcom has met with DECCW NPWS staff to explore options for the High Use Precinct. While not part of this Concept Plan, there is an extensive cleared area that can adequately accommodate the recreational precinct and its facilities. This is consistent with the intent of the Conservation Agreement.</p> |

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| DECCW 8               | 3. The location of a new sewer carrier main within the Regional Park will entail the clearing of 0.3 ha of SCRFF and CPW. The Environmental Assessment (EA) Report estimates seven young and/or immature trees within CPW would be removed. This level of disturbance is minor and should be readily capable of restoration through the proposed revegetation. It noted the draft Regional Park Statement of Management Intent (SIMI) makes allowance for the provision of sewage infrastructure. It is also noted a cycleway through this section of the Regional Park is proposed. If the cycleway proceeds, it is recommended planning for the cycleway and sewer carrier main be undertaken in a co-ordinated manner to ensure they are accommodated within the same clearing envelope to the maximum possible extent.                              | Noted and agreed. This is consistent with the Conservation Agreement.   |
| DECCW 9               | 4. The removal of lead contaminated top soil to a depth of up to 200mm will impact on approximately 1.4 ha of CPW within the Regional Park. It is noted larger trees will be retained and revegetation with local provenance CPW species will occur following the removal of the top soil. Given the CA requirement to protect CPW in the Regional Park, rehabilitation and rehabilitation will need to be of sufficient standard to ensure this commitment is not compromised.   | <p>Full details are provided within the Environmental Assessment and the accompany Remediation Action Plan (RAP) and Environmental Management Plan (EMP).</p> <p>The extent of contamination on site and the need to remediate it was made known to DEC during the rezoning process which commenced in 2003.</p> <p>The RAP was prepared in consultation with DEC.</p> <p>Undertaking these remediation works has always been envisaged and has been endorsed by DEC. This is consistent with the Conservation Agreement.</p>   |
| DECCW 10              | It is recommended DoP's assessment consider these inconsistencies as any variation to the CA which would need to be justified (including consideration of alternative options) on ecological grounds and agreed to by all parties to the agreement, DoP, DECCW and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities.   | None of the modifications proposed to the Conservation Agreement diminish the Conservation outcome. They are minor, common sense adjustments and administrative in nature. As the only variation to the Conservation Agreement relates to the minor boundary adjustment, there is no need to consider alternative options. The only option is to retain the status quo. This is clearly a lower conservation outcome than that proposed (refer to Ecological Assessment, prepared by Ecological Australia and included at <b>Appendix G</b> of the Concept Plan PPR).   |
| DECCW 11              | A total of 1.8 ha of ENV within the non-certified areas will be impacted by these activities and the proponent proposes that these losses be offset by the retention of 4.2 ha of ENV within the certified lands. This appears to address the offset requirements of RBM 8, however, it is noted that only 1,650m <sup>2</sup> will be protected within the Regional Park (as a result of the main road re-alignment). The majority of the offset (4.35 ha) will be located in an area to be zoned RE1 Public Recreation. DECCW is concerned that without additional vegetation protection measures, the uses permitted within this zone would compromise the protection of ENV as required by the RBMs. DECCW's preference is that an E2 zoning apply to this area with permitted uses limited to those consistent with ensuring the ENV is protected. | <p>As stated in the Ecological Assessment, prepared by Ecological Australia and included at <b>Appendix G</b> of the Concept Plan PPR was incorrectly calculated at 4.2 hectares (Section 5, page 27 of this report). This figure should refer to 4.36 hectares.</p> <p>These areas are currently zoned RE1 Public Recreation except for 1 area which is currently zoned 2(c) Higher Density Residential.</p> <p>'Certified' areas include areas of lower conservation value. Due to its location, dimensions, configuration and separation, the proposed 4.36 hectares of certified ENV does not form part the core conservation values of the larger Edmondson Park Precinct, rather this area is considered to have a secondary level of importance.</p> <p>The parcels of land within which the 4.36 ha of ENV is located will need to accommodate a combination of passive and active recreation as well as vegetation conservation purposes.</p> <p>Liverpool and Campbelltown Council oppose any change of zoning to E2.</p> |
| DECCW 12              | Regional Park   | The funding arrangements for the Regional Park are not relevant to this application.  |

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|                       | The EA Report references the CA and the Edmondson Park Statement of Interim Management Intent (SIMI) for details on the actions, responsibilities and timing for establishing and managing the Regional Park. However, the Edmondson Park Concept Plan was not contemplated at the time the SIMI and CA were developed. Furthermore, the SIMI does not detail the planning process and funding arrangements now relevant to the transfer of the land.  | They were considered and dealt with by State Cabinet at the time of the 2003 rezoning proposal.<br>The Edmondson Park South Concept Plan is only proposing minor adjustments to gazetted land zones.  |
| DECCW 13              | The delivery of the Regional Park is an integral element of the CA. The effect of the CA is that any development within the Edmondson Park Precinct likely to have a significant effect on any matters of national environmental significance do not need to be referred to the Commonwealth under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Failure of NSW to meet the requirements of the CA could jeopardise this agreement between the Commonwealth and the NSW Government. It is therefore important that the Regional Park and funding arrangements are resolved prior to approval or that a firm process and timetable for its delivery are identified and reflected in the consent conditions and/or statements of commitment. | The funding arrangements for the Regional Park are not relevant to this application. They were dealt with by State Cabinet at the time of the 2003 rezoning proposal.   |
| DECCW 14              | <b>Aboriginal Cultural Heritage</b><br>DECCW broadly supports the Aboriginal Cultural Heritage (ACH) assessment with the suggestion that the proposed strategy for the management of human remains be reconsidered in line with standard practice which is that works must stop and the NSW police contacted in the first instance. Following confirmation that the remains are Aboriginal, the relevant Aboriginal stakeholders should be contacted.  | Noted and agreed.   |
| DECCW 15              | <b>Bushfire Risk Assessment</b><br>The EA Report advises the location of Asset Protection Zones (APZs) will depend on the nature of the land use at each particular development interface. DECCWs expectation is that APZs not be located within the Regional Park or rely on actions being taken by DECCW. It is recommended State of Commitment 60 be appropriately amended to ensure APZs are located within the area of urban development and outside the Regional Park.   | This issue was dealt with at the time of the 2003 rezoning proposal. All required APZs are incorporated within the perimeter road reserves.   |
| DECCW 16              | <b>Existing Sewerage Treatment Plant</b><br>The EA Report advises the existing sewerage treatment plant (STP) and associated infrastructure within the Maxwells Creek precinct of the proposed Regional Park will be decommissioned and assessment be undertaken to determine any contamination and remediation works prior to the issuing of a Site Audit Statement. It is noted that timeframes for these activities have not been specified and it is recommended timing be specified by a consent condition and/or statement of commitment.  | The STP services existing dwellings, the Bambi Childcare Centre and Ingleburn North Primary School. Timing for decommissioning is entirely dependent on connection to the proposed Ash Road Sewer Carrier. The timing for construction of this carrier has not yet been confirmed with Sydney Water.<br><br>Landcom commits to the decommissioning of the STP following the construction of the Ash Road Carrier Stage 1 and the establishment of connection of Bambi and Ingleburn North Primary School. |
| DECCW 17              | <b>Flood Management</b><br>Section 10 (Flood Management) of Appendix H refers to flood modelling undertaken for the PMF event. This section should provide information on how safe flood evacuation to above the PMF levels would be achieved within and beyond Edmondson Park.  | This issue was dealt with at the time of the 2003 rezoning proposal.<br><br>The majority of the Edmondson Park South site is above the PMF and continues to rise above the PMF.   |
| DECCW 18              | In planning for any future residential development early consideration should be given to flood evacuation constraints (e.g. nature and duration of flooding and existing/future terrain profiles) and how best to deal with them. Careful attention to site grading and road and lot layout will help ensure that safe and effective retreat  | The planning of the site has taken into account a number of relevant constraints including flooding and flood evacuation. This is a generic paragraph that fails to consider the site particulars.  |

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|                       | from rising flood waters is available from long duration mainstream flooding. A rising grade road network, without low-point traps, along evacuation routes is often an integral part of this flood evacuation strategy. Mass evacuation by road to suitable high level (i.e. above PMF level) refuges may only be preferred when the flooding is severe and sufficiently long flood warning times are available.  |  |
| DECCW 19              | In some flash flood environments hazardous flooding can occur along with short flood warning times. Limited warning time may preclude effective road based flood evacuation and 'sheltering in place' may be the most viable flood evacuation strategy in areas in these instances. However, to ensure the safety of evacuees with 'sheltering in place', there needs to be adequate refuge areas above the PMF level within all future dwellings. Relevant building structures also need to be able to withstand flooding up to the PMF level.  | The site is generally above the PMF.<br><br>The Flood Planning Level in NSW is the 100 year ARI (1% Annual Exceedance Probability) Floodplain Development Manual<br><br>This issue was dealt with at the time of the 2003 rezoning proposal.   |
| DECCW 20              | Two other matters of note in relation to the flooding aspects of the EA Report are:<br><ul style="list-style-type: none"> <li>■ It is assumed the flows which form the basis of channel capacity analysis are based on a regional flood detention basin assessment, rather than an assessment of the localised benefits of individual flood detention basins.</li> </ul>   | The flood strategy is consistent with that proposed and adopted at the LES stage for the existing deferred zoning.   |
| DECCW 21              | <ul style="list-style-type: none"> <li>■ It is not clear from page 47 of Appendix H whether it is proposed that the 0.5 metre freeboard allowance is used to accommodate the impacts from increased peak rainfall due to climate change. DECCW's view is it would be prudent to retain the freeboard for modelling uncertainties and to add climate change impacts separately to the design flows and flood levels.</li> </ul>   | The purpose of freeboard is to provide reasonable certainty that the reduced risk exposure provided by selection of a particular flood as the basis of a FPL is actually provided given the following factors:<br>changes in rainfall patterns and ocean water levels as a result of climate change, as discussed in Section E6; and<br><br>Extracted from the DNR NSW Floodplain Development Manual – Appendix K. |
| DECCW 22              | With regards to the flood management aspects of the proposed development control regime (section 7.0 of the EA Report), DECCW recommends the flood provisions in section 5.7 for the Liverpool Development Control Plan (DCP) 2008 - Part 4 Liverpool City Centre be incorporated in the development control regime for Edmondson Park. The proposed adoption of the safety requirements for vehicles and pedestrians of the Liverpool DCP 2008 (point 7 [controls], section 2.6 of part 2.1 1 [Land Subdivision and Development]), however, needs further consideration. Based on the NSW Floodplain Development Manual (2005), safe conditions for vehicles only exist when: $Vc2 \text{ m/s}$ , $Dc0.3 \text{ m}$ and $V * D c V (4 - V) / 13.3 \text{ m}^2 \text{ or } (4 - 13.3D) * D \text{ m}^2/\text{s}$ ( $\text{m V} * D c 0.4 \text{ m}^2/\text{s}$ as currently shown in the Liverpool DCP). | Landcom has no issue with the objectives of the referenced document.   |
| DECCW 23              | In addition, consideration should be given to including the following in the development control regime for Edmondson Park:<br><ul style="list-style-type: none"> <li>■ undertaking sensitivity analyses to determine the potential impacts from climate change having regard to the 2005 Floodplain Development Manual and the relevant DECCW guideline 'Practical Consideration of Climate Change (2007)'. The DCP should also encourage the early development of effective long term climate change adaptation strategies.</li> </ul>   | The effects of Climate Change have been considered in the Water Cycle Management Report (refer to <b>Appendix H</b> of the Concept Plan and <b>Appendix C</b> of the Stage 1 Project Application).   |
| DECCW 24              | <ul style="list-style-type: none"> <li>■ Adequate definition of floodways and flood storage areas in order to avoid allocation of any inappropriate developments.</li> </ul>   | Floodways and flood storage areas are adequately defined (refer to Water Cycle Management Report (refer to <b>Appendix H</b> of the Concept Plan and <b>Appendix C</b> of the Stage 1 Project Application)).   |
| DECCW 25              | <ul style="list-style-type: none"> <li>■ Locating critical developments such as hospitals, medical centres and emergency and operational centres and related infrastructure out of the</li> </ul>  | The proposed land uses are consistent with the risk environment and consistent with the Floodplain Development Manual.   |

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|                       | <p>floodplain (i.e. above the PMF level). In addition, vulnerable developments such as aged care facilities, nursing homes, retirement villages, seniors developments, pre-schools and child care facilities where people may lack mobility and therefore would be unable to self-evacuate themselves quickly and without substantial assistance in a flood event, should only be located in low flood risk areas where a satisfactory flood evacuation strategy is available.</p>   |   |
| DECCW 26              | <ul style="list-style-type: none"> <li>Should it be necessary (i.e. in flash flood environments with little warning and hazardous flood conditions), include flood evacuation and/or structural soundness development controls for 'sheltering-in-place' within residential accommodation above the flood planning level to ensure availability of safe refuge above the PMF level. However, the inclusion of this development requirement would require approval from the DoP and the DECCW in exceptional circumstances.</li> </ul>  | <p>The proposed development provides for adequate flood evacuation (refer to Water Cycle Management Report (refer to <b>Appendix H</b> of the Concept Plan and <b>Appendix C</b> of the Stage 1 Project Application).</p>   |
| DECCW 27              | <p><b>Geotechnical and Soils</b><br/>In DECCW's advice to DoP on the draft DGRs it was recommended the EA Report identify the expected extent of cut and fill required to achieve the proposed development including environmental rehabilitation and any other major earthworks within the Regional Park, and to outline strategies to minimise excavation works, both for site preparation works and individual dwellings. DECCW notes the EA Report is silent on the earthworks required for the restoration of vegetation or associated recreational infrastructure for the Regional Park.</p>   | <p>Proposed earthworks and environmental management measures associated with the remediation works within the Regional Park are detailed in the RAP and EMP documents. The Concept Plan does not seek approval for any future recreational infrastructure.</p>  |
| DECCW 28              | <p>DECCW also notes the DGR requires the EA Report 'to identify expected extent of cut and fill to achieve the proposed development, and outline strategies to minimise excavation works, also for site preparation works and individual dwellings'. It is recommended DoP's assessment consider the extent of earthworks and their impacts in the Regional Park.</p>  | <p>As above.</p>  |
| DECCW 29              | <p><b>Salinity</b><br/>The limited assessment undertaken indicates salinity may be a significant issue which will need consideration during the design and construction of structures. DECCW therefore recommends a consent condition and/or statement of commitment be included requiring the preparation of a Salinity Management Plan with investigations in accordance with the DIPNR/DNR Salinity Investigations booklet (within the Soil and Water Management Plan) prior to the commencement of each development stage.</p>   | <p>A Soil and Water Management Plan will be prepared for each relevant stage of the development to document proposed management strategies including salinity, soil erosion and surface water management during and post construction (refer to Statement of Commitment No. 44).</p>  |
| DECCW 30              | <p><b>Contamination</b><br/>DECCW is satisfied that the assessment and remediation process for the development will be subject to the review by a NSW EPA accredited Contaminated Site Auditor who will provide a site audit statement indicating site suitability. This provides the appropriate oversight to ensure that contamination issues, where identified, are addressed to ensure site suitability for the proposed use. It should be noted, however, that appropriate mechanisms will be needed regarding responsibility, enforcement and long term management of encapsulated contaminated material. The manner in which these are developed will depend on the urban layout and ownership of land affected by encapsulation. DECCW recommends DoP consider this issue in its assessment.</p> | <p>A draft Site Management Plan (SMP) accompanies the EA (refer to <b>Appendix G</b> of the Concept Plan).</p> <p>The urban layout and ownership of land affected by encapsulation is known. The encapsulation area is within the Regional Park.</p> <p>The SMP document can only be finalised once remediation works are complete. However it does detail the procedures to manage the ongoing residual risks to human health and the environment which is considered to be low after remediation works are completed.</p> |

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|                       |  | As DECCW (NPWS) will be the future owner of the Regional Park where the encapsulation area is located, there will be ongoing consultation with DECCW before the SMP is finalised.  |
| DECCW 31              | <p><b>Transport and Accessibility</b><br/>DECCW recommends DoP's assessment considers:</p> <ul style="list-style-type: none"> <li>▪ linkages between the urban and open space walking and cycling track infrastructure with</li> <li>▪ those proposed in the Regional Park; and</li> <li>▪ the proposed cycling track/walking track across the SW rail link and its location within the Regional Park.</li> </ul>  | <p>Details are provided in the Landscape Concept Plan. Adequate provision has been made for future connections from the adjoining development to and through the Regional Park. The proposal is generally consistent with the linkages nominated in the SIMI.</p> <p>The location of the pedestrian/cycle track across the SW rail line maximises connectivity to the Town Centre and circulation around the release area.</p> |
| DECCW 32              | <p><b>Noise</b><br/>The DGRs require the EA Report to 'demonstrate that the proposal will be designed, constructed, operated and maintained so that there are no unacceptable impacts from noise'. DECCW notes that that the daytime noise criteria (of L Aeq1h 60dBA) is likely to be exceeded for much of the western end of the Regional Park and that no mitigation measures are proposed. It is recommended consideration be given to the implications this may have for any recreational precincts within the Regional Park.</p>   | The Noise assessment by Wilkinson Murray addresses the relevant noise criteria (refer to <b>Appendix U</b> of the Concept Plan and Supplementary Report included at <b>Appendix I</b> of the Concept Plan PPR).  |
|                       | Attachment 2: DECCW (NSW Office of Water) comments on the Environmental Assessment Report and State Significant Site Study for the Edmondson Park Concept Plan and stage 1 project application -watercourses and riparian land issues.   |  |
| DECCW 33              | <p>The former DLWC, DIPNR, DNR and DWE previously provided considerable input into the planning process for the Edmondson Park release area and have provided extensive comment on draft planning documents (LEPs and DCPs) in relation to watercourse and riparian issues at the site. Advice provided to DoP, Campbelltown and Liverpool Councils included:</p> <ul style="list-style-type: none"> <li>▪ DWE submission of 28 August 2007 to Liverpool Council on S62 consultation draft Amendment No 114 - Edmondson park release area;</li> <li>▪ DNR submission of 23 March 2007 to Campbelltown Council on the exhibition of draft Edmondson Park Smart Growth Development Control Plan Locality CB - Ingleburn Gardens;</li> <li>▪ DNR submission of 14 October 2005 to Campbelltown Council on public exhibition of documentation for Edmondson Park Urban release area precinct;</li> <li>▪ DIPNR submission of 29 October 2004 to Campbelltown Council on draft Development Control Plan Locality A3 (Ingleburn Gardens Masterplan);</li> <li>▪ DIPNR submission of 25 November 2003 to Campbelltown Council on Campbelltown (urban area) Local Environmental Plan draft Amendment No 12 at land known as Edmondson Park Release area; and</li> <li>▪ DIPNR submission of 25 November 2003 to Liverpool Council on draft Local Environmental Plan Amendment No 83 at land known as Edmondson Park Release area.</li> </ul> | Noted.   |
| DECCW 34              | More recently DECCW (NSW Office of Water [NOW]) provided advice to DoP on the watercourse and riparian aspects of the draft DGRs (letter dated 26 July 2010) and the EA for the proposed South West Rail Link (letter dated 12 July 2010).   | Noted.   |
| DECCW 35              | <p><b>Riparian Classification and Riparian widths</b><br/>The former DIPNR applied the Riparian Corridor Management Study (RCMS)</p>   | Noted.   |

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|                       | approach to identify minimum riparian setback requirements at the site and ground-truthed the watercourses and RCMS setbacks in 2004. The RCMS establishes a merit based approach to the strategic value of waterways based on a catchment or sub-catchment basis. It integrates many overlapping aspects and is linked to catchment functioning. The RCMS stream classification uses three categories which reflect the environmental significance of watercourses.   |  |
| DECCW 36              | At Edmondson Park, DIPNR increased the minimum core riparian zone (CRZ) widths along the Category 1 and 2 watercourses by an additional 10 m to assist in protecting remnant native vegetation which occurs beyond the usual minimum riparian setback widths that are applied to Category 1 and 2 watercourses.  | Noted.   |
| DECCW 37              | The final DGRs required the proponent assess any proposed variation to riparian corridors and associated buffers in accordance with the RCMS approach applied to the Growth Centres and provide justification for any changes. The EA Report indicates the NOW current guidelines on determining riparian corridors have superseded the RCMS (see section 8.2, Appendix H page 29), however, it should be noted the RCMS approach has been incorporated in the DOP's Growth Centres Development Code (October 2006) and has been applied in the Growth Centres precinct planning to date.  | The current NOW guidelines should prevail and this is what the Landcom application seeks.  |
| DECCW 38              | The EA Report provides a comparison between the DWE Guidelines for Controlled Activities (February 2008) and the RCMS approach for stream reaches at the site (Table 5, page 51). DECCW (NOW) notes the proposal is not consistent with the Department's previous RCMS advice for Cabramatta Creek, Reach A, and Reach B3 or the DWE Guidelines. If the Growth Centres Development Code (RCMS riparian outcomes) is no longer to be supported by DoP and the DWE Guidelines are to be applied to the site, it is important that the Guidelines are applied correctly and it is recommended that the project proposal is amended so that the riparian outcomes are consistent with the Guideline. | DECCW is seeking to amend sections of riparian corridor that are NOT within the scope of the Part 3A application.  |
| DECCW 39              | <b>Cabramatta Creek</b><br>The EA Report identifies Cabramatta Creek as a Category 3 watercourse. DECCW (NOW) had previously advised that Cabramatta Creek is a Category 1 watercourse this is because of the important riparian linkage to the Zouch Road Conservation Area (Regional Park). It is not clear from the EA Report what minimum riparian width is proposed to be established along Cabramatta Creek. The application of the DWE Guideline would significantly reduce the riparian width and the ecological outcome along Cabramatta Creek.   | The application is not proposing any changes to the Cabramatta Creek.  |
| DECCW 40              | <b>Central Riparian corridor (Corridor A)</b><br>The EA Report identifies Maxwell's Creek Central Riparian Corridor (Reach A) as a Category 3 watercourse. DECCW (NOW) previously advised Reach A is a Category 2 watercourse and recommended a minimum 40 m either side of the creek (consisting of a CRZ of 30 m plus a 10m wide vegetated buffer), or to the extent of remnant vegetation whichever is the greatest. The EA Report is not consistent with DECCW (NOW) previous recommendations and proposes to reduce the riparian width to 20 m either side of the creek (consisting of a CRZ of 10 m plus a 10 m wide vegetated buffer).  | The proposed corridor is consistent with the corridor agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.<br><br>Corridor A is proposed to be wider than the corridor proposed under the existing deferred LEP's. |
| DECCW 41              | <b>Southern Riparian Corridor (Corridor B)</b><br>The EA Report proposes a riparian width greater than 80 m along Reach B1 and B2.   | The proposed corridor is consistent with the corridor agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.   |

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|                       | DIPNR's 2004 site inspection found this section of creek and riparian vegetation to be in good condition and the presence of 'permanent water' in the creek. DECCW (NOW) previously recommended a minimum 40m either side of the creek (consisting of a CRZ of 30 m plus a 10 m wide vegetated buffer), or to the extent of remnant vegetation which ever is the greatest.  |  |
| DECCW 42              | The EA Report identifies Reach B3 as a Category 3 watercourse. DECCW (NOW) previously advised Reach B3 is a Category 2 watercourse and recommended a minimum 40 m either side of the creek (consisting of a CRZ of 30 m plus a 10 m wide vegetated buffer), or to the extent of remnant vegetation which ever is the greatest. The EA Report proposes to reduce the corridor width along Reach B3 with a minimum of 20 m either side of the creek (consisting of a CRZ of 10 m plus a 10 m wide vegetated buffer) along B3. The proposed reduction in riparian width along B3 is not consistent with the existing LEP corridor width (the LEP requires 40 m either side). | The proposed corridor is consistent with the corridor agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.   |
| DECCW 43              | The EA Report indicates that Reach B3 is an ephemeral watercourse (Table 5). DIPNR's site inspection in 2004 found the presence of 'permanent water' in this creek. If the DWE Guideline is to be applied to the site rather than the RCMS, it is recommended the proposal is amended to be consistent with the Guideline. Reach B3 is a 1st order stream which flows permanently and the Guideline recommends a minimum 30 m wide riparian area needs to be established either side of the creek and not 20 m as proposed).  | The proposed corridor is consistent with the corridor agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.   |
| DECCW 44              | Section 8.5 of the EA Report notes it is proposed to removed the concrete channel along Reach B3 and restore this depression as a natural channel. DECCW (NOW) supports the proposed removal of the concrete channel and the proposed rehabilitation of the creek as this is in accordance with previous advice. Any restored channel should be the size of a 1:2 to 1:5 year flow which more closely mimics a naturally formed channel and comprise a soft engineering solution to emulate the natural processes form and function of a natural creek.   | The proposed corridor is consistent with the corridor agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.<br><br>A restored channel can be provided and function with the 45m width proposed. |
| DECCW 45              | <b>Southern Riparian Corridor (Reach B4 and B5)</b><br>Section 4.8 of the EA Report proposes to reduce the length of the riparian corridor along the Southern Riparian Corridor (Corridor B). DECCW (NOW) has agreed to support a reduced corridor length upstream of the existing MacDonald Road crossing (along Reach B4 and B5).   | Noted.   |
| DECCW 46              | <b>Uses and Development within riparian lands</b><br>Section 3.2.2 in Appendix 1 of the EA Report refers to engineering the corridors to provide for drainage flows. DECCW (NOW) does not favour the use engineering structures in the management of the watercourses/corridors at Edmondson Park and recommends a soft engineering solution to rehabilitate the concrete channel section of Reach B3 to emulate a natural creek and some minor bed and bank stabilisation of Reach A.  | Noted. Landcom supports soft engineering outcomes that aim to restore ecological function to highly modified streams.  |
| DECCW 47              | The EA Report proposes to locate detention basins, rain gardens, cycleways, playing fields, playgrounds, picnic facilities, toilets and amenity blocks, APZs etc in the riparian areas. Generally DECCW (NOW) does not support the locating of such development and APZs in riparian land as it compromises the ecological function of these areas. A key aspect of the DWE Guidelines includes the locating of infrastructure, detention basins, stormwater structures, water quality structures,  | The proposed riparian corridor, detention basin and rain garden structure were agreed at a meeting between Landcom, DECCW and NOW on 10 September 2010.  |

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|                       | cycleways, APZs etc outside of riparian corridors (both the CRZ and the vegetated buffer). It is recommended the proposal is amended to be consistent with the DWE Guidelines and locate uses, development and APZs outside riparian land.   |   |
| DECCW 48              | Stormwater is an urban impact and should be dealt with in the urban zone. Any stormwater treatment measures should also be located outside the riparian environmental footprint. By locating stormwater treatment measures outside the riparian land, this will also reduce council's future maintenance costs of riparian areas (so that the costs associated with maintaining these uses are not included in the maintenance of riparian land).  | The proposed stormwater treatment measures are consistent with the LES and the outcomes of the meeting between Landcom, DECCW and NOW on 10 September 2010.   |
| DECCW 49              | Section 8.8 of the EA Report states "the 25 m APZ required for residential development adjacent either of the two major riparian corridors could be wholly placed within the outer zones of the corridor if they consist of areas of open space.....". The EA Report also advises the location of the APZ's "is a detail to be resolved at the detailed design stage in future subdivision applications". DECCW (NOW) does not agree with deferring the location of APZs to future subdivision applications and the Concept Plan needs to ensure APZ's are located outside riparian areas. | This paragraph selectively quotes the EA out of context, the author finishes the quote without including the qualifying statement <i>"and the APZs do not compromise the riparian and other objectives such as public access"</i> .   |
| DECCW 50              | It is recommended the APZs be located to be passively managed so that there is not a maintenance cost to Council in perpetuity. This can be done by location of perimeter roads and setbacks of dwellings so that the permanent open spaces do not need active fire reduction activities.  | The Concept Plan contains perimeter roads that incorporate APZ's.   |
| DECCW 51              | <b>Ornamental pond</b><br>Plan 9015 DA01 in Appendix L (Stage 1 project application) shows an ornamental pond is proposed to be constructed on the western side of the existing MacDonald Road crossing. DECCW (NOW) does not object to the proposed siting of the ornamental pond at this location. Figure 4 in Appendix H of the EA Report shows a raingarden (RGIB) is proposed to be located online within Reach B3. Rather than construct RG1B, it is recommended the proposed ornamental pond act as the raingarden and sediment basin.  | The Ornamental Pond will have limited water quality function and it is not appropriate to combine the function of the rain garden and sediment pond with the ornamental pond.   |
| DECCW 52              | Section 8.12.1 of the EA Report (page 172) states that "where water features are proposed consideration be given to lining of such features to minimise water infiltration and potential impacts to identified salinity". DECCW (NOW) agrees in principle with the proposed lining of water features to reduce potential salinity development.   | Noted.  |
| DECCW 53              | <b>Land Use Zoning</b><br>DECCW (NOW) has previously recommended in its submissions that the zoning of riparian areas needs to reflect the environmental significance of the riparian land.  | Refer to comment below in DECCW 55.   |
| DECCW 54              | Figure 32 in the EA Report (page 114) indicates it is proposed to zone the Central Riparian corridor (Corridor A) and the Southern Riparian Corridor (Corridor B) as RE1 Public Recreation. It also shows a small section of Cabramatta Creek is proposed to be zoned as E4 Environmental Living.  | Refer to comment below in DECCW 55.   |
| DECCW 55              | It is important that riparian lands are protected and managed through appropriate land use zoning. DECCW (NOW) preference is to zone riparian lands as E2 - Environmental Protection as the objectives of this zone are better aligned to the environmental significance of the watercourses and riparian lands.   | An E2 zone is inappropriate as it fails to give the long term owners and managers of the land the opportunity to manage the land for any other purpose. The single-mindedness of a proposal to zone drainage corridors E2 demonstrates the lack of understanding that the Department has integrated planning outcomes and the cost that these lands have on the long term owners and on purchasers. |

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|                       |  | Preference noted, but not supported by Landcom or Local Government. Should DECCW wish to pursue this zoning then Local Government will require that DECCW be the acquisition authority for this land.  |
| <b>DECCW 56</b>       | The zoning of watercourses/riparian lands as RE1 and E4 is likely to cause pressure to locate inappropriate uses in the riparian lands and impact the values and functionality of the riparian land. Table 12 in the EA identifies that the RE1 zone could permit with consent uses such as child care centres, community facilities, information and education facilities, kiosks, recreation areas, recreation facilities (indoor and outdoor), restaurants and waterbodies (page 122 of the EA). These uses are not considered appropriate to be located in the riparian land.  | The proposed zonings are considered appropriate, represent a direct transition from the existing plans and are provide an acceptable outcome to the long term owners and managers of the land.   |
| <b>DECCW 57</b>       | Table 12 in the EA also indicates that the E4 zone could also permit with consent bed and breakfast accommodation, dual occupancies, earthworks, electricity generating works, exhibition homes, exhibition villages, group homes, health consulting room, recreation areas, recreation facilities (outdoor), swimming pools, water recreation structures in riparian areas (page 118 of the EA). In addition to this zone permitting inappropriate uses in riparian areas, DECCW (NOW) has found that where riparian areas are in private ownership there is no guarantee riparian land can be protected and appropriately managed. | Inappropriate uses would not be supported by the Consent Authority.  |
| <b>DECCW 58</b>       | If riparian land cannot be zoned as E2, rezoning needs to give consideration to: <ul style="list-style-type: none"> <li>▪ a riparian land clause and riparian map to distinguish between the riparian land and other E4, RE1 zoned land;</li> <li>▪ objectives under the zones to ensure the watercourses and riparian vegetation are protected and enhanced;</li> <li>▪ provisions to prevent inappropriate uses from being located in watercourses and riparian lands.</li> </ul>  | Council's Plan of Management will adequately control uses in the riparian corridor.  |
| <b>DECCW 59</b>       | Section 6.9 of the EA report indicates the RE1 zoned land will need to be acquired by the relevant council (page 130). DECCW (NOW) recommends DoP optimise the application of land use zones which avoid acquisition and/or reduce compensation to improve affordability.  | There is a misconception that DoP has the power to require dedication of land free of cost. All land has a value. Its value is recognised either in s.94 contribution plans or Voluntary Planning Agreements. The State cannot just require land free of cost. |
| <b>DECCW 60</b>       | Comparing Figure 32 with figures 15 and 19 in the EA Report, it is noted that a large proportion of the riparian land are flood affected areas. Historically flood affected areas have not been subject to compensation or acquisition because they are not suitable for development.  | This is incorrect. Significant evidence exists in Land and Environment Court decisions and Local Government Contributions Plans that flood affected lands have a value.  |
| <b>DECCW 61</b>       | Section 8.5 of the EA Report states that "unless the ratio of riparian space to developable land can be kept at an appropriate balance, there will be an adverse impact on housing affordability". DECCW (NOW) is concerned that if the cost of acquisition is seen to be excessive there will be pressure to reduce the extent of riparian corridors (as proposed at Edmondson Park) in order to reduce the cost of development.  | Noted.   |
| <b>DECCW 62</b>       | In considering housing affordability, DoP needs to consider other alternatives to the acquisition of the riparian areas. DECCW (NOW) recommends riparian/flood affected lands be brought into the public realm by dedication rather than by acquisition. It is unclear why acquisition is required and why the use of alternatives (including dedication) is not considered particularly when the land is flood prone.   | There is a misconception that DoP has the power to require dedication of land free of cost. All land has a value, its value is recognised either in S.94 plans or Voluntary Planning Agreements. The State cannot just require land free of cost.              |

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| DECCW 63  | <p><b>Draft Statement of Commitments</b><br/>DECCW (NOW) recommends the Statement of Commitments (SOC) includes the following amendments:</p> <ul style="list-style-type: none"> <li>▪ A SOC be included to line the proposed water features on the site to reduce potential salinity development.</li> <li>▪ A SOC be included for the rehabilitation of watercourses and riparian areas and it outlines: <ul style="list-style-type: none"> <li>- the rehabilitation and maintenance phase is to be for a minimum period of 2 years from the date of practical completion and is to continue until all areas of disturbance near watercourses are identified as stable by an independent suitably qualified certifier; and</li> <li>- areas of disturbance near watercourses should be inspected particularly after major rainfall events to ensure the rehabilitation and any stabilisation works have been effective.</li> </ul> </li> <li>▪ SOC 36: Clarification is required on the meaning of draft SOC 36. In terms of reducing council's maintenance costs of the riparian areas DECCW (NOW) recommends the rehabilitation and maintenance phase of the riparian corridors is for a minimum period of 2 years from the date of practical completion. The longer the proponent maintains the management of creek restoration and riparian vegetation the better, as the vegetation becomes more established and is able to compete with fringe effects such as weeding, trampling, litter, etc</li> <li>▪ SOC 38: As noted above, DECCW (NOW) recommends the proposed detention basin is located outside the riparian area.</li> </ul> | <p>A Soil and Water Management Plan will be prepared for each relevant stage of the development to document proposed management strategies including salinity, soil erosion and surface water management during and post construction.</p> <p>Not agreed.</p> <p>Irrespective of whether the Council or the Developer incurs the cost of the maintenance of the riparian corridor, the cost affects housing affordability.</p> <p>Not agreed.</p> <p>Other uses within riparian corridors recognise the context of the creek within an urban area. When considered at the masterplan level other uses can, and should be incorporated as compatible uses. Co locating uses is becoming more important as land supply diminishes. Unless ecological function is severely compromised, all opportunities for co location should be explored and actively pursued</p>  |
| <b>LAND &amp; PROPERTY MANAGEMENT AUTHORITY- OFFICE OF STRATEGIC LANDS (letter dated 25 October 2010)</b> |  |   |
| OSL 1   | <p>OSL supports Landcom's application to create a consistent planning regime in the area particularly as it relates to the development of the new Edmondson Park Town Centre. However OSL is concerned by the omission of one of its parcels from the defined site boundary of the application.</p> <p>Attached at TAB A is a copy of Figure 6 'Land Ownership' from the State Significant site study (the study). The Minister's ownership as 'corporation sole' is listed as 'Minister administering the Environmental Planning and Assessment Act, 1979' and shown shaded yellow. However, the Minister is also the owner of Lot 6 in DP 11127652 shown in blue. This was recently compulsory acquired to enable access from a public road to the future town centre and station site.</p>  | <p>Noted. Landcom will prepare a single application that includes all of the land within the Edmondson Park South Project site that will form the future Edmondson Park Town Centre. The single application will provide an integrated proposal for the establishment of the key elements of the road network, public domain framework, water cycle management network and distribution of residual development lots within the Town Centre.</p> <p>Landcom understands that the Department of Planning intends to zone all of the land within the Town Centre as part of the SEPP Amendment, including land that is outside the Edmondson Park South site boundary. The single application will also demonstrate how future development within the Edmondson Park Town Centre is integrated with land that does not form part of the Concept Plan proposal but is included in the overall Town Centre (refer to revised Statement of Commitment No. 11).</p> |

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|                       | <p>OSL requests that this land parcel be included in the subject area of the application. Given its purchase was to assist the future orderly planning of the station and town centre its inclusion is necessary to achieve 'consistent land use permissibility and development control provisions' as outlined by the applicant on page ix of the study. It would be much more effective for the same zoning and controls such as maximum building height and minimum lot size apply to this parcel and avoid this wedge having the existing Liverpool LEP controls apply.</p> | <p>The single application will propose development controls for both Landcom and non-Landcom land. These controls will be incorporated into the DCS for Edmondson Park South. Landcom will work with and encourage both Liverpool and Campbelltown Council to include proposed development controls into a DCP amendment.</p> |