

21 February 2018

13070/17532

Alan Stoneham  
General Manager  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

Dear Alan,

## **Statement of Environmental Effects: Demolition of the South Creek Bridge and Existing Buildings**

This Statement of Environmental Effects (SEE) is submitted to Penrith City Council in support of a Development Application (DA) for demolition of the South Creek Bridge on the East West Connector Road between Central Precinct and Ropes Crossing, and demolition of existing buildings adjacent to Central Precinct, in St Marys.

The DA seeks approval for:

- demolition of the existing South Creek Bridge including footings and abutments and other associated structures;
- removal of vegetation in and around the base of the bridge;
- removal of vegetation within the connector road corridor and Regional Open Space zone;
- demolition of several existing buildings and structures within the Regional Open Space adjacent to the Central Precinct urban boundary; and
- contamination and unexploded ordnance investigations to identify any areas that may require remediation under the existing buildings to be demolished.

This SEE has been prepared by Ethos Urban on behalf of St Marys Land Limited (Lendlease). This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. A concurrent DA has been prepared and submitted to Blacktown City Council for the demolition of the South Creek Bridge. Both applications address the same matters as the boundary between the two Local Government Areas traverses the centreline of South Creek, resulting in the bridge being shared between the two Councils.

It should be read in conjunction with the following supporting documentation appended to the report:

- Demolition Plans prepared by Cardno (Attachment A);
- Existing AHIP Reference (Attachment B);
- Phase 1 Environmental Assessment by JBS&G (Attachment C);
- Ecological Assessment prepared by Cumberland Ecology (Attachment D);
- Waste Management Plan (Attachment E); and
- Email from NPWS confirming the proposed works (Attachment F).

## 1.0 Background

### 1.1 Strategic Context

The St Marys site is located approximately 45km west of the Sydney CBD, 5km north-east of Penrith City Centre and 12km west of the Blacktown City Centre (refer to **Figure 1**). It has an area of approximately 1.5ha and stretches 7 kilometres from east to west and 2 kilometres from north to south. It is bound by Forrester Road and Palmyra Avenue in the east, The Northern Road in the west, Ninth Avenue and Palmyra Avenue in the north, and the Dunheved Industrial Area, Dunheved Gold Club and Cambridge Gardens, Werrington Gardens and Werrington County residential estates in the south.

The St Marys site, which has been rezoned for a variety of uses, comprises of six development “precincts” known as the Western Precinct, Central Precinct, North and South Dunheved Precincts, Ropes Creek Precinct and Eastern Precinct. The Western Precinct (Jordan Springs), Eastern Precinct (Ropes Crossing), and Ropes Creek Precinct have been largely developed and are now substantially occupied. These Precincts have all been zoned for development under the Sydney Regional Environmental Plan No 30 – St Marys (SREP30), and the relevant Precinct Plans have been adopted which describe the type of development proposed.

The existing East West Connector Road is located between the Ropes Creek and Ropes Crossing precinct and the Central Precinct. The Ropes Creek and Ropes Crossing areas are largely developed with areas on the western fringe still undergoing redevelopment.

The Central Precinct has been cleared with bulk earth works completed and subdivision works under construction. The existing connector road runs through the Wianamatta Regional Park and crosses both South Creek and Ropes Creek and a number of their tributaries. A new connector road will provide access from the wider Ropes Crossing precinct to the Central Precinct, and ultimately form part of an east-west road network which will provide access through the St Marys site, as shown in **Figure 1**. The Regional Open Space area is to be developed for regional sporting fields and recreational facilities.



**Figure 1 St Marys site and Precincts**

Source: Central Precinct Plan



## 1.2 Previous Applications

This application should be considered within the context of other key DA's for the Central Precinct that have been approved by Penrith and Blacktown Councils. Of particular relevance to this DA are the following approvals:

- DA 17-00963 for the demolition of the existing connector road between Ropes Crossing and the Central Precinct (only for works within the Blacktown LGA), removal of a small number of trees and undertake contamination and unexploded ordinance (UXO) investigations to identify any areas that may require remediation. This DA was approved by Blacktown Council on 18 October 2017;
- DA for the demolition of Connector Road between the Haulage Road through Dunheved and Central Precinct, Tree Removal and Contamination/Unexploded Ordinance Investigation Works, submitted to Penrith Council (DA17/0834);
- Bulk Earth Works, Interim Stormwater Infrastructure, Landscaping, Tree Removal, and Environmental Management Works Including Realignment of an Existing Riparian Corridor. The application is classified as 'Designated Development' being a Waste Management Facility or Works - Landfilling which required determination by the NSW Joint Regional Planning Panel – DA14/1228, approved 20/8/2015;
- DA16/0888 for site remediation works across the Central Precinct was approved by Penrith City Council on 7/11/2017;
- DA for the subdivision of Lot 1037 in DP 1149525 into 380 residential allotments, 7 open space allotments, and 3 residual super lots, including an internal road network and a collector road to connect Jordan Springs within the Western Precinct to Stage 1 of the Central Precinct (Stage 1 DA). This application (DA15/0299) was approved by the JRPP on 19/11/2015;
- DA for the subdivision of Lot 1037 in DP1149525 into 278 residential allotments, 4 residual super lots and a bus-only connection into Werrington County in Stage 2 of the Central Precinct (Stage 2 DA). This application (DA15/1216) was approved by the JRPP on 3/03/2016. A Section 96 modification application for amendments to the subdivision pattern and associated road alignments was approved on 11/08/2016;
- DA for the subdivision into 79 Torrens Title Residential Lots, 1 Residue Lot and Associated Road Construction and Infrastructure works for Stage 3A of the Central Precinct (Stage 3A DA). This application (DA16/0113) was approved by Penrith Council on 6/1/2017;
- DA for Torrens Title Subdivision x 53 Residential Allotments and Associated Landscape and Civil Works, known as Stage 3B1 and approved by Penrith Council on 27/11/2017 (DA17/0675);
- DA for Stage 3B2 including subdivision of four residue lots for future integrated housing and the extension of the Wianamatta Parkway (East West Connector Road), lodged with Penrith Council on 25/9/2017 (DA17/0889);
- DA for the subdivision into 142 x residential Torrens Title lots, 2 x residue lots, and associated road construction and infrastructure works. This application for Stage 4A and 4B (DA17/0491) was approved by Penrith Council on 19/12/2017;
- DA for Torrens Title Subdivision into 119 x Residential Lots, 1 x Drainage Lot & Public Roads (DA17/0920). This application for Stage 5A was submitted to Penrith Council on 29/9/2017;
- DA07-1029 approved by Blacktown Council on 9 March 2009 for subdivision of the Dunheved North Precinct into residue lots for future industrial purposes, new roads and associated landfilling, and the importation of fill. This DA was modified on 20 December 2017 to address inconsistencies in conditions; and
- DA04/0494 approved by Penrith Council on 7 March 2008 for subdivision of the Dunheved South Precinct for landfill and subdivision, and construction of associated civil works. This DA was modified on 26 May 2009 to modify filling details.

These applications indicate the future intention for the Central Precinct, to which the connector road will ultimately provide access to and from Ropes Crossing. Additionally, the Regional Open Space is to be developed into recreational facilities.



## 2.0 Site description

### 2.1 Site Description and Ownership

This application applies to the land limited to that part of the connector road known as the South Creek Bridge within the Penrith City Council area between Ropes Crossing and Central Precinct, and land currently occupied by a group of buildings adjacent to the Central Precinct urban boundary. The site is legally known as Lot 3000 DP1220974 (formerly Lot 1037 DP1149525 and Lot 1003 DP1215087). The existing connector road between Ropes Crossing and the Central Precinct is a bitumen sealed road that is largely unused at the present time. The road corridor is bound by macro fauna fencing on either side, with the majority of the corridor inaccessible to the general public although construction traffic can utilise the road.



**Figure 2 The site is located within the Penrith Council LGA**

Source: Nearmap

South Creek Bridge is approximately 91m in length with a width of 6.7m and has been the subject of several structural investigations during the development of the Central Precinct. The bridge consists of five spans of varying length and is supported by several T-beams within the slab.





**Figure 3** The underside of the South Creek Bridge

Source: Cardno

There are 11 buildings and structures within the Regional Open Space zone to be demolished as part of this DA. These are constructed of various materials and are of varying age. Specific details on each structure are provided in **Table 1** below.

**Table 1** Buildings and structures to be demolished

Reference	Structure Type	Area
1	Shed	525sqm (42.65m length, 12.28m width)
2	Metal platform tower	32.5sqm
3, 4 and 5	Miscellaneous sheds	103.7sqm
6	Shed/demountables	37.7sqm
7	Reinforced concrete/metal tower	43.8sqm
8	Shed and concrete pad	220.5sqm
9	Tower	15.8sqm
10	Tower	48.6sqm
11	Temporary site amenities including demountables	148.8sqm
12	Tower	N/A

Source: Cardno





**Figure 4** The indicative location of the existing buildings to be demolished (Structure 12 not shown)

Source: Cardno





**Figure 5** Structure 1, known as 'Kev's Shed'

Source: Incivil



**Figure 6** Structure 2, an existing tower to be removed, including surrounding vegetation

Source: Incivil





**Figure 7 Structures 3, 4 and 5, the temporary veterinary facilities, and Structure 6**

Source: Incivil



**Figure 8 Structure 7 to be demolished and removed**

Source: Incivil





**Figure 9** Structure 8, the previous site breakout area

Source: Incivil



**Figure 10** Structure 9, an existing tower (with Structure 10 being similar in style)

Source: Incivil





**Figure 11** Structure 11 are temporary site amenities. Structure 12 is the base of a previous tower.

Source: Incivil



**Figure 12** Existing vegetation and hardstand areas are also to be removed

Source: Incivil

St Marys Land Limited owns the site. St Marys Land Limited is a subsidiary of ComLand Limited. Maryland Development Company is the joint venture company that was established by ComLand and Lendlease to develop the larger site.

## 2.2 Zoning

The site is zoned 'Road and Road Widening' at the South Creek Bridge location and 'Regional Open Space' at the buildings and vegetation removal location, under SREP30. The 'Road and Road Widening' zone permits the development of drains, parks, regeneration activities, roads and utility installations with consent. The 'Regional Open Space' zone permits advertisements, drains, parking areas, recreation establishments, recreation facilities, roads and utility installations (other than generating works) with consent. Several buildings, structures and associated areas of hardstand to be removed extend into the 'Regional Park' zoning.

The proposed demolition works are permitted with consent under Clause 47 of SREP30.



## 2.3 Contamination

The former ADI Site was remediated over the period from 1993 to 1999 with validation reports being prepared and several Site Audit Statements (SAS) issued. There are three SAS currently applying to the wider St Marys site with the SAS for the major part of the land being issued for the highest possible land use. Of these three SAS, two are relevant to the proposed demolition of the South Creek Bridge and buildings.

At the time of the issuing of the original SAS, roads and buildings were still in use, and as such the SAS acknowledge their continued use for the current purposes, subject to later investigation, audit and issue of SAS following removal. The figures attached to the SAS show the location of hardstands, car parks, roadways, buildings and railways. The following gives a brief overview of the remediation of the St Marys site.

### Site Audit Statement CHK001/1 St Marys Site

This SAS identified the St Marys site as being suitable for residential development, including for vegetable garden and poultry use, i.e. the highest level of clearance available. The only condition other than excluding the areas covered by other statements (in the Eastern Precinct and under existing structures and hardstand areas including roads) was that an appropriate contamination management plan be developed.

### Site Audit Statement CHK001/6 relating to existing structures

This SAS relates to a number of buildings, car parks, roads and concrete stockpiles which previously existed across the St Marys site. As well as the requirement for an appropriate management plan, there is a condition that when the facilities are removed (completed by a previous DA), the soils beneath them shall be tested for ordinance and for chemical contamination. New site audit statements for these areas will be required following demolition and removal of these buildings and structures.

These existing SAS identify that the area beneath hardstand, such as the ground beneath the buildings and the connector road pavement, has not been validated as suitable for its intended use, and that a SAS is required to be issued for those areas once cleared of contamination. DA17/0834 allows for contamination investigations along the East West Connector Road to be undertaken, including the South Creek Bridge location. Completion of those investigations and any subsequent remediation works (if required) will permit a SAS to be prepared by an Environmental Protection Authority Accredited Site Auditor. The SAS will be prepared prior to the construction of the new road and bridge (subject to a separate DA) within the Road and Road Widening Zone and will confirm at that time that the site will be suitable for that future intended use (i.e. as a road). Should any remediation be identified during the investigations, it is proposed that the existing contamination management framework as established through DA16/0888 will be implemented, with the preparation of a specific Remedial Action Plan for the areas of concern.

The connector road corridor is classified as a commercial/industrial site for environmental assessment purposes, consistent with previous approvals and applications within the Central Precinct (DA15/0299.05 and DA17/0889).

## 2.4 Site Access

The South Creek Bridge is currently used for construction access to the Central Precinct from the Dunheved Precinct. Access to the existing buildings is also off the connector road. This area is not currently accessible by the public. Site access will be from Ropes Crossing, Link Road or Jordan Springs, subject to the contractor's requirements.

## 2.5 Landform and Vegetation

The land to the north and south of the existing connector road corridor is unmanaged land zoned Regional Park under the SREP30 and is in the process of being transferred to NSW National Parks and Wildlife Services for inclusion in the adjacent Wianamatta Regional Park. The park supports Cumberland Plain vegetation communities including *Eucalyptus molucanna* (Grey Box) and *Eucalyptus tereticornis* (Forest Red Gum). Cumberland Plain Woodland is listed as a critically endangered ecological community under the Threatened Species Conservation Act 1995 (NSW).

The boundary between the 'Road and Road Widening Zone' and the future Regional Park is currently delineated by a fauna fence. The ground along the verge falls steeply away from the road and some sections of the road are bordered with a steep bank. The land generally undulates with low lying wet areas where the road crosses South Creek.

The South Creek corridor itself is associated with Alluvial Woodland vegetation, with riparian zone vegetation comprising Swamp Oak, Rough-barked Apple and Forest Red Gum.

## 2.6 Aboriginal archaeology and European heritage

As above this application affects land which currently contains the hardstand area within the connector road alignment. It is considered unlikely that any items of heritage significance would be located under that area given the extensive excavation works that have previously occurred. Additionally, the site is covered by an Aboriginal Heritage Impact Permit (AHIP) C0000362 (**Attachment B**) which permits the required works to enable residential development across the site. The East West Connector Road corridor is recognised as being within Management Zone 4 under that AHIP, requiring no action. The area under the building footprints in the Regional Open Space area is identified as Management Zone 3 with low archaeological potential. No excavation works are being undertaken as part of the structure and hardstand removal.

No items of European heritage are situated within the road corridor or the Regional Open Space.

## 2.7 Flooding

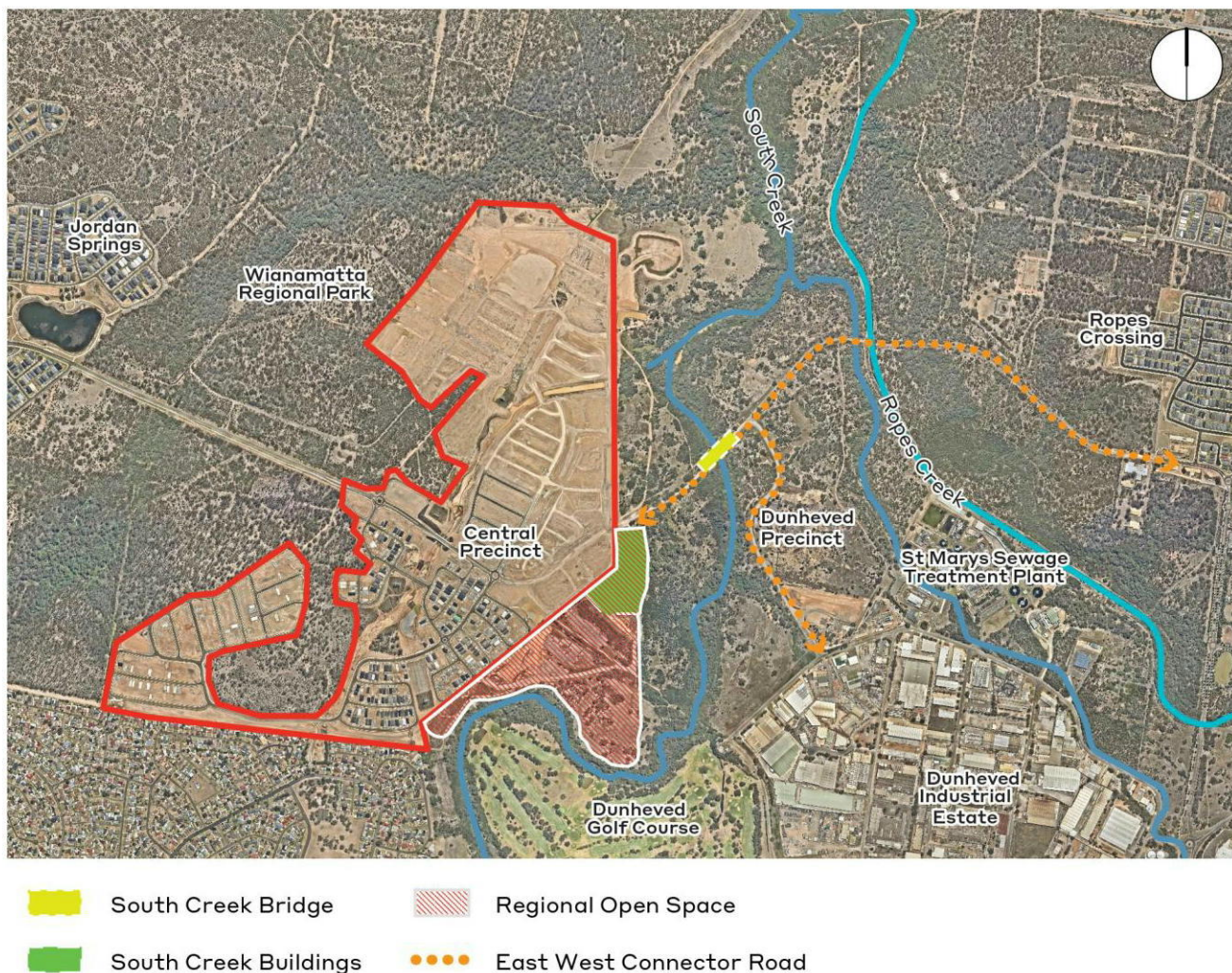
The site is located on the floodplain of South Creek, a tributary of the Hawkesbury Nepean River. South Creek traverses along the eastern boundary of the Central Precinct. Due to the proximity of the site to this creek system flooding occurs following rainfall in the catchment of South Creek, and also by backwater flooding from major flood events in the Hawkesbury-Nepean River. The connector road alignment crosses South Creek and Ropes Creek via a number of bridges.

## 2.8 Surrounding Development

The surrounding development to the broader connector road site comprises of:

- the future residential development of the Central Precinct to the south-west of the western end of the road alignment;
- the Wianamatta Regional Park to the north and south;
- low density residential development in Ropes Crossing approximately 200m north-east of the connector road's eastern end;
- St Marys Sewerage Treatment Plant and Dunheved Industrial Estate to the south; and
- a 55ha golf course known as Dunheved Golf Club to the south.





**Figure 13 Surrounding development**

Source: Nearmap

### 3.0 Description of the proposed development

The DA seeks approval for:

- demolition of the existing South Creek Bridge including footings and abutments and other associated structures;
- removal of vegetation in and around the base of the bridge;
- removal of vegetation within the connector road corridor and Regional Open Space zone;
- demolition of several existing buildings and structures within the Regional Open Space adjacent to the Central Precinct urban boundary; and
- contamination and unexploded ordnance investigations to identify any areas that may require remediation under the existing buildings to be demolished.

Demolition plans prepared by Cardno are attached at **Attachment A**.



### 3.1 Demolition Works

The demolition of existing structures will be undertaken in accordance with Australian Standard 2601- 2001 – The demolition of structures, the *Work Health and Safety Act 2001* and in accordance with current Work Cover requirements.

A site supervisor is to be appointed to ensure that any person working on site follows all health and safety procedures, and to make daily checks of the site. During the demolition the site will be fenced to ensure that only relevant staff and contractors have access to the demolition and remediation zone areas.

The proposed hours of work are:

- 7 am – 6 pm, Monday to Friday
- 7 am – 5 pm, Saturday
- No work, Sundays and Public Holidays

#### 3.1.1 South Creek Bridge Demolition

An indicative construction methodology for the South Creek Bridge demolition is outlined below. The works will require the use of plant including excavators and a 250 tonne mobile crane, with a range of smaller plant also likely to be required. The following is an indicative methodology to be used:

- Site Establishment
  - installation of environmental controls
  - establishment of processing area
  - vegetation pruning and removal
  - creation of ramp access for mobile crane, conducted by excavator
  - geotechnical testing for crane stabilisation and establishment of crane on west bank of South Creek
  - vertical and horizontal saw cuts to the slab deck
  - excavator installation
- Centre Bridge Span Demolition
  - establishment of 250t crane on northern bank
  - centre bridge span removal using seven major lifts
  - placement of removed bridge spans into processing area
  - demolition of bridge spans within processing area prior to removal from site and delivery to recycling centres
- Bridge Span, Abutments and Piers Demolition
  - excavator to demolish remaining bridge spans, abutments, walls and piers to below future design level (subject to separate approval) progressively
  - removal of demolished components to processing area for further breakdown
  - materials transferred to recycling centres
  - clearing of demolition area including raking and contouring to appropriate levels
- Site Disestablishment
  - removal of installed equipment

The demolition works are anticipated to take one month to complete.



### 3.1.2 Regional Open Space Buildings and Structures Demolition

These buildings will be the subject of a Building Investigation Report to be undertaken prior to the commencement of works. The Investigation Report will include a hazardous materials inspection, with the buildings expected to contain a range of hazardous materials due to their age, including:

- Asbestos sheeting;
- Lead based paints; and
- CFL light globes.

These buildings are likely to be comprised of the following main components:

- Roof material comprising of the following material in the following consecutive layers:
  - Metal roof top external layer;
  - Internal roof sheeting;
  - Timber beams; and
  - Steel roof girders.
- Steel upright columns;
- Concrete wall panels;
- Glass windows;
- Concrete floor;
- Brickwork;
- AC sheeting;
- Metal sheeting; and
- Cement flooring.

The detailed method of demolition will vary from building to building depending upon the construction of the building. A detailed Demolition Plan relating to the demolition of buildings will be prepared by the nominated contractor and approved by the superintendent prior to demolition. The Demolition Plan provided with this DA (**Attachment A**) highlights their location on the site. A demolition methodology will be prepared and the demolition conducted in accordance with statutory requirements by a suitably licensed contractor. No excavation will be conducted as part of the demolition of the structures and hardstand.

Demolition equipment will vary from hand tools, to larger plant, such as an excavator. The proposed machinery includes:

- excavator
- trucks
- skid steer loaders
- franna crane
- knuckle boom EWPs
- demo saw
- chainsaw



- hammers
- props
- laser levels
- jackhammers
- mobile scaffold
- hand tools

The demolished materials will be removed off-site to an appropriately licensed facility for disposal or recycling where practical.

The demolition works are anticipated to take two months to complete. The macrofauna fencing will be reinstated along the zoning boundary as required subject to further discussions with NPWS.

### **3.1.3 Vegetation Removal**

It is proposed to remove all vegetation within the existing road corridor in preparation for the future construction of the new east-west link road (part of a future application) of the connector road upgrade. Vegetation within the Regional Open Space that will be affected by future filling (subject to a separate application), and surrounding the existing buildings and structures, will also be removed in preparation for those future works.

## **3.2 Contamination and Remediation**

The demolition of the existing bridge will allow for contamination investigations to be carried out (approved through DA17/0834) as the existing SAS identified that the area beneath hardstand, such as the ground beneath the connector road, has not been validated as suitable for its intended use, and that a SAS is required to be issued for those areas once cleared of contamination. Additionally, the land underneath the existing buildings has not been validated as suitable for its intended future use, and will be subject to investigations completed as part of this application post-demolition and removal of the buildings. Unexploded ordnance investigations will also be completed.

This DA for the demolition of the existing bridge and buildings, along with the contamination investigations conducted through DA17/0834, will allow for any areas of contamination to be remediated and an SAS prepared by an EPA accredited Site Auditor. Should any remediation be identified during the investigations, it is proposed that the existing contamination management framework as established through DA16/0888 will be implemented, with the preparation of a specific Remedial Action Plan for the areas of concern. The remedial strategy as approved under DA16/0888 is outlined below.

### **Remediation Goal**

The objective of the proposed remediation works and activities is to ensure the site is suitable for the proposed land use, being a residential criteria for the Regional Open Space zone and a commercial/industrial criteria for the connector road alignment.

### **Remediation Extent**

The extent of the remediation works is limited to the remediation of identified contamination in soils across the previously inaccessible areas of the site, including the removal of asbestos, heavy metals, PAHs, PCBs and TRH impacted fill materials.

### Preferred Remediation Method

An assessment of various remediation options was completed during the preparation of the Specific Remedial Action Plan (SRAP), with several options being identified. These options will manage the remediation of metals, pesticides and PCBs, asbestos fibres and bonded ACM as required.

The soil validation criteria for the site (outlined in Section 9 of the SRAP) is sourced from the following:

- Health based Investigation Levels (HILs) for Residential – NEPC 2013, HIL-A;
- Generic ecological investigation levels (EILs) based on the NEPC (2013); and
- Ecological Screening Levels (ESLs) for TPH fractions, BTEZ and benzo(a)pyrene in fine grained soil for either urban residential and public open space land use, or areas of ecological significance within the Regional Open Space areas (NEPC 2013).

All contaminated materials disposed offsite will be classified in accordance with the EPA's Waste Classification Guidelines Part 1: Classifying Waste and disposed of accordingly at a suitably licensed facility. Waste containing ACM is classified as Special Waste.

If imported fill is required for the purposes of reinstating the excavations the imported fill will be suitable for the intended future use of the land and its applicable criteria (e.g. residential or commercial/industrial), as outlined in the Imported Fill Protocol previously provided to Council. On-site materials that can be used for purposes of reinstating backfill excavations or for filling at Central or Dunheved Precincts will be in accordance with the Auditor approved Stockpile Management Plan as outlined in the SRAP, and the relevant consents that authorise filling in those precincts – including the standards to be met for fill material to be reused in this way.

### 3.3 Concurrence and Referrals

#### NSW Department of Primary Industries – Water

The proposed development is 'integrated development' in accordance with Section 91 of the EP&A Act. In addition to development consent from Penrith City Council, the development requires a controlled activity approval issued by the NSW DPI Water, in accordance with Section 91 of the *Water Management Act 2000*, due to the works being undertaken within 40m of a watercourse. The controlled activity approval only applies to the demolition of the South Creek Bridge.

#### National Parks and Wildlife Services

Clause 44 of SREP30 applies to land adjacent to the Regional Park. The proposed works are situated on land adjoining the Regional Park to the south, north and east and as such referral of this DA to the Director-General of NPWS for comment is required. NPWS then have 28 days to provide advice on the application. This referral does not trigger 'integrated development' in its own right.

A meeting was held on site with a NPWS representative on 13 February 2018 to discuss the proposed demolition of the South Creek Bridge and buildings and highlight an indicative construction methodology.

## 4.0 Assessment Of Planning Issues

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under Section 79C(1) that are relevant to the proposal. The planning issues associated with the proposed development are assessed below.



#### 4.1 Compliance with Environmental Planning Instruments

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- Sydney Regional Environmental Plan No. 30 – St Marys (SREP30);
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP55);
- St Marys Environmental Planning Strategy 2000 – (2006 Update) (St Marys EPS);
- Central Precinct Plan; and
- St Marys Development Agreement and St Marys BCC Planning Agreement.

The DA’s consistency and compliance with the relevant strategic and statutory plans and policies is provided below.

##### 4.1.1 Sydney Regional Environmental Plan No 30 – St Marys

SREP 30 contains planning objectives, principles and provisions to control development within the three Precincts of St Marys. Overall, the proposed works are consistent with the achievement of the performance or zone objectives, and reflects the aims of the development control strategies of SREP 30.

The demolition of South Creek Bridge is within Lot 3000 DP1220974, which is zoned Road and Road Widening under the Sydney Regional Environmental Plan 30 – St Marys (SREP 30). The demolition and contamination investigation works of the connector road is permissible within this land use zone. The proposed works support the key performance objectives outlined within Part 5 of SREP30. **Table 2** outlines the consistency with SREP30.

**Table 2 Summary of consistency with SREP30**

SREP30	Assessment
<b>24 Conservation</b>	
(4) Infrastructure is to be designed and located to minimise potential adverse impacts on the conservation values of the land	The proposed bridge and buildings demolition and vegetation removal is fully contained within the established Road and Road Widening Zone and the Regional Open Space Zone and will not intrude on the Regional Park.
(5) Infrastructure and recreational facilities within the regional park are to be sited and constructed to minimise adverse impact on the park’s natural values.	The proposed bridge and buildings demolition and vegetation removal is fully contained within the established Road and Road Widening Zone and the Regional Open Space Zone and will not have any adverse impacts on the park’s natural values.
<b>30 Transport</b>	
(5) Provision of transport infrastructure to be coordinated with the staging of development on the land	The proposed bridge demolition will allow for the construction of an upgraded road connecting the Ropes Crossing Precinct to the Central Precinct, in accordance with future development of the Precincts. Removal of the existing buildings and vegetation will allow for the future development of the regional recreational spaces proposed for the Regional Open Space zone.
(8) The overall development of land to which this plan applies is to include a range of land uses sufficient to minimise demand for travel outside the land to which this plan applies.	The demolition and upgrade of the connector road and bridges will provide access to and from Ropes Crossing and the Central Precinct. Future development in the Central Precinct will comprise of a variety of retail and commercial uses to support the residential population of the wider St Marys site. Additionally, the existing Ropes Crossing town centre allows for greater choice for these residents. The East West Connector will service both precincts. The demolition of the existing buildings and vegetation removal in the Regional Open Space will allow for the development of the proposed recreational facilities (subject of a separate DA).

SREP30 Assessment	
<b>37 Regional Park Zone</b>	
Development for the purpose of any land use authorised by or under the National Parks and Wildlife Act 1974 and any land use ordinarily incidental or ancillary to any such land use may be carried out without development consent.	Part of the buildings, structures and hardstand to be demolished are located within the Regional Park Zone. Demolition of these buildings and structures is permitted under Clause 47 of SREP30 and will contribute to returning the land back to the Regional Park area.
<b>38 Regional Open Space Zone</b>	
Development for the purpose of the following is allowed with the consent of the consent authority: advertisements, drains, parking areas, recreation establishments, recreation facilities, roads, and utility installations (other than generating works)	The site is zoned Regional Open Space and involves demolition of existing buildings and vegetation removal in preparation for the construction of recreational facilities for the Central Precinct. The proposed recreational facilities are permitted with consent within the Regional Open Space zone with the works being for 'recreational establishments' and 'recreational facilities'.
<b>41 Road and Road Widening Zone</b>	
Development for the purpose of the following is allowed only with the consent of the consent authority: drains, parks, regeneration activities, roads and utility installations.	The site is zoned Road and Road Widening and involves demolition of the South Creek Bridge in preparation for the construction of a new connector road for Ropes Crossing and the Central Precinct. The proposed connector road is permitted with consent within the Road and Road Widening land use zone with the works being for the purpose of a 'road'.
<b>44 Consultation with National Parks and Wildlife Service</b>	
This clause applies to the development of land adjacent to regional parks.	The proposed works are situated on land adjoining the Regional Park. Referral of this application to the Director-General of National Parks and Wildlife for comment is required. The Director-General has 28 days to provide advice on the application.
<b>47 Demolition</b>	
A person may demolish, in part or in whole, a building on land to which this plan applies, but only with the consent of the consent authority.	The proposed demolition is permissible under this Clause.
<b>52 Tree Preservation</b>	
A person must not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed by any action (including the addition of soil or drainage works around the base of the tree), except with the consent of the consent authority.	The proposed works seek consent for the removal of existing vegetation within the connector road corridor and the Regional Open Space. The trees have been assessed in the ecological assessment at <b>Attachment D</b> . The assessment concludes that the works will not result in any significant impacts to threatened species, populations or ecological communities as a result of vegetation removal.

#### 4.1.2 State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

SEPP 55 promotes the remediation of contaminated land for the purpose of reducing the risk of harm to human health and other environmental aspects. The St Marys site has been the subject of an extensive investigation including multiple NSW EPA accredited Site Auditor issued SAS for the site. The site will be subject to further investigations and (if necessary) remediation prior to the construction of a new road (the subject of a separate DA).

#### 4.1.3 St Marys Environmental Planning Strategy 2000 (2006 Update)

The St Marys EPS 2000 establishes guidelines and strategies for the future development of land under SREP30, specifically in relation to matters of conservation, cultural heritage, water cycle and soils, transport, urban form, energy and waste, human services, employment and contamination.



The proposal is consistent with the relevant performance objectives in the St Marys EPS in that:

- there are no significant impacts predicted to occur to any threatened species within the land zoned Regional Park and minimal impact on significant flora and fauna on the Site;
- there is no impact on any areas of potential archaeological deposit (PAD) or other culturally significant areas; and
- the proposed demolition will facilitate and prepare the site for the future upgrade subject to a separate development application.

#### **4.1.4 Central Precinct Plan 2009**

The proposed demolition works will allow for the orderly and efficient development of the St Marys Central Precinct in line with the aims and objectives of the Precinct Plan, while providing access to the east from the Central Precinct. The demolition works are in preparation for the future upgrade of the bridge and regional open space areas to service both the Ropes Crossing and Central Precinct communities.

## **4.2 Contamination**

This application seeks approval for demolition of existing South Creek Bridge. Contamination and unexploded ordnance investigations will be carried out once the buildings, structures and hardstand have been removed if required in accordance with statutory requirements. These investigations will involve spot testing along the corridor with an Environmental Site Assessment to take place if remediation is required. Should any remediation be identified during the investigations, it is proposed that the existing contamination management framework as established through DA16/0888 will be implemented (as described in Section 3.2), with the preparation of a specific Remedial Action Plan for the areas of concern.

## **4.3 Accessibility and Traffic**

The demolition of the existing road will allow for the South Creek Bridge site to be developed as the East West Connector Road (subject to separate development applications to Blacktown Council and Penrith Council). The road is likely to be used by construction traffic during the demolition works, until the remainder of the road is developed. Once the bridge is demolished the road will no longer be available for access however will be reopened upon completion of the construction of the new connector road.. The intensive phase of the bulk earthworks for the Central Precinct has been completed and construction traffic will enter via Jordan Springs if required. The time between the demolition of the bridge and construction of the new bridge will be minimised as much as possible.

Access will still be afforded to the site of the buildings in the regional open space via Jordan Springs.

## **4.4 Dust and Noise Management**

The proposed works are not expected to generate significant amounts of dust. Demolition will be undertaken in a manner to limit the possible generation of dust. The potential sources of dust include the removal of the road surface and any minor excavation works required.

It is proposed that exposed surfaces such as the road surface will be kept moist to suppress dust. This may be undertaken by spraying the exposed surfaces with water from a water cart when required.

Daily visual monitoring of dust management by the demolition supervisor will occur.

While the works do involve cutting of slabs and demolition of buildings, due to the sites location away from residential areas noise is considered able to be managed through standard construction noise mitigation measures. The nearest occupied residential property is located approximately 900m to the south west of the buildings, and 1.3kms to the north-east of the South Creek Bridge site.

#### 4.5 Waste Management

A range of strategies will be implemented to be carried out during the demolition to avoid, reduce and recycle other general and non-hazardous waste material. Material removed from the bridge will be recycled where practical at an appropriately licensed recycling centre. Hazardous materials will be managed in accordance with the future Building Investigation Report and associated Hazardous Materials Report. Refer to the Waste Management Plan at **Attachment E**.

#### 4.6 Ecology

Vegetation near to the bridge demolition work site will be removed for working zones around the bridge, as outlined in the ecological report. Vegetation along existing Regional Park access trails may require noxious weed management and subsequent removal to facilitate access and processing requirements for the demolition works will be completed as required, as discussed with NPWS (**Attachment F**).

An addendum to the previously conducted ecological assessments (also attached) by Cumberland Ecology for the road corridor (**Attachment D**) identifies no threatened flora species as being recorded within the areas proposed for clearing under the Ropes Creek Bridge. While the demolition of the bridge has the potential to remove roosting habitat for cave-roosting microbats including the threatened species Eastern Bentwing-bat, Little Bentwing-bat and Southern Myotis, the assessment concludes that no significant impact is likely to occur.

The majority of the connector road corridor is generally void of vegetation, however all remaining vegetation in the corridor is to be removed as part of this application. Furthermore, the clearing of vegetation within the road corridor (a total of 3.74ha across the entire road corridor, including that within the Penrith LGA), is not considered to have a significant impact, rather result in improved access and drainage in the adjacent Regional Park. No vegetation outside the macrofauna fence will be removed during the road corridor vegetation removal.

The vegetation to be cleared within the Regional Open Space has been assessed as part of the Species Impact Statement submitted with the approved DA14/1228 for bulk earthworks across the Central Precinct. This Species Impact Statement has been provided as supporting information for this DA.

Mitigation measures to be implemented for the works include:

- Temporary fencing installation;
- Rehabilitation of the access tracks used for the works with an equivalent grassed finish as agreed with OEH;
- Conduct surveys for cave-dependant microbats as part of the pre-clearing process; and
- If microbats are identified in the pre-commencement clearance study, then the removal and relocation of the specimens will be completed under Cumberland Ecology supervision and procedures for the removal and relocation of microbats. If microbats are identified, the results of the removal and relocation pre-commencement clearance will be provided to Council for information.

The existing macrofauna fence will be replaced where necessary.

#### 4.7 Safety

This DA is for demolition of an bridge, buildings and contamination investigations only. All proposed works will be undertaken in accordance with the relevant codes of practice and safety requirements.

#### 4.8 Visual Impact

The demolition works proposed will not have adverse impacts on the regional open park which will remain the dominant landscape character. No works are proposed outside of the 'Road and Road Widening' or the 'Regional Open Space' zones. The demolition works will require the removal of some vegetation near to the works zone. A



future DA for landscaping of the reconstructed connector road will be submitted which will identify the proposed landscaping works to be completed to replace any trees removed during the demolition works.

#### **4.9 Site Suitability**

The site is considered suitable for the following reasons:

- the proposal is permissible with consent under SREP30 and is situated within the Road and Road Widening, Regional Open Space and Regional Park zones;
- the proposal will facilitate future access to and from Central Precinct and Ropes Crossing; and
- there will be no adverse environmental or cultural impacts on the surrounding Regional Park or heritage items.

#### **4.10 Public Interest**

The proposal will allow for the future upgrade of the East West Connector Road and the delivery of recreational facilities in accordance with the requirements of the Central Precinct Plan which has always envisaged an east-west connection from Central Precinct to Ropes Crossing and regionally accessible sporting grounds. This will be in the public interest as it will provide greater accessibility to both precincts and recreational areas.

## **5.0 Conclusion**

The proposed demolition works associated with the South Creek Bridge and the removal of structures and vegetation within the Regional Open Space area will contribute to the future upgrade of the road and the future recreational facilities. The proposed works will allow for greater accessibility to the Central Precinct and provide regionally accessible sporting grounds and facilities.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.

Yours sincerely,



**Christopher Curtis**  
Senior Urbanist  
02 9956 6962  
ccurtis@ethosurban.com