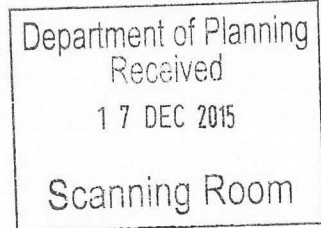


PCU063315

Our reference: EF14/29893:DOC15/393539--PW
Contact: Paul Wearne (02) 4224 4100



Department of Planning and Environment
(Attention: Sarah Waterworth)
GPO Box 39
SYDNEY NSW 2001

Dear Ms Waterworth

RIVERSTONE EAST PRIORITY PRECINCT – NORTH WEST GROWTH AREA

I am writing further to our letter dated 17 November 2015 to provide information (**Attachment A**) that was outstanding in relation to contaminated land and waste management regarding the above proposal.

As indicated in our previous letter, the Environment Protection Authority (EPA) is available to meet with Department of Planning and Environment at a mutually convenient time if required to discuss any of the matters detailed in our responses. If you have any questions regarding this matter, please contact Mr Paul Wearne on (02) 4224 4100.

Yours sincerely

PETER BLOEM
Manager Illawarra
Environment Protection Authority

Attachment

ATTACHMENT A

1. CONTAMINATED LAND

Land cannot be rezoned until the requirements of *State Environmental Planning Policy (SEPP) 55* are satisfied. SEPP 55 states that as part of the development process the following key considerations should be addressed when preparing an environmental planning instrument:

- Whether the land is contaminated
- If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used
- If the land requires remediation; will be made suitable for any purpose for which the land will be used.

In cases where land is potentially contaminated, the investigation and any remediation and validation work is to be carried out in accordance with the guidelines made or approved by the EPA under Section 105 of the *Contaminated Land Management Act 1997* and be in accordance with the requirements and procedures in the following:

- *Contaminated Land Management Act 1997*
- *Contaminated Land Management Regulation 2013*
- *State Environmental Planning Policy 55 – Remediation of Land.*

The submitted information states that the risk of contamination over the Precinct is generally considered to be low to moderate. However, contamination associated with the rendering works located at the corner of Windsor and Garfield East Roads may present a potential constraint for residential development. It was recommended that a Detailed Site Investigation be undertaken for this site, and that the contaminated land assessment and management process be subject to a Site Audit. Any rezoning of this land should not proceed until this work is completed.

In relation to Stages 1 and 2, additional site investigations can be undertaken at the development application stage in accordance with the requirements in the Blacktown City Council Growth Centre Precincts Development Control Plan (DCP) 2010. The provisions of the DCP should however be updated and made contemporary so that they reflect the above guidelines and legislative requirements.

The EPA recommends that Council consider the involvement of an EPA-accredited Site Auditor during the contamination management process, including the provision of a Site Audit Statement certifying that the land is suitable for the proposed use(s).

Salinity

The submitted information states that highly sodic soils appear widespread over the site and will require specific management techniques to reduce dispersion, erosion and to improve drainage. In addition, the soils are also moderately to very saline. It is also proposed that specific management methods will need to be developed and applied during bulk earthworks and construction. However these classifications will require refinement by further sampling and testing to cover areas presently untested.

This additional work should be completed to inform any specific management measures required during construction and development of the site. It should also guide any construction and post development stormwater management strategies. As previously indicated in our response dated 17 November 2015, the proposal should be delivering a sustainable development outcome that not only supports on-going improvement in the health of the receiving waters but also allows the NSW Water Quality Objectives to be met over time.

A further matter that should be considered is whether any specific management measures are required in relation to developments that involve the construction of underground car parking or basement facilities. In these instances there is a potential risk for saline contaminated waters to be intercepted during construction and/or collected over time in these underground areas. Appropriate construction techniques should be

identified that minimise groundwater infiltration to these underground areas including collection and management techniques that prevent pollution of waters.

Waste Management

As part of the EPA's *Waste Less, Recycle More: Waste and Resource Recovery Initiative*, the Western Sydney Regional Organisation of Councils (WSROC) obtained grant monies to develop and implement a regional waste strategy by 2017. It is anticipated that this strategy will identify the range of wastes managed and handled across the local government area (LGA). This includes waste management and recycling constraints, identify opportunities for their improvement, and to provide key recommendations to inform the EPA and councils on future infrastructure needs and improvements. Ensuring these initiatives are implemented will be important to ensure actions in ensuring waste actions in a *Plan for the Growing Sydney* will be delivered.

The EPA considers that giving the highest priority to waste avoidance would encourage more efficient and sustainable use of resources. Resource recovery maximises the options for reuse, recycling, reprocessing and energy recovery at the highest net value of the recovered material. This encourages the efficient use of recovered resources while supporting the principles of improved environmental outcomes and ecologically sustainable development. Resource recovery can also embrace new and emerging technologies. In addition, it also assists in extending the life of landfills by reducing waste input rates. Appropriate requirements should be provided in the planning framework that drives sustainable waste management outcomes.

The management of waste will be a significant challenge especially in the Growth Centre LGAs where there will be an expected increase in employment, population and housing growth over the next 20 years. The proponent should engage with the WSROC to explore opportunities for waste management to inform the proposal.

Development Control Plan

The EPA has developed information to improve waste management associated with new development. Council should consult the *Waste Not Development Control Plan Guideline* (EPA 2008):

<http://www.epa.nsw.gov.au/resources/warrlocal/080353-model-waste-not-dcp.pdf> to assist in guiding the development of provisions in the DCP. This guideline also provides suggested planning approaches and conditions for planning authorities to consider at the development application phase in relation to waste minimisation and resource recovery. This includes consideration of demolition and construction waste and the provision of facilities and services to allow the ongoing separation, storage and removal of waste and recyclables. In particular these provisions should include but not be limited to:

- *All waste generated must be assessed and classified in accordance with the latest version of the EPA's Waste Classification Guidelines.*
- *All waste must be transported to a facility that can lawfully receive that type of waste.*
- *Any asbestos contaminated waste must be handled in accordance with the requirements in Part 7 of the Protection of the Environment Operations (Waste) Regulation 2014.*

The EPA also recommends that the DCP recognise the following guidelines to assist the development of waste management strategies:

- *The Better Practice Guide for Multi-Unit Dwellings provides waste management strategies for multi-unit residential developments* (DECC 2008). This guide can be accessed at: <http://www.epa.nsw.gov.au/warr/BetterPracticeMUD.htm>.
- *The Better Practice for Public Place Recycling* (DEC 2005) provides information on standards for recycling systems in public places, such as parks, shopping centres, footpaths, bus-stops, etc. This guideline can be accessed at: <http://www.epa.nsw.gov.au/warr/publicrecycling.htm>.
- *The Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (EPA December 2012). This guide can be accessed at: <http://www.epa.nsw.gov.au/warr/BPGuideCIFacilities.htm>.