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Department Planning, Industry and Environment
Place, Design and Public Space
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150
Attention: Lee Mulvey

Email: www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Pymont-Peninsula

Dear Sir

Draft Pymont Peninsula Place Strategy

Thank you for the opportunity to review the Draft Pymont Peninsula Place Strategy that has been on public exhibition and forwarded to the Environment Protection Authority (EPA) for comment on the 19 August 2020.

The EPA provides the following comments (**Attachment A**) for Department of Planning, Industry and Environment Place, Design and Public Space's consideration. These comments relate to the following matters:

- Air quality
- Noise
- Water quality
- Waste and resource recovery
- Contaminated land management.

The EPA would be able to meet at a mutually convenient time to discuss any of the enclosed comments, if required. Should you require any further information, please contact Mr Paul Wearne (02) 4224 4100.

Yours sincerely

A handwritten signature in black ink that reads 'Giselle Howard'.

14/9/2020

GISELLE HOWARD
Director Regulatory Operations Metropolitan - South
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Attachment A

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Attachment A

Air Quality

The Greater Sydney District Plans include an objective under 'sustainable and resilient city' of *"exposure to natural and urban hazards is reduced"*, and states that, *"effective planning can reduce the exposure to natural and urban hazards"*. Urban hazards are identified as including noise, air pollution and soil contamination. The Strategy would benefit from recognising the concept of urban hazards, including identifying opportunities to help preserve amenity and protect the health of the community by managing exposure to air and noise pollution.

The Strategies sustainability framework's is based on four pillars being Multi utility hubs, Green streets and active spaces, high performance new buildings and offsetting to deliver a net zero outcome. These approaches will help support air quality outcomes by minimising emissions from vehicles and energy generation and reducing community exposure to emissions. The strategy recognises the benefits for air quality, but these could be expanded and strengthened as follows.

- Multi-utility hubs as precinct infrastructure will provide positive elements to support improved air quality. These include electric vehicle charging, grid-scale batteries to store locally generated power, bicycle end-of-trip facilities and precinct car-parking. This will reduce emissions from traffic-circulation, enable streets within the precinct to be green and active spaces and separate vehicle emission sources from areas where people live, work and exercise.
- Green streets and active spaces will also support improved air quality outcomes. As well as encouraging non-polluting transport. The Strategy involves a proposal for vegetation with a target of 25% canopy in streets and parks. The proposal for canopy cover recognises the importance of vegetation in benefiting local air quality. Low shrubs and hedges also reduce air pollution and should be considered alongside roads (for example, under trees) to help protect pedestrians from vehicle pollution. The major foreshore park and other parks will also provide opportunities to exercise away from any traffic pollution.
- High performance resilient buildings will support reduced air emissions from power generation through measures to minimise energy demand for solar power and energy efficiency to minimise energy demand. This could be reinforced by Pillar 4: Offsetting to deliver a net zero outcome.
- Consideration should be given to setting buildings back from busy roads and ensuring that utility rooms, rather than living rooms and bedrooms, face busy roads. Vegetation between the road and the building can help reduce air pollution entering the building. It is also important that apartments near busy roads be built with private open space facing away from busy roads, so that it provides amenity and relief and is separated from air and noise pollution. Measures such as those in the [Development near rail corridors and busy roads – interim guideline](#) should be integrated into the Strategy.
- Natural ventilation should also be an important design element because, even near busy roads, apartments can be opened in the evenings when there is less traffic. It is also important that microclimates are understood to help support the sustainable design of buildings that capitalises on natural ventilation and minimises the risk of canyoning.

Noise

The management of noise should be a key consideration in relation to helping shape the sub precincts to help deliver the amenity outcomes being sought in the Strategy. This is also important in helping to support key actions in the Eastern City District Plan to deliver healthy, sustainable and liveable places. For example, the management of noise should be a key consideration in areas where amenity in public domains needs to be maintained or enhanced in key sub precincts as they transform to ensure homes are designed to minimise environmental impacts.

As reflected in the strategy a key challenge has been the operation of competing land uses while not compromising the community values for these sub precincts. It is important that adequate planning controls are in place to identify and manage noise-based land use conflict issues. The potential to address noise issues retrospectively following development can be challenging and expensive and

lead to community complaint, especially where there is a proposal for an extensive night-time economy or activating land uses for a range of commercial/entertainment uses in the vicinity of residential land uses.

A key issue not discussed in the strategy is the relationship of the Pyrmont area with the adjoining working harbour. While the strategy highlights Pyrmont's history with the working harbour, it still forms part of the active working harbour. For example, it is in the vicinity of areas such as Glebe Island (which includes a range of Port related and industrial activity) and the White Bay Cruise Terminal. These areas contain a range of activities that have the potential to produce noise which needs to be understood to guide the design of the sub precincts, while also not impacting on these surrounding important economic and employment values.

The EPA considers that implementing noise control at a strategic planning level provides the most effective means of minimising noise impacts on communities. This is best achieved by applying the following hierarchical approach to noise control:

1. Spatial separation of incompatible land use through appropriate zoning and placement of activities to minimise noise-related land use conflicts.
2. Minimising noise emissions at source through best practice selection, design, siting, construction and operation as appropriate.
3. Reducing noise impacts at receivers through best practice design, siting and construction.

Sustainable land use planning and careful design and location of development offers the greatest opportunity to manage noise. Noise generating activities and noise sensitive areas should be separated where practicable. For example, separating incompatible land uses with commercial buildings (including those with night-time operations) or recreation space or similar will provide a physical barrier and / or spatial separation. Retrospective control options are usually limited and more expensive.

There are a range of opportunities that can help better address noise management approaches to improve local amenity and deliver desired public domain outcomes. For example, actions that encourage good built form outcomes through Design Excellence Competitions, Design Excellence Guidelines and Design Review Panels including expectations that deliver high amenity/liveability outcomes should be supported. Careful planning for noise is also needed where night-time economies are being established or activated.

With the Strategy recognising the success and continued role of mix use development in the Pyrmont area, it could also provide an opportunity to explore the performance and adequacy of existing planning controls and make them contemporary where required. For example, careful planning is warranted in sub precincts where a mix of co-located uses are proposed, this includes retail, commercial, entertainment, employment, transport and residential uses. There are a range of challenges that require careful planning when delivering mixed use development in these locations. This includes the encroachment of residential development on commercial and entertainment uses and vice versa. For example, commercial activities can produce a range of noise related impacts (including mechanical ventilation, refrigeration, hotel/live music event noise/ bottle & waste collection, sirens/ and for shopping centres, night-time cleaning/blowers/truck movements & reversing beepers).

While expanding and promoting entertainment areas requires careful planning especially outdoor activities such as concerts where active management is needed to help address amplified sound due to the close proximity of residential development. While growth and activation around key transport is encouraged, careful planning is also needed to avoid land use conflict especially in the vicinity of the proposed new Pyrmont station.

Guidelines including the [NSW Road Noise Policy](#) (DECCW, 2011) and the [Rail Infrastructure Noise Guideline](#) (EPA, 2013) provide guidance in relation to land use planning to manage road and rail noise respectively. These complement planning guidance provided in the [Development near rail](#)

[corridors and busy roads – interim guideline](#) (Department of Planning, 2008) which recognises the need for judicious land use planning, architectural design, building orientation and good internal layout to achieve acceptable acoustic amenity for residential development in proximity of busy transport corridors. Careful planning is also required where new housing/sensitive land-uses is proposed in the vicinity of major roads and rail infrastructure and where there is expected future traffic growth.

This type of approach has been applied successfully to provide an early indication to potential developers of expected noise emission requirements, and to preserve the noise amenity in adjacent areas. It also presents an exciting opportunity to be a leader in the development and consideration of vibrant and flexible soundscapes in the planned public spaces.

A range of noise mitigation strategies can also be implemented when designing key sites in the sub precincts to manage unavoidable noise impacts. This can include the application of noise control measures into the building design to ensure internal noise levels are acceptable. Further information is available in the *Infrastructure SEPP*, [Noise Guide for Local Government](#) (EPA, 2013) and the *Department of Planning's Development Near Rail Corridors and Busy Roads—Interim Guideline*.

While most of the noise control efforts may be directed towards the control of people and music noise, noise emission from associated industry, vehicles and plant has the potential to cause significant disturbance to adjacent residential developments. Due care should be given to planning for these noise sources using the above advice.

With the Strategy including directions on resilience, it would also benefit a broader discussion and inclusion of urban hazards to support the planning priorities in the Eastern City District Plan. For example, these could include potential noise impacts. Where practicable, consideration should be given to identifying, creating, and preserving areas of quiet amenity, particularly in urban areas to improve liveability.

Water Quality

The Strategy has an important role to help recognise and support key sustainability outcomes in Eastern City District Plan. In particular, the design of key sites in the sub precincts role in contributing to actions to protect and improve the health and enjoyment of Sydney Harbour and the District's waterways. For example, the key bays that form part of the Pyrmont strategy area can experience poor water quality at times due to poor tidal flushing.

The outcomes of the Strategy would benefit from promoting and supporting the following key principles:

- development that maintains or restores waterway health to support the community's values and uses of waterways such as aquatic health and recreation; and
- encourages integrated water cycle management that includes sustainable water supply, wastewater and stormwater management and reuse and recycling initiatives where it is safe and practicable to do so and provides the best environmental outcome.

The District Plan include actions to improve the health of catchments and waterways through a risk-based approach to managing the cumulative impacts of development. Implementation of this action is supported through application of the OEH/EPA [Risk based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions \(Risk-based Framework\)](#)

The Strategy provides an opportunity to recognise this Risk-based framework to help inform the design of water management and associated infrastructure needs and identify practical, cost-effective management actions for supporting waterway health outcomes that reflect community expectations as set out in the [NSW Water Quality and River Flow Objectives](#).

Approaches that help support the delivery of water in the landscape are supported. This should include initiatives and actions that involve promoting the delivery of green infrastructure and open

space including opportunities to drive improved sustainability outcomes. These opportunities could include rewarding design excellence which incorporates water sensitive urban design (WSUD) and sustainable built form (for example, deliver green roofs and walls). For example, the successful establishment of a street tree will be dependent on water and if appropriately designed a street tree pit can also improve stormwater quality.

WSUD is also a key component of an integrated and coordinated approach that should underpin the delivery of green infrastructure and open spaces to keep urban areas cool, encourage healthy living, enhance biodiversity and ensure ecological resilience. WSUD can improve the water quality and ecology of waterways to maintain or work to restore the community's values. Especially as community consultation on the Strategy revealed the importance of water as being important to the interaction of people, buildings and place.

Approaches such as integrated water cycle management (IWCM) should also be encouraged and promoted in the strategy as they can provide a least cost approach to:

- meet waterway health and community urban amenity needs;
- reduce and safely convey local flood waters; and
- increase potable demand reductions through the using of innovative lot and/or precinct scale alternative sources, including effluent recycling and stormwater harvesting and use.

In this regard opportunities to maximise the reuse of treated wastewater as a resource, is supported. However, its recommended that NSW Health should be consulted in the design of such systems.

Opportunities should also be encouraged as part of the Strategy to explore opportunities for collaboration with Sydney Water in relation to informing infrastructure planning as part of their Master planning process for the Eastern City. This includes the role this Strategy could provide in facilitating and supporting approaches such IWCM. The Strategy would also benefit information from Sydney Water on whether there are any capacity issues with the existing wastewater system and to ensure that any changes in response to growth across the area will not compromise the environmental performance of this system.

Integrated approaches to water management, including WSUD and other Green Infrastructure measures are reliant on effective ongoing maintenance and monitoring. In this regard the inclusion of work within the Strategy to better understand those financial mechanisms and management arrangements is supported.

Opportunities to explore and promote the use of green building ratings tools in particular a 6-star rating for new buildings is supported. Other tools such as NABERS to help drive high sustainability outcomes may also wish to be explored.

Waste and Resource Recovery

The Strategy would benefit recognising the [NSW Government's 20 Year Waste Strategy](#), which is currently under development. The *20-Year Waste Strategy* will set the long-term vision for how NSW will manage its waste. It will include measures to reduce waste, increase recycling, plan for future infrastructure and create new markets for recycled products. The *20-Year Waste Strategy* will also be a roadmap for NSW to transition to a circular economy. Its recognised that a range of State Government strategies, policies, strategic plans and planning instruments will help to enable a circular economy. A draft of the *20-Year Waste Strategy* is expected to be released in early 2021.

The Strategy would benefit introducing the concept of a circular economy (i.e. not just referring to waste and recycling) but recognising the opportunities to help deliver circular economy infrastructure and design as an approach that needs to be planned for in the sub precincts. To help transitioning to a circular economy, the following definitions are provided to help guide the development of the Strategy.

Circular Economy Infrastructure focuses on facilities that collect used resources, reuse, repurpose or remanufacture materials and goods, to retain their productive value and prevent their disposal to landfill. Examples of circular economy infrastructure includes reuse and repair facilities, sharing and leasing facilities, reverse vending machines, community recycling centres, collection points for producer responsibility schemes, material reprocessing and remanufacturing, anaerobic digestion, washing or pelletising facilities, reverse logistics facilities.

To help guide the design of building and urban typologies in relation to delivering a circular economy, the following additional definition is proposed:

Circular Economy Design is a set of design principles applied to buildings, infrastructure and public domain precincts that maximise the circularity of the materials used in construction. This includes designing in a way where the materials can be easily identified for future recovery; designing buildings and infrastructure so they can be disassembled or demolished in a way that will maximise the value of the recovered materials; designing public spaces and precincts to allow for the separation of waste materials in a way that will maximise their value; designing to maximise the inclusion of recovered materials.

Further information on a circular economy can be found in the [NSW Circular Economy Statement](#). In particular investigations are supported for the use of multi utility hubs for precinct scale solutions such as integrated parking, electric vehicle charging, battery storage, recycled water and organic waste systems or bike facilities. While the provision of circular economy infrastructure that maximises the value of waste materials and prevent incidents of littering and illegal dumping while interacting with public spaces would also be encouraged.

Under the Section of the Strategy titled “*Local Waste Solutions*” the following comments are provided where clarification or further information is needed.

- It states, “that Multi-Unit Hubs provide a solution to local waste collection which could enable the relocation and/or use of smaller bins for road-side collection as waste collection is more frequent”. This statement requires clarification as these two points appear to contradict themselves. Small bins requiring more frequent collections, will only add more waste collection trips. The best solution for addressing less waste collection movements is by installing advanced waste collection systems (vacuum based collection) which could work in well with the multi-utility hubs being the collection point for the waste collected through the vacuum system.
- It states, “that Local food and garden organic waste could be delivered to Multi-Utility Hubs where food waste is treated in small scale organic waste systems”. As stated above they could be delivered through a vacuum system, along with separate streams like plastics, paper/cardboard and another stream for general waste.
- It also states that “waste by product from these organic waste systems would generate compostable materials for local garden and landscaping needs”. This would need to be subject to relevant EPA Resource recovery orders and exemptions.
- Other approaches could also include innovative ways to minimise littering such as zero litter impact agreements for tenants.
- The [Better practice guide for resource recovery in residential developments](#) should also be consulted especially where medium and high density residential development is proposed to ensure these buildings incorporate innovative and well-designed waste management systems.

Contaminated Land Management

The Strategy does not include any information or direction on the management of contaminated land if encountered. The area does have a strong history of former industrial activity resulting in a potential risk of legacy land contamination issues which could extend to the foreshore areas. In this regard the Strategy would benefit an understanding of any land contamination risks across the area. Once these understood it could help understand any remediation needs and requirements including

supporting costs. As such issues if not understood early can result in significant time delays and costs to resolve for any future development. For example, when repurposing land or planning for more sensitive uses, such as residential housing, assurance is needed that the land is, or can be made suitable, for the proposed use/s.

The Greater Sydney Regional Plan A *Metropolis of Three Cities* includes Objective 37 which states that “*Exposure to natural and urban hazards is reduced*”. The supporting District Plans provide further information where soil and groundwater contaminations are recognised as urban hazards which will require careful management as areas grow and transform and as land-uses change.

The above considerations are important when planning for more sensitive land-uses such as primary schools, low-density residential neighbourhoods and new parklands, in or around areas with the potential for pre-existing contamination. In addition, it is important to manage any conflicting land uses when repurposing or redeveloping areas that have adjacent sensitive receptors.

State Environmental Planning Policy No 55 – *Remediation of Land* and relevant guidelines made or approved under s105 of the *Contaminated Land Management Act 1997* will help inform the rezoning and development of actual or potentially contaminated land. The Strategy would benefit by recognising and discussing this urban hazard to ensure enduring and resilient places that keep people safe.