

Protection of a future underground infrastructure corridor in Greater Parramatta

Explanation of Intended Effect of the proposed amendment to State Environmental Planning Policy (Transport and Infrastructure) 2021

October 2024



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Introduction

New Cumberland Rail Line Future Underground Infrastructure Corridor

Transport for NSW has requested the Department of Planning, Housing and Infrastructure (The Department) protect a preferred future underground infrastructure corridor for a new future rail line in Greater Parramatta, the New Cumberland Rail Line (Figure 1). The New Cumberland Rail Line future underground infrastructure corridor plans for future expansion of the rail network within proximity of the Parramatta CBD. The preferred future underground infrastructure corridor for the New Cumberland Rail Line connects to areas that are anticipated to experience growth and significant development pressure over the coming decade.

The Department is seeking comment on the preferred future underground infrastructure corridor alignment and associated protection. The exhibition material identifies the Transport for NSW preferred alignment of the New Cumberland Rail Line future underground infrastructure corridor within Greater Parramatta, as identified in the Future Transport Strategy, as well as the development controls proposed to protect the future underground infrastructure corridor for the future delivery of the New Cumberland Rail Line.

Chapter 4 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Transport and Infrastructure SEPP) identifies and protects land for future infrastructure corridors. It is proposed that the New Cumberland Rail Line future underground infrastructure corridor is protected under the Transport and Infrastructure SEPP, with new planning controls to protect the land from development that may impinge upon the safe delivery and operation of the future infrastructure. This will advise the community of the location and will safeguard the future underground infrastructure corridor for infrastructure delivery as Greater Parramatta faces development pressure.

The design of the future rail infrastructure will be subject to further development assessment under the NSW planning system. This Explanation of Intended Effect describes the proposed protection and subsequent development control changes of the future underground infrastructure corridor alignment under the Transport and Infrastructure SEPP.



Figure 1: Preferred alignment of future underground infrastructure corridor for future New Cumberland Rail Line
(Source: Transport for NSW)

Corridor Protection

Corridor protection involves the early identification and protection of land to facilitate the future delivery of infrastructure. The term ‘protection’ involves using the planning system to manage land use outcomes, and in this instance, the development of land that may impact on future underground infrastructure.

The purpose of protection is to ensure that the future delivery and operation of infrastructure is not compromised or encroached upon by development which potentially risks the structural integrity or safety of the future infrastructure.

The early protection of a future underground infrastructure corridor provides greater certainty and enhanced planning outcomes for infrastructure agencies, landowners and the surrounding community. For many projects, future infrastructure corridors that are protected today will facilitate the delivery of infrastructure in 10 to 20 years or beyond. Identifying the location of future infrastructure also enables appropriate land use planning around corridors, providing a cohesive approach to infrastructure and land use planning.

The process of corridor protection involves collaboration between infrastructure and planning agencies and the community to manage land uses around an infrastructure corridor. This optimises future infrastructure uses and avoids land use and development conflicts.

Corridor protection is a separate planning phase to the infrastructure delivery phase. The infrastructure delivery phase involves detailed design and engineering work, including a comprehensive assessment of the impacts associated with construction and operation of the infrastructure. The future delivery of the rail infrastructure will be subject to future development approvals process under the NSW planning system.

Chapter 4 of the Transport and Infrastructure SEPP identifies and protects land for future infrastructure corridors.

The proposed Transport and Infrastructure SEPP amendment

The proposed amendment to the Transport and Infrastructure SEPP will:

- identify the New Cumberland Rail Line future underground infrastructure corridor to be protected and the land that will be affected;
- change the planning controls that apply to the land within the corridor, to ensure development that may impact or impinge upon the future underground infrastructure corridor is referred to Transport for NSW for comment;
- seek to maintain the structural integrity of the land for future infrastructure by requiring additional consideration for works that may impact on the future underground infrastructure corridor.

About this Explanation of Intended Effect

This Explanation of Intended Effect sets out the proposed protection of the New Cumberland Rail Line future underground infrastructure corridor through proposed amendments to the Transport and Infrastructure SEPP. This will allow the public to provide feedback and comment on the proposed changes to development controls in and adjacent to the preferred alignment. Part 1 describes the strategic importance of protecting the future underground infrastructure corridor for future rail infrastructure and identifies the proposed alignment. Part 2 explains the objectives and the intended effect of the proposed amendments to the Transport and Infrastructure SEPP.

The Explanation of Intended Effect also notes next steps and provides a map of the recommended future underground infrastructure corridor proposed by Transport for NSW in Appendix A.

Part 1 Identifying a future underground infrastructure corridor for future New Cumberland Rail Line delivery

Protecting land in Parramatta for future underground infrastructure

Greater Parramatta, as the metropolitan centre, is the core of the Central River City. Greater Parramatta encompasses Parramatta CBD, North Parramatta, Westmead and Parramatta Park. The Future Transport Strategy for NSW identifies that Greater Parramatta will become the central node of Sydney's passenger rail network and a more accessible destination for residents, visitors and economic activity in Greater Sydney. As a result, it will require investment in transport infrastructure to ensure this occurs.

Improved transport connections will improve access from homes to jobs and will connect communities within and between the Western Parkland, Central River and Eastern Harbour cities so that people and goods can travel across Greater Sydney in a safe, sustainable and convenient way.

The 2022 State Infrastructure Strategy sets out Infrastructure NSW's advice on the infrastructure needs and priorities of the State for the next 20 years and onwards. The strategy recommends the protection of future extensions of the Greater Sydney metropolitan rail network including a connection between Parramatta to Epping. This extension would broaden the catchment that can access the Central River City, including Parramatta CBD where substantial investments have been made to attract businesses, jobs and homes.

Protection of a future underground infrastructure corridor for the New Cumberland Rail Line to support the growth of rail connections within Greater Parramatta and the wider Central River City is vital to enable the delivery of the future infrastructure.

Corridor protection uses the planning system to safeguard land for the future delivery of major infrastructure. Protecting land for future infrastructure facilitates delivery in the right place and at the right time to support future jobs and housing.

Identifying and protecting an underground rail corridor for a future New Cumberland Rail Line will allow for housing and commercial development to continue to grow within Parramatta,

while also ensuring that a viable underground infrastructure corridor is retained for future infrastructure which will support this future growth.

It is proposed to protect the New Cumberland Rail Line future underground infrastructure corridor under the Transport and Infrastructure SEPP to ensure land for the future rail is identified as an important asset for the Central River City and is not comprised due to development pressure within Greater Parramatta.

The preferred alignment

The preferred alignment of the future underground infrastructure corridor has been identified by Transport for NSW and is on public exhibition. Alongside the maps identifying the preferred alignment, a report, prepared by Transport for NSW, provides the justification for the identification and protection of the preferred the future underground infrastructure corridor.

The preferred future underground infrastructure corridor is within Greater Parramatta for the purposes of providing for a future New Cumberland Rail Line which will connect Epping to Bradfield via Parramatta and Liverpool.

The preferred future underground infrastructure corridor allows for interchanges between the future rail lines in the Parramatta CBD and provides flexibility for future station locations along the route. The preferred future underground infrastructure corridor is designed to ensure constructability of the tunnels and navigate known constraints, such as crossing under the Parramatta River.

The preferred future underground infrastructure corridor aligns with areas that are anticipated to experience growth over the coming decades, provide the best outcome for communities in terms of interacting with existing and committed rail lines and provide the opportunity to optimise the use of Government-owned land.

The preferred alignment of the future underground infrastructure corridor was developed through considerable collaboration between Transport for NSW, the previous Greater Cities Commission, NSW Health, Department of Planning, Housing and Infrastructure, Property NSW, Department of Education, Department of Premier and Cabinet and both Parramatta City and Cumberland councils.

Part 2 Proposed amendment to protect the New Cumberland Rail Line future underground infrastructure corridor

Purpose

The proposed amendment to Chapter 4 of the Transport and Infrastructure SEPP will identify land where development controls are required to enable the future delivery of the New Cumberland Rail Line future underground infrastructure corridor. The land that will be identified and included in the Amendment to the Transport and Infrastructure SEPP is shown in **Appendix A** of this Explanation of Intended Effect as proposed by Transport for NSW.

Once the corridor is finalised by Transport for NSW an amendment to the Transport and Infrastructure SEPP will be made which will include new map to identify the land where the new future underground infrastructure corridor development controls will apply. This will ensure that new development will not inhibit the delivery of the rail infrastructure in Parramatta in the future.

The amendment to the Transport and Infrastructure SEPP is proposed to apply a planning framework that will:

- identify the land where development needs to be considerate of the New Cumberland Line underground infrastructure corridor (a new map – Future Underground Infrastructure Corridor);
- allow landowners to continue to use their land as they do now and lodge development applications for uses that are permissible under the zoning provided that the proposed development does not compromise or interfere with the future construction and operation of future infrastructure;
- manage development within the vicinity of the future underground infrastructure corridor so that future delivery of infrastructure is not compromised, and supportive land uses are encouraged;
- maintain the structural integrity of the land for future infrastructure by requiring additional consideration for certain excavation works on adjacent land.

Proposed amendments to the Transport and Infrastructure SEPP

Mapping

Land affected by the New Cumberland Rail Line future underground infrastructure corridor is to be identified on a map within the Transport and Infrastructure SEPP titled Future Underground Infrastructure Corridor, as shown in **Appendix A**. The future underground infrastructure corridor alignment will be finalised by Transport for NSW after considering feedback given during this Explanation of Intended Effect.

Development within the New Cumberland Rail Line future underground infrastructure corridor

To protect the New Cumberland Rail Line future underground infrastructure corridor, the following will be required for development within the future underground infrastructure corridor:

- Development applications made under Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act) will require concurrence where the development involves a development with an Estimated Development Cost of more than \$200,000 and;
 - involves the penetration of the ground to a depth of at least 2 metres below ground level within and 25 metres adjacent to the protected future underground infrastructure corridor; or
 - or results in a structure of 10 metres or more in height within the protected future underground infrastructure corridor
- State Significant Development applications and activities under Part 5 of the *Environmental Planning and Assessment Act 1979* (the Act) will be required to be referred to Transport for NSW for review and comment where the development involves a development with an Estimated Development Cost of more than \$200,000 and;
 - involves the penetration of the ground to a depth of at least 2 metres below ground level within and 25 metres adjacent to the protected future underground infrastructure corridor; or
 - or results in a structure of 10 metres or more in height within the protected future underground infrastructure corridor

In deciding whether to support a development, Transport for NSW must consider the potential effect of the proposed development on the safety, structural integrity and operation of the

future infrastructure. Transport for NSW is to consider the development and take into consideration the following should the development proceed:

- a. The practicability and cost of carrying out public transport projects on the land in the future, and
- b. The structural integrity or safety of, or ability to operate, public transport projects on the land in the future, and
- c. the costs of construction, operation or maintenance of public transport projects on the land in the future.

The consent authority is to take into consideration any comments from Transport for NSW.

Permissible Land Uses

The new provisions will not specify whether a specific land use is permissible or prohibited in the corridor, as each section of a future underground infrastructure corridor is likely to have a different land use context. The existing land use zoning will still apply to the future underground infrastructure corridor. In determining the appropriateness of an application, consideration should be given to meeting the zoning objectives of the land and impact on the future use of the future underground infrastructure corridor and construction and operation of future infrastructure. The purpose of this approach is to mitigate risks associated with planned and future developments in Greater Parramatta and in the vicinity of the future rail which may impact customer outcomes, project delivery and operations.

Other Issues

Mitigation of potential future operational impacts

Any new development near a future underground infrastructure corridor has the potential to impact on the structural stability and operations of the future infrastructure. Similarly, developments proposed near a future underground infrastructure corridor have the potential to impact on the feasibility of the construction of the future infrastructure.

Proposed developments near a future underground infrastructure corridor must be planned, designed, constructed and maintained to ensure the protection of existing and future underground infrastructure including their effect on:

- the safety and structural integrity of the associated infrastructure by development related loads, induced ground displacement or structural lining movement; and

- the safe and effective operation of the network including the operational capacity, maintenance, land use interface and the efficiency of the network during any stage of the proposed development.

To guide development that may impact on a future underground infrastructure corridor, the *Sydney Metro Underground Corridor Protection Technical Guidelines* will apply to development within and adjacent to identified future underground infrastructure corridors.

Consequential amendments to other State Environmental Planning Policies

In order to implement some elements of the proposed protection of the New Cumberland Rail Line future underground infrastructure corridor, amendments may be required for other Environmental Planning Instruments. For example, an amendment may be required to the *State Environmental Planning Policy (Planning Systems) 2021* which provides controls around State Significant Development in order to enable Transport for NSW the ability to comment on development within a future underground infrastructure corridor.

Relationship to existing environmental plans and policies

The proposed amendment will supersede relevant controls stipulated in the relevant local environmental plans.

Next Steps

The Department of Planning, Housing and Infrastructure will consider any feedback, comments or submissions provided regarding the proposed amendments to the Transport and Infrastructure SEPP received through the exhibition period.

Once Transport for NSW has finalised the alignment for the New Cumberland Rail Line future underground infrastructure corridor, a formal request will be made to the Minister for Planning and Public Spaces to protect the corridor.

The Department will consider this request, and provide a recommendation to the Minister, and if required, an amendment to Transport and Infrastructure SEPP.

Transport for NSW will then notify relevant landowners of the protection of the New Cumberland Rail Line future underground infrastructure corridor.

Appendix A: Proposed Future Underground Infrastructure Corridor Map

