

**Orchard Hills
Community Consultative Committee**

Meeting No: 5

Date: 28 November 2023, 6:30 – 8 pm

Location: Online, Zoom

Attendees	
<p>Community members</p> <p>Diane Azzopardi (DA)</p> <p>Ajmair Chauhan (AC)</p> <p>Deborah Cutajar (DC)</p> <p>Don Feltis (DF)</p> <p>Tony Napoli (TN)</p> <p>Con Paphatzis (CP)</p> <p>Bree Wilson (BW)</p> <p>Ed Zussa (EZ)</p> <p>Christine Vella (CV)</p> <p>Independent Community Commissioner</p> <p>Professor Roberta Ryan, Independent Community Commissioner (RR)</p> <p>Kate Robinson, office of the Independent Community Commissioner (KR)</p> <p>Isa Crossland, office of the Independent Community Commissioner</p>	<p>Government representatives</p> <p>Catherine Van Laeren, Executive Director, Western Parkland City, Department of Planning (DPE) (CVL)</p> <p>Jane Grose, Executive Director, Metro West DPE (JG)</p> <p>Casey Joshua, Director Central (Western), DPE (CJ)</p> <p>Stephanie Madonis, DPE (SM)</p> <p>Chris Davis, Project Stakeholder Interface Manager, Sydney Metro (CD)</p> <p>Fernando Ortega, Western Sydney – Commercial Partnerships Manager, Sydney Water (FO)</p> <p>Abdul Cheema, A/g City Planning Manager, Penrith City Council (AChe)</p> <p>Other attendees</p> <p>Ashika Perrin, Environmental Scientist, Douglas Partners (AP)</p> <p>Rod Gray, Senior Associate, Douglas Partners (RG)</p> <p>Richard Poli, Acting Director for PFAS Remediation, Department of Defence (RP)</p> <p>Michael Monahan, Commonwealth Department of Defence (MM)</p> <p>Annabelle Jeffries, Commonwealth Department of Defence (AJ)</p> <p>Leslie Limage, Commonwealth Department of Defence (LL)</p> <p>Tanya Davies, NSW Member for Badgerys Creek (TD)</p>

Apologies

Rob Hodgkins, Department of Planning (DPE) (RH)

Andrew Blackman, Senior Manager North, Western Parkland City, Transport for NSW (AJ)

Item	Description	Action
1	Welcome and introductions - RR	
	<p>RR welcomes the attendees to the meeting and introduces herself.</p> <p>RR explains that ICS is away on break, and therefore this meeting is being video recorded for the purposes of the minutes, which she will take later. The recording will be securely kept by KR and deleted when the minutes have been taken.</p> <p>RR invites new attendees to make their introductions.</p> <p>JG introduces herself. She is from DPE and shares the role of Executive Director of Metro West with CVL.</p> <p>JG is happy to be at this CCC meeting, which is her first, although she has been working on the Orchard Hills project for many months. At tonight's meeting, JG will be sharing some important new project information with the group.</p> <p>AP introduces herself; she is an environmental scientist from Douglas Partners. Douglas Partners are specialist consultants and are conducting testing in Orchard Hills.</p> <p>MM introduces himself; he works in the PFAS branch at the Department of Defence.</p> <p>RP introduces himself; he is Acting Director for PFAS remediation in Canberra with a National portfolio.</p> <p>LL introduces AJ and herself; they are both in the technical policy team at the Department of Defence.</p> <p>TD introduces herself; she is from the Department of Defense.</p> <p>RG introduces himself; he is from Douglas Partners. He was involved in the initial rezoning project. His colleague Grant Russell (GR) is coordinating the current PFAS investigation. GR is currently on leave, so RG is joining this meeting on his behalf.</p>	

2	Update on rezoning - DPE	
	<p>JG first acknowledges that the community members will have questions about the current Orchard Hills plan and about what it means for them. She says that the DPE will endeavour to return to the CCC in the coming months with more information that clarifies these questions and reflects that the department is listening to community feedback.</p> <p>JG presents an update on the Orchard Hills Precinct Planning.</p> <p>This presentation begins with an overview of the potential Per-fluoroalkyl and Polyfluoroalkyl Substances (PFAS) contamination in the Orchard Hills area, which has been reported to the NSW DPE by the Commonwealth Department of Defence.</p> <p>JG's presentation is attached to these minutes.</p> <p>With respect to advice about the PFAS contamination, RR tells the group that the two landowners whose land has been requested to be tested on have been contacted.</p> <p>RR says Penrith Council was briefed yesterday and that this group are the first community members to be made aware of the issue.</p> <p>RG clarifies that at this stage, they have not identified PFAS contamination, but have identified land use that has the potential to cause contamination. Therefore further investigation is needed as part of the rezoning.</p> <p>RG notes that there have been trace concentrations of PFAS found throughout the South-West Sydney region. Although this is cause for concern, there is not yet any evidence that it is a problem.</p> <p>CV asks about the implications of PFAS to community members' properties and to community health. She notes that there will probably be some concern about resident health and wellbeing, especially as there is a school in the vicinity. She would also like to know more about the connection between PFAs and the Department of Defence.</p> <p>RR asks RP to speak on behalf of the Department of Defence.</p> <p>RP says that PFAS is found widely across defence sites, as it has been used in many different contexts including in firefighting foam.</p> <p>He noted that PFAS is found in many things including beauty products, sanitary items, food and drink containers, and many other things. PFAS has therefore spread widely around the world.</p>	

	<p>RP says that while there are indications that a daily exposure to PFAS at high levels can cause various health issues, there is not a strong understanding about whether there are health risks of exposure to PFAS at an everyday level.</p> <p>CV asks whether the PFAS could leak into drinking water through pipes. There are market gardens in Orchard Hills – is it likely that PFAS has contaminated the market garden?</p> <p>RP says that if the market gardeners use biosolids, then it is likely that they carry PFAS into the garden. There have been studies that pesticides and herbicides generally contain trace amounts of PFAS too.</p> <p>RP adds that overland flow would likely also carry PFAS into the market garden areas.</p> <p>RP says that in terms of infrastructure and piping, there is some research that suggests that piping can suck in groundwater when there is negative pressure, which would mean that pipes could become contaminated with PFAS. However, studies in this area are limited and RP believes that it would be a very rare occurrence if this did occur.</p> <p>DC says that she is receiving mixed impressions from tonight's announcement. On one hand, it seems as though land in Orchard Hills (and particularly land in the Vines, bordering the Defence site) may be particularly impacted by the presence of PFAS. On the other hand, RP has given the impression that PFAS are ubiquitous chemicals that are present all around us and are generally not harmful.</p> <p>DC is very concerned about there being a public announcement that gives the impression that the Vines are contaminated. It will be very damaging to the psychological and financial wellbeing of property owners in that area.</p> <p>JG says that the current stage is difficult, as they have information that there may be contamination but they do not know what the levels are. It may be that the PFAS has not travelled far, and they may be able to provide the community clear information.</p> <p>JG says that regardless of the above, they will need to do the testing in order to assess any possible safety concerns.</p> <p>RR says that it is a standard part of rezoning that contamination samples are taken. They do not have much information at this stage, but it is not something that can be ignored since there are potential human health impacts associated.</p> <p>RR notes that it seems that PFAS contamination here would have originated from the Defence location adjacent to the Vines.</p>	
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	<p>DC asks how long the Defence have known about this concern.</p> <p>RP says that across Australia, Defence became aware of the PFAS contamination through firefighting foams in 2012. There were some particular sites that were the subject of attention initially, as they were assessed as highest order.</p> <p>Early investigations in Orchard Hills concluded in 2021, and indicated that there was some PFAS on site. This provided information for the Defence Department to identify the source of this contamination, and to be able to begin undertaking remediation measures to cap, remove or treat the contamination.</p> <p>DC asks if they started these remediation strategies on the boundary.</p> <p>RP says no, they are focused on assessment and reporting. Further investigation in 2024 will inform remediation strategies.</p> <p>DA asks whether it is just the properties adjacent to the Defence site.</p> <p>JG says yes, as well as along the waterway up to Blaxland Creek and along the metro line.</p> <p>DA asks for the map included in JG's presentation to be circulated to the members for closer inspection of the highlighted areas.</p> <p>AC asks if this testing was done in other areas such as the Aerotropolis? There are also market gardens there.</p> <p>CVL says that that this particular investigation was done in response to advice from the Defence.</p> <p>AC says that seeing as there are apparently traces of PFAS almost everywhere, is there an understanding that the PFAS levels are potentially much higher than usual in the Orchard Hills area?</p> <p>RP says that due to its proximity to the Defence grounds and to firefighting materials, they understand that there will be a higher concentration of PFAS on land on that side. There are variables as to how PFAS gets transported. Concentrations downstream would be expected to be lower as the PFAs dissipate.</p> <p>RR says that the point of alerting the community at this stage is that the testing will be public.</p> <p>EZ asks where Sydney Metro is drawing the water from to wash down Kent Road.</p>	<p>JG's presentation and included maps to be distributed to the members by KR.</p>
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<p>CD says that he is unsure but he will take this question offline and provide the group with an answer.</p> <p>BW says that the parents of the children at Penrith Anglican College (of which she is one) will be extremely distressed by this news when it is made public. It is especially concerning that the levels may be high according to 'adult levels', as many of the students are very young children.</p> <p>BW asks how parents should deal with testing how their children are potentially impacted.</p> <p>RP says that they are not currently in a position to advise on impacts to children and how impacts may be assessed through testing. This is advice to be sought through medical practitioners, who will operate on official health advice.</p> <p>RP says that there are different actions taken to remediate the issue, depending on contamination levels. In the case of higher levels of contamination, they would excavate the soil and have it treated off-site. In cases of low contamination (which is the case here), they would normally pull the soil and treat it with material to bind the PFAS to it, and put a cap over the top to prevent spreading.</p> <p>RR tells BW that she and KR will pursue more information regarding children's health assessment and report back.</p> <p>BW asks if the school is aware of this issue yet.</p> <p>RR says no, they will be alerted tonight.</p> <p>CV asks if Claremont Creek, which flows along the school, is known to be contaminated. It has overflowed in the past.</p> <p>CV refers to a case in America decades ago of 3M contamination that entered drinking water and caused serious issues such as deformities and cancers. She would like to know if this case is expected to be anything like that.</p> <p>RP says that the current contamination is above the standards of drinking water and below the standards for recreational guidelines. It is therefore understood to be safe to undertake usual recreational activities.</p> <p>CP suggests that it is important that the group not to jump far ahead of the available information. It seems as though the contamination and associated risk may be quite low – especially given that PFAS are already known to be present in many household items.</p> <p>AC notes that the Defence became aware of the connection of PFAS to firefighting foams in 2012. Have there been no studies on how bad levels of contamination are in the Orchard Hills area?</p>	<p>CD to provide an answer to EZ's question about where Sydney Metro is drawing water from to wash down Kent Road.</p> <p>RR and KR to seek and share more information about the impacts of PFAS on children's health and on how best to assess and manage these impacts at this stage.</p>
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	<p>RP says they have not. They have done studies on areas that have higher concentrations of PFAS contamination, such as Williamstown.</p> <p>TD says that she was made aware of this issue last week at a meeting similar to tonight's. Penrith Council was made aware of this last night.</p> <p>TD acknowledges that the Orchard Hills community has been through many trying circumstances during the last few years, in relation to land acquisition and planning.</p> <p>TD says that she is working closely with the Minister for Planning on this matter to support the community.</p> <p>TD assures the group that this is not the first site identified for PFAS contamination. This is an ongoing and broad issue, and there are procedures and policies in place to work through it, prioritising the health of the community.</p> <p><i>At this stage, TD excuses herself from the meeting as she has another meeting commitment.</i></p> <p>BW asks about whether contamination only spreads orally or if exposure can occur from rubbing up on contaminated soil.</p> <p>RP says that it can spread somewhat through dermal exposure through contact, but at large it is spread through ingestion and by drinking contaminated water.</p>	
3	Update presentation: Orchard Hills draft rezoning plans – JG	
	<p>JG presents on the proposal to rezone Orchard Hills in stages. The slides of JG's presentation on this matter are included in the same slide pack referenced in the section above.</p> <p>AC asks JG to clarify the area involved in the first stage.</p> <p>JG says they are not able to show the full extent yet as they are still working with engineers to understand if the draft boundary works from the perspective of stormwater management.</p> <p>JG clarifies that the red ridgeline marked on the diagram in her slides, which involves about 10,000 dwellings, has been selected for the first stage.</p> <p>JG explains that there is capacity for approximately 2000 dwellings in terms of water and electricity, and then there will need to be an investment in infrastructure, including substation, to support further dwellings up to 10,000 total.</p> <p>JG adds that the water is draining into the East from the ridgeline, and that this can be managed by a basin system. This is another reason that the red ridgeline has been selected.</p>	

	<p>The ridgeline, and everything east and south of it, will be involved.</p> <p>EZ asks about the review of the greenspaces on the residents' properties, which was requested some time ago.</p> <p>JG says that they are having to review the open space plan, as the previous draft did not include enough open space. They are in the process of reviewing that, and when they have more advice from the relevant consultants they will update the CCC on this matter.</p> <p>CP asks what other areas have undergone staged rezoning. Is it a decision made due to funding limitations?</p> <p>JG says yes, staged planning is often due to funding as well as orderly planning.</p> <p>JG says that Austral, which was developed previously, had a similar layout to Orchard Hills with many properties and no single developer. This Austral project has faced many challenges as they try to manage capacity for developments.</p> <p>Staged approaches have been taken in the north-west growth area, which was divided into precincts that have been developed over time as it is a very large area.</p> <p>CP says that if the area is opened for rezoning, the private development sector is welcomed in and the government funding problem is more easily overcome. In moving away from a more immediate rezoning strategy, the community is becoming disillusioned.</p> <p>RR thanks CP. She emphasises that it is important not to rezone large amounts of land that cannot be developed due to limited servicing capacity. It is important to ensure that the Penrith City Council contributions plan is timed alongside the rezoning.</p> <p>TN says that while he understands the staging strategy, it seems that they are being too optimistic about the timing of the rezoning.</p> <p>In his experience, rezoning takes 6-12 months while feedback is acquired from stakeholders on the proposal.</p> <p>RR agrees. She explains JG is talking about getting enough information together to put on exhibition, at which point they will start to receive feedback from the stakeholders.</p> <p>CV asks JG is there is any new information regarding whether the public areas will be mapped? Are there properties that will be marked for future acquisition?</p> <p>JG says that inside the dotted line on the map (Stage 1 of rezoning), they will be clearly mapping where roads, open space</p>	
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	<p>and other infrastructure is required. They have engaged a consultant to do a contributions plan, which will go on exhibition. If it goes on exhibition, the Council agrees to be the acquisition authority for most of the involved properties. There is therefore a clearer acquisition pathway at this first stage.</p> <p>With regards to land outside the dotted lines on the map, JG says that the department must be careful with identifying specific infrastructure on people's land which may put them in a difficult position.</p> <p>RR adds that they want to minimise impact on the community, and not provide unrealistic or uncertain information about potential acquisitions.</p> <p>DA asks about the red ridgeline marked on JG's slides. What will happen to the land values on nearby properties before they are included in the rezoning?</p> <p>JG says that this ridgeline is a starting point, but the department will refine it in more detail in order to allow as much development capacity as possible for nearby properties. If it is possible for properties to drain to the east into the stormwater management system, they will aim to include those properties in the stage 1 rezoning.</p> <p>JG says that the impacts on values and rates for nearby properties depend on what is shown in the planning controls. The department has to consider this factor, and the interests of the owners, as they work out how best to show the planning controls.</p> <p>DA says that given that the Stage 1 rezoning is not expected to begin until sometime in 2024, it will have been about 2 years that the Orchard Hills landowners have paid very increased rates.</p> <p>RR notes that Penrith Council discussed a rates referral plan with the CCC previously.</p> <p>DA says this plan is not very meaningful for most people, as it does not reduce rates but simply defers payment of these much higher rates.</p> <p>BW asks whether the landowners whose properties will be marked for exhibition will be notified prior to the public exhibition phase.</p> <p>JG says that typically, the draft exhibition phase is when people are notified of their land being marked, and when they have an opportunity to provide comments that are reviewed.</p> <p>JG adds that since this CCC is established, it is possible that they could have some more detailed discussions about impacted land in this group prior to the exhibition.</p>	
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	<p>JG will follow up at the department to see if it is possible to provide the group more information before it becomes public.</p> <p>DC asks how far south the red ridgeline in JG's map extends.</p> <p>JG says that the focus area for Stage 1 extends down to the precinct in the east, to the motorway in the north, and all the way to the south until the defense camp.</p>	<p>JG to clarify whether the CCC can be provided more information about land acquisitions before it is made public through the draft plan exhibition.</p>
4	Other business - RR	
	<p>RR thanks the CCC for their work and for their work and commitments on behalf of their communities.</p> <p>RR assures the group that they will be updated with any progress regarding the PFAS investigations. Information on PFAS and contamination in the area has been made public on the Orchard Hills project website and in an email to the community.</p> <p>RR welcomes community members to direct any questions or concerns regarding the PFAS or any other matters to her and to KR.</p> <p>RR thanks the group again for their contributions and wishes them a happy festive season and end of year period.</p> <p>Next meeting: 8 February (dependent on available information)</p>	

Orchard Hills: Community Consultative Committee

Jane Grose
A/Executive Director
Metro West

Casey Joshua
Director, Central
(Western)

28 November 2023



Orchard Hills Precinct Planning

Agenda

- Potential site contamination issues
- Update on the draft master plan
- Next steps

Site contamination - what we've learnt

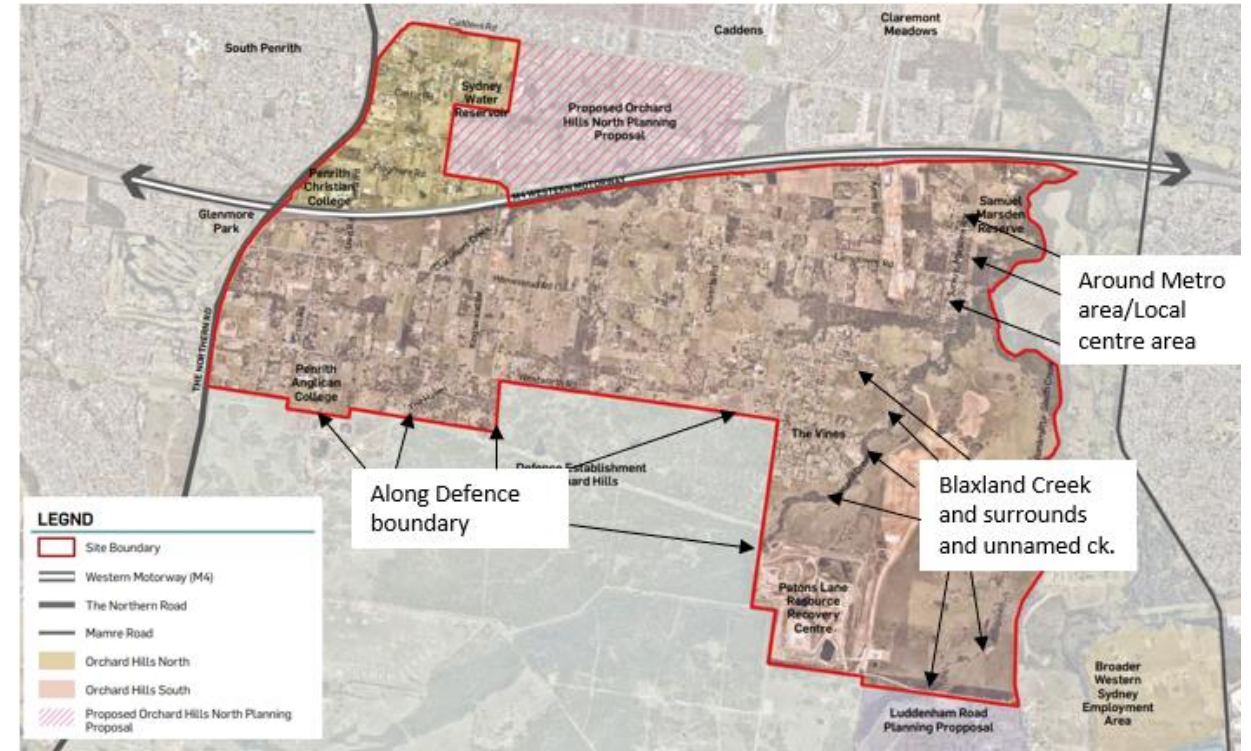
- The Commonwealth Department of Defence has informed the NSW Department of Planning and Environment that there may be the potential for Per-fluoroalkyl and Polyfluoroalkyl Substances (PFAS) contamination in the Orchard Hills study area.
- What is PFAS?
- How might its presence impact land use planning?

Site contamination - next steps

- The Department wrote to and has met with the Department of Defence.
- Following advice from NSW Environment Protection Authority and the Department of Defence, the Department of Planning and Environment has commissioned soil and water testing

Site contamination - next steps

- The Department has engaged Douglas Partners to do soil and water testing
- Testing will be focused in and near waterways and on public land where possible
- Field testing will commence early December
- Investigation finalised early February 2024
- We will be providing an update to the CCC on findings and next steps, once all of the information is available.



Contamination Investigation Map

Communication with the Community

- **28 November 2023:**

Letters to be sent to all residents and landowners

After the CCC meeting:

Orchard Hills website updates to go live

Electronic Direct Mail to be sent

- **Early to Mid December 2023:**

Field testing to commence 6th December (subject to weather) for approximately 2 weeks.

On-site DPE handout (also available online) on the testing and where to get information on PFAS

What is the Commonwealth Department of Defence doing to assist?

- Attending the online Community Consultative Committee meeting, and information sessions as required
- Provided DPE with general resources on PFAS and contacts within Defence
- Planning next steps, once results are known

Draft Precinct Plan

Indicative only – subject to change

- First stage ~10,000 dwellings
- Initial rezoning area around metro station:
 - Capacity for water/sewer/power
 - provide a diversity of housing types with higher densities
- There will be a structure plan / guideline document for the remainder of the precinct (an additional 10,000-15,000 dwellings)



Key outcomes of the plan

- Maximising development potential for residential development in the first stage, with higher densities at the station.
- Provision for a new town centre at the metro site, with retail and services.
- A resolved open space and street network, that seeks to minimise acquisition impacts and maximise use of existing local roads for early development in the area.
- A resolved contributions framework, including a draft local contributions plan on exhibition with the plan.
- Minimising impact on evacuation routes.

Next Steps (indicative timeline)

- **November 2023 – January 2024:** working with Council officers and agencies on the draft planning package for exhibition
- **February/ March 2024:** Brief the CCC on findings of site contamination testing and implications for the project.
- **March – April 2024:** 6-week exhibition with a variety of community engagement mediums
- **Mid 2024 :** Rezoning