

11 December 2015

Mr C Ritchie
Director Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Ritchie,

**Bankstown City Council's Submission – SSD 15_7235 – Warehouse and
Distribution Centre at the former Fairfax Media Site,
No. 2 Hume Highway in Chullora**

Thankyou for the opportunity to comment on the proposed redevelopment of the former Fairfax Media site at the property at No. 2 Hume Highway in Chullora.

Based on the exhibited Environmental Impact Statement, Bankstown City Council raises the following issues:

1. The need to comply with the NSW Biodiversity Offsets Policy for Major Projects and the Framework for Biodiversity Assessment

The site is identified as a foraging habitat for a threatened fauna species (Grey-headed flying fox), habitat for threatened plants (Downy Wattle and Tadgell's Bluebell) and potential habitat for numerous frog species and birds. Moreover, the Policy values the significance of the Grey-headed flying fox for its foraging habitat and breeding habitat.

The submitted Biodiversity Assessment Report prepared by Biosis is inconsistent with the NSW Biodiversity Offsets Policy for Major Projects as it does not consider the impact on certain threatened species.

The proposed development also does not consider the following principles in the Framework for Biodiversity Assessment:

- Impacts must be avoided first by using prevention and mitigation measures.
- All regulatory requirements must be met.
- Offsets must never reward ongoing poor performance.
- Offsets will complement other government programs.
- Offsets must be underpinned by sound ecological principles.

- Offsets should aim to result in a net improvement in biodiversity over time.
- Offsets must be enduring – they must offset the impact of the development for the period that the impact occurs.
- Offsets should be agreed prior to the impact occurring.
- Offsets must be quantifiable – the impacts and benefits must be reliably estimated.
- Offsets must be targeted.
- Offsets must be located appropriately.
- Offsets must be supplementary.
- Offsets and their actions must be enforceable through development consent conditions, licence conditions, conservation agreements or contracts.

It is imperative to apply the NSW Biodiversity Offsets Policy for Major Projects and the Framework for Biodiversity Assessment to the proposed development. As part of the required assessment, the proposed development must minimise the impact on the flora and fauna species.

The proposed development must also apply the Framework for Biodiversity Assessment to the following threatened species that are likely to be present in the locality:

- Green and golden bell frog.
- Australasian bittern.
- Black bittern.

2. The need to consider Bankstown City Council's Biodiversity Strategic Plan and Bankstown Development Control Plan 2015–Part B11 (Tree Preservation Order)

The submitted Biodiversity Assessment Report does not consider Bankstown City Council's Biodiversity Strategic Plan and Bankstown Development Control Plan 2015–Part B11 (Tree Preservation Order).

The Biodiversity Strategic Plan identifies the site within a Core Conservation Corridor, which links the regionally significant biodiversity sites. The Strategic Plan requires the consideration of the following offsetting principles:

- Principle 1: Offsets should only be considered after all options to avoid impacts have been thoroughly explored and/or unavoidable impacts have been minimised. Offsets can then be considered for the remaining impacts.
- Principle 2: Offsets must equate to, or achieve higher conservation outcomes, than to the biodiversity values being lost.
- Principle 3: Offsets must be in addition to other legal requirements.
- Principle 4: Offsets must be enduring, enforceable and auditable.

The Plan also outlines the requirements for works within the Core Conservation Corridor:

- Retain trees, apply BCC BSP offsetting principles.
- Where trees are removed replace with locally occurring native trees on site at a ratio of 3:1. Trees shall be locally occurring canopy trees.
- Where offsetting cannot occur on site, consider offsetting through green roofs and offsetting within the Core Corridor on community lands, or as street trees, or RMS (road widening) lands.

Further, the proposed development does not contribute to Council's aim to increase canopy cover in the LGA by 30% by 2025 to reduce the urban heat island effect, which is causing localised heat spikes, and dangerous to lethal situations for vulnerable people, such as the elderly.

Bankstown Development Control Plan 2015–Part B11 (Tree Preservation Order) requires the replacement of three trees for every tree lost that is greater than 5 metres in height, irrespective of the species type. The DCP also requires an arborist report to evaluate the condition of the trees and provide a replacement strategy showing where the replacement trees will be located.

It is imperative that the proposed development considers alternative designs to retain vegetation on the site, especially as the site is within the Core Conservation Corridor. If all avenues to retain the vegetation are exhausted, the proponent must provide a viable offset strategy that will enhance the biodiversity value of the site in accordance with Council's Biodiversity Strategic Plan and Bankstown DCP 2015–Part B11 (Tree Preservation Order).

3. The need for a Management Plan for the Green and Golden Bell Frog

The Biodiversity Assessment Report identifies the site as a potential habitat for the threatened green and golden bell frog. The report states:

“an unanticipated threatened species finds procedure to be developed including fact sheets on threatened species likely to be encountered”.

Prior to the determination of the proposed development, the proponent must provide the suggested documents to identify the potential threatened species that may be discovered on the site during construction and outline the management procedure, especially for the green and golden bell frog.

4. The need for flood impact analysis

Council is concerned the proposed mass landfill of 405,000m³ will change the flood characteristics and worsen the off-site flood conditions.

The EIS does not consider the impact on the stormwater flooding conditions on the site and the flood planning objectives in accordance with Bankstown Local Environmental Plan 2015.

The site is located within the medium and high flood risk precincts within the Greenacre Park and Rookwood Road flood catchments. Further, clause 6.3 of Bankstown LEP 2015 requires development to meet the following objectives:

- (a) *to minimise the flood risk to life and property associated with the use of land,*
- (b) *to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) *to avoid significant adverse impacts on flood behaviour and the environment.*

The proponent must provide a flood study to assess flood impacts (on-site and off-site) in accordance with the NSW Floodplain Development Manual.

5. The need for landscaping to enhance the Remembrance Driveway landscape corridor

The EIS does not consider Bankstown City Council's Hume Highway Corridor Strategy and the significance of the Remembrance Driveway landscape corridor.

The Hume Highway forms part of the Remembrance Driveway landscape corridor that commemorates the Australian Forces that served in World War I. The Remembrance Driveway landscape corridor connects Macquarie Place in Sydney to the War Memorial in Canberra by providing landscaped areas and parks.

As part of Council's adopted Hume Highway Corridor Strategy, the subject site has been identified to provide landscaping along the Hume Highway frontage.

The proposed development must consider the significance of the Remembrance Driveway landscape corridor and develop an appropriate landscape treatment along the Hume Highway frontage that enhances the Remembrance Driveway landscape corridor.

6. Vehicle access safety

There is concern the location of the proposed driveways on Worth Street will be unsafe for vehicles entering and exiting the site due to limited sight lines of oncoming traffic.

The proposed development must provide traffic mitigation works to reduce this safety risk. Any mitigation works proposed on Council managed roads and land must be negotiated prior to the determination of the proposed development.

7. Heritage

There is concern the EIS does not place sufficient measures to manage the potential discovery of archaeological relics during construction.

Bankstown Local Environmental Plan 2015 identifies the site as an archaeological site where the Royal Arms Inn may have been located.

The proponent must prepare a management plan in the event of discovering archaeological relic, and include the following:

- All site staff must be inducted on the archaeological potential of the site prior to the start of any excavation works.
- The proponent must ensure that an archaeologist or suitably qualified excavation personnel is present at site during the excavation works. If any relics are discovered during the proposed works, work must cease immediately and the Office of Environment and Heritage to be notified in accordance with section 146 of the Heritage Act.

8. Passive surveillance over Beaufort Place

Beaufort Place adjoins the north eastern portion of the site and is currently used for illegal dumping and trailer parking. Council seeks the proposed development to be designed to improve the casual surveillance of Beaufort Place to deter illegal activities.

If you have any enquiries or require further information, please contact Council officer Mr Kyou Won Rhee on 9707 9489.

Yours sincerely,



Kyou Won Rhee
Strategic Planner