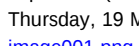


**From:**   
**To:**   
**Cc:**   
**Subject:** Heritage NSW - Aboriginal Cultural Heritage (ACH) - EIS - Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) (Central Coast)  
**Date:** Thursday, 19 May 2022 5:44:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
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[image005.png](#)  
[image006.png](#)  
[image009.png](#)

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Dear Patrick,

Heritage NSW has reviewed Appendix U - *Aboriginal Cultural Heritage Assessment Report (ACHAR), 11 Warren Road - Warnervale, Report to Woolworths Groups, Artefact Heritage, FINAL April 2022*, with respect to Aboriginal Cultural Heritage (ACH) and makes the following comments.

Heritage NSW understands that Artefact Heritage was engaged to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for Woolworths Group (the proponent) who proposes the redevelopment of its existing site at 11 Warren Road, Warnervale. The proposal comprises alterations and additions to the existing warehouse and distribution centre development including expansion of the existing building envelopes and hardstand areas. The ACHAR was prepared to address the requirements of the Secretary's Environmental Assessment Requirements (SEARs) issued to the proponent on the 21 December 2021 (SSD-33701741).

Heritage NSW notes that the following recommendations were made in the ACHAR with respect to the management of ACH:

Based on the results of this assessment and in accordance with Aboriginal heritage guidelines mandated in the SEARs for the proposal, the following recommendations are made:

- As the study area was found to be disturbed and to have a nil-low potential for Aboriginal objects to be located within it, it is recommended that further archaeological assessment is not required.
- The tree identified as a cultural resource will not be impacted by the proposal.
- The result of the consultation supports the archaeological assessment of the study area as holding nil-low potential for the preservation of Aboriginal heritage. If changes are made to the proposal that may result in impacts to areas not assessed by this ACHAR further assessment would be required.
- Unexpected Aboriginal objects remain protected by the *National Parks and Wildlife Act 1974*.
- If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the find and Heritage NSW and Darkinjung LALC must be notified.
- If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity should cease, the site should be secured, and the NSW Police and Heritage NSW should be notified.

Heritage NSW concurs with all the recommendations documented in the EIS, as such, Heritage NSW does not require further consultation respect to this proposal

again. Should you require any further information, please contact me directly. I shall uploaded this email to the MPP.

Kind Regards  
Nicole Davis

**Nicole Davis**

Manager Assessments  
Heritage NSW

**Department of Planning and Environment**

Locked Bag 5020 Parramatta 2124

**Working Days** Monday to Friday



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

---

**From:** no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>

**Sent:** Tuesday, 17 May 2022 4:35 PM

**To:** OEH HD Heritage Mailbox [REDACTED]; Erin McWhirter

[REDACTED]; Andre Quinon

[REDACTED]; Sirena Larsson

**Cc:** Patrick Copas [REDACTED]

**Subject:** Major Projects – New Request for Advice - Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) (Central Coast)

The Department has sent you a request for advice in relation to the Woolworths Wyong Regional Distribution Centre Expansion. The due date for this request is 16/06/22.

Please sign in to your account to view the details of this request and to upload your advice.

If you have any enquiries, please contact Patrick Copas on [REDACTED].

To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

The Department of Planning and Environment



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If you are not the intended recipient, please notify the sender and then delete it immediately.

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File Ref. No: FRN22/1515 BFS22/2158 8000021205  
TRIM Doc. No: D22/40156  
Contact: Station Officer Aaron Ross

19 May 2022

Patrick Copas  
NSW Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Dear Patrick,

**Re: Advice on Environmental Impact Statement (EIS) – Woolworths Wyong Regional Distribution Centre Expansion – (SSD-33701741)**

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on the 17 May 2022, requesting advice on the EIS for the Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741). FRNSW have reviewed the EIS along with Appendix AA - Building Code of Australia (BCA) compliance statement report and Appendix Y - Preliminary Hazards Analysis (PHA).

FRNSW note the fire safety measures identified in the BCA compliance report may be subject to change pending the outcomes of the FRNSW Fire Engineering Brief Questionnaire (FEBQ) process and preparation of the Fire Engineering Report (FER) at Construction Certificate stage.

FRNSW note in the PHA when calculating the impacts of Radiant Heat from a Full Warehouse Fire that emitted smoke is used to reduce the average surface emissive power (SEP) and subsequently it would not exceed 23 kW/m<sup>2</sup>. Consideration should be given to the radiant heat emitted by the smoke layer / plume as an emitting body that will increase the SEP.

While there is currently no requirement for a Fire Safety Study, FRNSW may recommend one be undertaken at a later stage should information be provided such that the development is deemed to pose special problems of firefighting or special hazards exist that require additional fire safety and management measures.

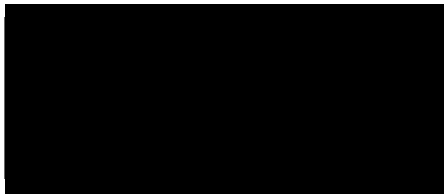
Given the size and complexity of the proposed facility expansion, and to ensure first responders have information readily available to render safe any incident, FRNSW make the following recommendations:

1. That an Emergency Response Plan (ERP) is developed / updated for the site in accordance with HIPAP No.1.<sup>1</sup>

2. That an Emergency Services Information Package (ESIP) is developed / updated in accordance with FRNSW fire safety guideline – Emergency services information package and tactical fire plans.<sup>2</sup>

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS22/2158. Please ensure that all correspondence in relation to this matter is submitted electronically to [firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au).

Yours sincerely,



Superintendent John Hawes  
Manager  
Operational Liaison Special Hazards Unit



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<sup>1</sup> <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/hazardous-industry-planning-advisory-paper-no-1-emergency-planning-2011-01.pdf?la=en>

<sup>2</sup> [https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines\\_ESIP\\_and\\_TFP.pdf](https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_ESIP_and_TFP.pdf)



Our ref: DOC22/383550-16

Your ref: SSD-33701741

Mr Patrick Copas

Senior Environmental Assessment Officer  
Energy Resource Industry Assessments  
Department of Planning and Environment  
[REDACTED]

Dear Mr Copas

**Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) – Review of Environmental Impact Statement**

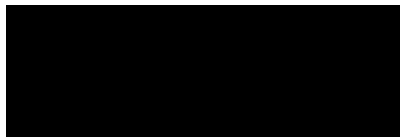
I refer to your email dated 17 May 2022 in which the Planning and Assessments Group (P&A) of the Department of Planning and Environment (the Department) invited the Biodiversity and Conservation Division (BCD) for advice in relation to the proposed Woolworths Wyong Regional Distribution Centre Expansion, located at 11 Warren Road, Warnervale (Lot 413 DP 1058215) in the Central Coast local government area.

BCD has reviewed the '*Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741), 11 Warren Road, Warnervale*' Environmental Impact Statement (EIS) report (prepared for the Woolworths Group Limited by Urbis Pty Ltd and dated 2 May 2022), including relevant appendices, annexures and attachments in relation to impacts on biodiversity and flooding.

BCD's recommendations on biodiversity and flooding are provided in **Attachment A** and detailed comments are provided in **Attachment B**.

If you require any further information regarding this matter, please contact Steve Lewer, Senior Regional Biodiversity Conservation Officer on 4927 3158 or via email at [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au).

Yours sincerely



**STEVEN CRICK**  
**Senior Team Leader Planning**  
**Hunter Central Coast Branch**  
**Biodiversity and Conservation Division**  
15 June 2022

Enclosure: Attachments A and B

## BCD's recommendations

### Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) – Review of Environmental Impact Statement

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#### Biodiversity

1. BCD recommends the accredited assessor submits the credit calculator via the NSW Biodiversity Accredited Assessor System prior to the submission of the response to submissions report.

The 'Candidate Species' list output from the credit calculator should also be provided as it is a requirement under the BAM (DPIE 2020).

2. BCD recommends the accredited assessor includes the plot field data sheets in the Biodiversity Development Assessment Report (BDAR).
3. BCD recommends the BAM accredited assessor includes all the relevant data with the BDAR, such as separate jpeg files for all maps, all digital shape files and all GPS tracking logs.
4. A targeted survey should be undertaken for *Thelymitra adorata* in accordance with '*Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method*' (DPIE 2020) and the Threatened Species Data Collection (TBDC) database across all suitable habitat and at their appropriate seasonal survey times (September to October as per TBDC database 2022). If surveys are not undertaken, an expert report should be prepared in accordance with Box 3 (pages 25-26) of the BAM guidelines (DPIE 2020) or the species should be assumed to be present.
5. The following additional actions should be added to the tree clearing protocols outlined in Table 29 in Section 8.5 of the BDAR:
  - Scheduling the clearing works for a time of year to avoid the breeding seasons of identified potential threatened species and other fauna that may breed on site.
  - Comparative habitat assessments should be conducted on clearing sites and proposed release sites to ensure that habitat features are available in the released sites.
  - Release sites should be identified and mapped prior to clearing and all appropriate approvals granted by the landholders.
  - Tree clearing should not be conducted above 35°C for the interests of animal welfare.
  - Communication should occur with rescue agencies and local veterinarians prior to the commencement of clearing to confirm the availability of resources for any captured/injured fauna that is unable to be released.
  - Clearing should be conducted sequentially and directionally towards areas of refuge to prevent the creation of vegetation islands.
  - Ensure that trees felled are positioned so that hollows are facing upwards and out to allow fauna to escape overnight
6. BCD recommends that the BDAR provides a more detailed appraisal of how injured and uninjured animals will be treated particularly with respect to relocation to nearby habitat. The

BDAR should discuss what the potential impacts of any relocations / translocations of displaced fauna (particularly threatened species) may be on adjoining habitat and what measures (e.g., monitoring) will be employed to minimise any detrimental effects on existing faunal populations that utilise such areas.

All relocations and translocations of wildlife must be done in accordance with the '*Translocation operational policy*' (DPIE 2019), and any appropriate licensing under the *National Parks and Wildlife Act 1974* or *Biodiversity Conservation Act 2016* be obtained.

## **Flooding and Water Quality / Quantity**

7. BCD advises that the stormwater will require further treatment to meet the 80% reduction of TSS.

## BCD's detailed comments

### Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) – Review of Environmental Impact Statement

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#### Biodiversity

1. The Accredited Assessor should submit the credit calculator via the NSW BAAS.

The credit calculator used in the Biodiversity Development Assessment Report (BDAR) to determine the credit requirements (both ecosystem and species) has not been submitted via the NSW Biodiversity Accredited Assessor System (BAAS). This is required to finalise BCDs assessment of the BDAR.

BCD reviews an accredited assessor's credit calculator files to determine if the Biodiversity Assessment Method (BAM) has been applied correctly, that the BDAR and calculator use the same data and selected parameters (i.e., 'drop down menus'), and that the biodiversity credit requirements (both ecosystem and species) are consistent between the BDAR and the credit calculator. Additionally, BCD utilises the credit calculator to review the candidate species list recommended for the project and whether or not the BDAR has assessed all appropriate species and ecological communities. BCD notes that providing the candidate species list output from the credit calculator is a specific requirement under the BAM.

#### Recommendation 1

BCD recommends the accredited assessor submits the credit calculator via the NSW Biodiversity Accredited Assessor System prior to the submission of the response to submissions report.

The 'Candidate Species' list output from the credit calculator should also be provided as it is a requirement under the BAM (DPIE 2020).

2. Copies of plot field data sheets should be provided

The plot field data sheets have not been included in the BDAR. Providing field data sheets is a requirement under the BAM (see Table 24). BCD reviews the plot field data sheets to ensure consistency between the data sheets, the BDAR and the credit calculator.

Further the plot data sheets are used to review the Plant Community Types (PCTs) described within the BDAR. The absence of such data sheet means that BCD has been unable to check the veracity of the PCTs.

#### Recommendation 2

BCD recommends the accredited assessor includes the plot field data sheets in the Biodiversity Development Assessment Report (BDAR).

### 3. Missing data files should be provided

BCD notes that some data that is required to be submitted with the BDAR is missing (see Table 24). BCD uses this data to check the veracity of the BDAR report, including sizes of polygons and extent of PCTs. Missing data files include:

- Separate jpeg files of all maps used in the BDAR,
- All digital shape files associated with any maps generated for the BDAR, and
- All GPS tracking logs associated with any targeted field survey, in particular GPS coordinates and logs associated with threatened flora surveys. Under (DPIE 2020 'Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method') traverses must be recorded on a global positioning system (GPS) and plotted on the Site Map in the BDAR.

#### Recommendation 3

BCD recommends the BAM accredited assessor includes all the relevant data with the BDAR, such as separate jpeg files for all maps, all digital shape files and all GPS tracking logs.

### 4. The threatened orchid *Thelymitra adorata* should be considered

Appendix D (Likelihood of Occurrence under the EPBC Act) of the BDAR indicates that the threatened ground orchid, *Thelymitra adorata* (Wyang sun orchid) is a potential species for the subject site, given its local geographic range. This species is also listed under the *Biodiversity Conservation Act 2016* as 'critically endangered' and would be considered a potential 'Candidate Species' for consideration. BCD notes that it was discounted on the basis it was unlikely present due to '*development site has been significantly disturbed such that suitable habitat is not present*'. However, BCD notes that the Threatened Species Data Collection (TBDC) database states that under the 'Habitat' tab the species is known from a number of sites which are subject to past and ongoing disturbance, including sites on the edges of roads that contain a mixture of native and introduced species in the understorey. Furthermore, the species has been recently recorded at Wyong (Pacific Hwy) as the only native within an area of exotic grasses and weedy forbs. As such BCD believes this species does have the potential to occur on site.

A targeted survey should be undertaken for *Thelymitra adorata* in accordance with DPIEs 'Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method' (DPIE 2020) and the TBDC across all suitable habitat and at their appropriate seasonal survey times (September to October as per TBDC database 2022). If surveys are not undertaken, an expert report should be prepared in accordance with Box 3 (pages 25-26) of the BAM guidelines (DPIE 2020) or the species should be assumed to be present. It is also recommended that flowering at a nearby reference population be used to further clarify a suitable surveying period, BCD can provide further advice around this.

#### Recommendation 4

A targeted survey should be undertaken for *Thelymitra adorata* in accordance with 'Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method' (DPIE 2020) and the Threatened Biodiversity Data Collection (TBDC) database across all suitable habitat and at their appropriate seasonal survey times

(September to October as per TBDC database 2022). If surveys are not undertaken, an expert report should be prepared in accordance with Box 3 (pages 25-26) of the BAM guidelines (DPIE 2020) or the species should be assumed to be present.

## 5. Additional fauna management measures should be considered for the tree clearing protocols.

Table 29 of Section 8.5 (Measures proposed to mitigate and manage impacts) of the BDAR briefly outlines the management measures which are to be implemented to minimise the impacts of the vegetation clearing on fauna.

BCD considers that additional tree clearing protocols should be considered in Table 29 to ensure clearing activities at the site follow best practice methods. These protocols are described below.

### Recommendation 5

The following additional actions should be added to the tree clearing protocols outlined in Table 29 in Section 8.5 of the BDAR:

- Scheduling the clearing works for a time of year to avoid the breeding seasons of identified potential threatened species and other fauna that may breed on site.
- Comparative habitat assessments should be conducted on clearing sites and proposed release sites to ensure that habitat features are available in the released sites.
- Release sites should be identified and mapped prior to clearing and all appropriate approvals granted by the landholders.
- Tree clearing should not be conducted above 35°C for the interests of animal welfare.
- Communication should occur with rescue agencies and local veterinarians prior to the commencement of clearing to confirm the availability of resources for any captured/injured fauna that is unable to be released.
- Clearing should be conducted sequentially and directionally towards areas of refuge to prevent the creation of vegetation islands.
- Ensure that trees felled are positioned so that hollows are facing upwards and out to allow fauna to escape overnight.

## 6. How will captured fauna be relocated?

The BDAR does not address the displacement of wildlife that will occur during the tree-felling process. As such BCD considers that further details are required on what happens to fauna caught during this process. The BDAR should consider what happens to (i) uninjured animals on the day of capture (e.g., uninjured animals should be released on the day of capture into nearby suitable secure habitat and should not be held for extended periods of time), and (ii) injured animals, such as they will be taken to the nearest veterinary clinic for assessment and treatment.

Although BCD is generally cautious of the relocation / translocation of captured threatened and non-threatened fauna due to impacts on resources, potential disease implications, and

social disruption of other animals already using release areas, this approach is typically supported. The proponent should specify in detail what will happen to displaced threatened fauna, and if it proposes relocation / translocation then the BDAR should provide an appraisal of what the potential impacts of such relocations / translocations may be and what measures (e.g., monitoring) will be employed to minimise any detrimental effects on existing faunal populations and adjacent habitat.

Any relocation / translocation of wildlife should be done in accordance with '*Translocation operational policy*' (DPIE 2019), and translocation of threatened species will likely require a license under section 132 of the *National Parks and Wildlife Act 1974* or a threatened species licence, under Part 2 of the *Biodiversity Conservation Act 2016* if species are being relocated to areas outside the approved development consent area. The BDAR needs to include these details.

### Recommendation 6

BCD recommends that the BDAR provides a more detailed appraisal of how injured and uninjured animals will be treated particularly with respect to relocation to nearby habitat. The BDAR should discuss what the potential impacts of any relocations / translocations of displaced fauna (particularly threatened species) may be on adjoining habitat and what measures (e.g., monitoring) will be employed to minimise any detrimental effects on existing faunal populations that utilise such areas.

All relocations and translocations of wildlife must be done in accordance with the '*Translocation operational policy*' (DPIE 2019), and any appropriate licensing under the *National Parks and Wildlife Act 1974* or *Biodiversity Conservation Act 2016* be obtained.

## **Flooding and Water Quality / Quantity**

7. The proposed development's water quality treatment train does not adequately reduce Total Suspended Solids (TSS) to Council's required Water Cycle Management (WCM) criteria

Table 4.1 of the Costin Roe Consulting (2022) "*Civil Engineering Report Incorporating Water Cycle Management SSD-33701741*" report states that Central Coast Council's load-based pollution reduction targets on an untreated urbanised catchment for TSS is 80%. Table 6.1 states that TSS % Reduction of the treated stormwater will be 68.7%

### Recommendation 7

BCD advises that the stormwater will require further treatment to meet the 80% reduction of TSS.

Our ref: OUT22/6202

Patrick Copas  
Planning and Assessment Group  
NSW Department of Planning and Environment

Email: [REDACTED]

15 June 2022

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Subject: **Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) – Environmental Impact Statement (EIS)**

Dear Mr Copas

I refer to your request for advice sent on 17 May 2022 to the Department of Planning and Environment (DPE) Water about the above matter.

The development involves the expansion of an existing regional distribution centre.

DPE Water has reviewed the EIS and has post approval recommendations to ensure appropriate management of water. Further detail can be found in **Attachment A** on the next page.

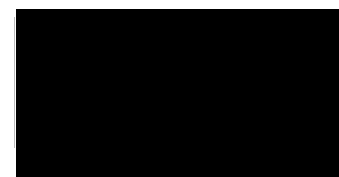
Please note that the licensing and approval function has now moved from NRAR to DPE Water. Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au) or to the following coordinating officer within DPE Water:

Alistair Drew – Project Officer

E: [REDACTED]

Ph: [REDACTED]

Yours sincerely

A large black rectangular redaction box covering the signature of Georgia McKeon.

Georgia McKeon  
Acting Manager, Assessments, Knowledge Division  
**Department of Planning and Environment: Water**

## Attachment A

### Detailed advice to DPE Planning & Assessment regarding the Woolworths Wyong Regional Distribution Centre Expansion (SSD-33701741) – EIS

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#### 1.0 Water Take

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##### 1.1 Recommendation – Post Approval

A water access licence with sufficient entitlements must be held for water take unless an exemption applies.

##### 1.2 Explanation

Should groundwater be intercepted a Water Access Licence (WAL) under the *Water Management Act 2000* must be obtained unless the take is less than or equal to 3ML of water per year for any aquifer interference activities listed in Clause 7 of Schedule 4 of the *Water Management (General) Regulation 2018*. For more information visit:

<https://water.dpie.nsw.gov.au/licensing-and-trade/licensing>.

#### 2.0 Works within Waterfront Land

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##### 2.1 Recommendation – Post Approval

Works within waterfront land should be in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).

##### 2.2 Explanation

The proposed outlets should be designed and constructed in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018). These Guidelines can be found at:

<https://water.dpie.nsw.gov.au/licensing-and-trade/approvals/controlled-activity-approvals>.

End Attachment A

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