



Your ref: SSD-71558711
Our ref: DOC26/161679

Nathan Stringer
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Department Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

2 April 2026

**Subject: Response to Submissions - Mixed use Precinct with infill affordable housing-
Hughes Avenue, Melrose Park South-West (SSD-71558711)**

Dear Nathan,

Thank you for your email dated 17 March 2026 seeking advice from the Conservation Programs, Heritage and Regulation (CPHR) Group of the of the NSW Department of Climate Change, Energy, the Environment and Water on the above State significant development application (SSD-71558711) located at 82 Hughes Avenue, Ermington.

CPHR has reviewed the *Melrose Park South-West Response to Submissions Report for SSD-71558711* (The Planning Studio, 12 March 2026) and accompanying technical reports and provides its comments and recommendations in Attachment A.

Whilst most of the key assessment issues raised at the Environmental Impact Assessment stage have been addressed, recommendations in the *Biodiversity Development Assessment Report* (ELA, 18 February 2026) to minimise bird strike need to be incorporated into the architectural plans. In addition, CPHR has recommended a number of conditions be imposed if consent is granted.

If you have any questions about this advice, please do not hesitate to contact the Central Metropolitan Team at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely,

Susan Harrison
**Senior Team Leader, Central Metropolitan
Conservation Planning and Assessments
Conservation Programs, Heritage and Regulation Group**

CPHR Response to Submissions advice - Mixed use Precinct with infill affordable housing- Hughes Avenue, Melrose Park South-West (SSD-71558711)

In preparing this advice, CPHR has reviewed the following documents:

- *Melrose Park South-West Response to Submissions Report for SSD-71558711* (The Planning Studio, 12 March 2026) (RtS)
- *Ecological Response to Submission Summary* (ELA, 18 February 2026)
- *Biodiversity Development Assessment Report* (ELA, 18 February 2026) (BDAR)
- *Biodiversity Management Plan* (ELA, 18 February 2026) (BMP)
- *Vegetation Management Plan* (ELA 18 February 2026) (VMP)
- *Arboricultural Impact Assessment and Method Statement* (Naturally Trees, revision B, 12 February 2026) (AIA)
- *Melrose Park South (West) – Response to Submission Flooding* (Lyll & Associates, 6 March 2026).

Biodiversity

Key Assessment Issues

1.	Overshadowing Impacts to mangroves	The BDAR includes a detailed assessment of shading impacts using several approaches. The robustness of these approaches, including the reasonableness of the underlying assumptions, is uncertain. It is also noted that shading during the autumn and spring equinox periods has not been quantified, as no corresponding diagrams have been provided. The BDAR concludes that shading impacts on the mangroves and saltmarsh are unlikely to be significant. Despite concerns with the robustness of the approaches, this is considered a reasonable conclusion. Recommended action DPHI as the consent authority to determine whether the shading impacts to the mangroves are consistent with clauses 6.7(2) and 6.28(1)(g) and (h) of the State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021 and clause 2.7(4) of the SEPP (Resilience and Hazards).
	Extent and timing	Pre-determination
2.	BDAR – bird collision mitigation	The BDAR includes an assessment of bird collision risk and provides a range of recommendations to minimise bird strike. However, these recommendations do not appear to have been incorporated into the architectural plans. Recommended actions • Update the architectural plans, in consultation with a suitably qualified ecologist or avian specialist, to incorporate measures that minimise bird collision risk. • Update the BDAR to clearly demonstrate how the proposed building design and materials respond to and mitigate bird collision risk.
	Extent and timing	Pre-determination

3.	Trigger Action Response Plan (TARP)	Section 6.4 of the VMP states that the TARP will monitor shading impacts on saltmarsh for only 10 years, which is insufficient to determine whether impacts are occurring. Also, the TARP states that if impacts are detected, that the response will be determined by DPIRD Fisheries. CPHR considers that the response should include a commitment to offset impacts if appropriate. Recommended action • Amend the duration of the monitoring to be decadal rather than 10 years. • Amend the relevant responses in Table B3 to state that if an impact is detected that the response is to be determined by DPIRD Fisheries and may include offsetting impacts.
	Extent and timing	Pre-determination
4.	Biodiversity Development Assessment Report (BDAR) – Light Management Plan	The BDAR proposes that a Light Management Plan be prepared during the detailed design phase. Recommended action Apply a condition of consent requiring the preparation of the Light Management Plan prior to issuing a Construction Certificate. The plan to be prepared by a full Member of the Illumination Engineering Society Australia and New Zealand in consultation with a suitably experienced ecologist. The plan is to include: • details of proposed monitoring and compliance auditing procedures as well as responsible personnel • adaptive management actions • incorporation of the recommendations outlined in the BDAR. The plan is to be consistent with the following guiding documents: • National Light Pollution Guidelines for Wildlife (Migratory Shorebirds) • Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebird Species • Section 8.2.6.5.9 of the Parramatta Development Control Plan 2023.
	Extent and timing	Condition of consent
5.	Inclusion of recommendations in appendices in any conditions of consent	A number of the RtS appendices include recommendations that should be included in any conditions of consent. Recommended action If consent is granted, include conditions that require implementation of the following: • the mitigation measures in the BDAR • the tree protection measures in the AIA • the Biodiversity Management Plan • the Vegetation Management Plan.
	Extent and timing	Conditions of consent

Flood Risk Management

Key Assessment Issue

6.	Flood Impact and Risk Assessment (FIRA)	CPHR previously recommended that the FIRA be updated to include a hazard map for the probable maximum flood (PMF) event and show the location of the proposed driveway for each building. The recommended hazard map for the PMF has not been provided. CPHR has however reviewed the information regarding flood planning levels in the response to Council issues in Appendix 21 Flooding Advice in the RtS. The response confirms that PMF protection is provided to all basement entry points. Review of the architectural drawings indicates that the basement entry is uphill of the high hazard area. This is considered to manage the risk of water entry to the basement. Detailed design should ensure that all ventilation and other openings are given the same level of protection. Recommended action Apply a condition of consent requiring the detailed design to demonstrate that basement ramp crests, lift lobbies, ventilation openings and any other potential basement water entry points are protected to the PMF level.
	Extent and Timing	Condition of consent

End of submission