Department of Climate Change, Energy, the Environment and Water

Your ref: SSD-89441959
Our ref: DOC25/632689

Ryan White
Team Leader
Department, Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

By email: ryan.white@dpie.nsw.gov.au

11 August 2025

Subject: Request for SEARs- Mixed Used residential development including affordable housing at Leeds Street and Averill Street, Rhodes (SSD-89441959)

Dear Ryan,

I refer to the 31 July 2025 request for input from the Conservation Programs, Heritage and Regulation (CPHR) Group of the Department of Climate Change, Energy, the Environment and Water on the Planning Secretary's environmental assessment requirements (SEARs) for the above project.

CPHR has reviewed the Scoping Report prepared by Urbis Pty Ltd dated 23 July 2025 and recommends the applicant address the requirements below and attached.

Biodiversity assessment requirements
In relation to point 4 of the recommended biodiversity environmental assessment requirements, please note the minimum information and spatial data requirements are in Tables 24 and 25 of the Biodiversity Assessment Method 2020 (BAM). Other requirements, such as those relating to the BAM Calculator and Biodiversity Offset Assessment Management System, are detailed in the guides, tools and databases webpage.

Please contact Greater Sydney Planning team at Khatera.tokhi@dcceew.nsw.gov.au should you have any queries regarding this advice.

Yours sincerely

Louisa Clark
Director, Greater Sydney Branch
Regional Delivery
Conservation Programs, Heritage and Regulation Group

CPHR Environmental Assessment Requirements
SEARs request at Leeds Street and Averill Street, Rhodes (SSD-89441959)

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* (BC Act), the Biodiversity Assessment Method 2020 (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the BC Act (s.6.12), *Biodiversity Conservation Regulation 2017* (s.6.8) and the BAM, including an assessment of the impacts of the proposal including an assessment of impacts prescribed by the regulations.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
   - The total number and classes of biodiversity credits required to be retired for the development/project.
   - Any proposal to make a payment to the Biodiversity Conservation Fund.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s.6.10 of the BC Act.

Flood Risk Management

City of Canada Bay does not have an adopted flood study for this area. The area has been identified in the Rhodes East Priority Investigation Area Hydrology and Flooding Report Jacobs 21 December 2016. This report will require updating to current flood study requirements to allow a FIRA to be prepared or a stand-alone flood study will be required to support the proposal.

6. The EIS must include a flood impact and risk assessment (FIRA) prepared in accordance with the Flood Risk Management Guideline LU01 Flood impact and risk assessment. The FIRA is to be prepared by suitably qualified engineers with experience in flood risk management in NSW. As a minimum the FIRA must:
   - Identify and describe post development scenario(s) for flood behaviour, constraints and risk on the site and its surrounding areas for the full range of abovementioned events. Details of the development must be included in the verified models.
   - Provide mapping of flood behaviour for existing conditions and post development scenarios for both mainstream flooding and local overland flooding for the 5%, 1%, and 0.5% or 0.2% AEP and PMF as well as the 1% AEP and PMF behaviour under climate change. Climate change is to include both sea level rise and climate induced rainfall increases. Rainfall data from the Bureau of Meteorology data hub is to be scaled to reflect current rainfall in accordance with the recommendations in ARR4.2.
   - Identify and describe the flood constraints on the land (floodways, flood storage, flood hazard and emergency response issues) for the full range of abovementioned events, for both mainstream flooding and local overland flooding.
   - Assess the appropriateness of the development or development types for the location based on the flood constraints on the land.
   - Identify the impacts of the development on flood behaviour and risk for the abovementioned flood events.

- Risk mitigation for proposed development on site is to include protection of all basement entry points (including lift shafts and ventilation openings) for both riverine and overland flooding by passive protection methods to the PMF or flood planning level inclusive of sea level rise, whichever is higher.
- Identify and assess the adequacy of management measures and controls to:
  - effectively address flood constraints to ensure the flood risks to the proposed development and its users are acceptable, and
  - manage flood and associated emergency management impacts due to the development on existing communities and individual property owners and occupiers. Note the Jacobs report (noted above) identifies that Blaxland Ave is impacted by high hazard flooding in the PMF event. The significant increase in residential population is to form part of the risk assessment.
- Address flood-related emergency response issues and site access arrangements, in accordance with Flood Risk Management Guideline EM01 Support for Emergency Management Planning.
- Assess climate change impacts on flood behaviour in accordance with Flood Risk Management Guideline FB01 Understanding and managing flood risk.
- Portions of any development with foreshore frontage must assess the existing adequacy of any seawalls at the property frontage. Consideration is to include structural adequacy and risk of overtopping for PMF peak and future 1% AEP event with sea level rise. Methods of strengthening or replacement are to be included in the assessment.

Note: Flood modelling is to be undertaken by a suitably qualified engineer consistent with Council's requirements and Australian Rainfall and Runoff. Flood behaviour includes flood volume, extent, depth, level, velocity, duration, rate of rise, flood function and hazard. Flood risk is a function of flood behaviour, exposure and vulnerability for each element at risk. Impacts of flooding include changes to flood behaviour and risks to the community including emergency management response for the community.

Water and soils

7. The EIS must map the following features relevant to water and soils including:
   - Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
   - Rivers, streams, wetlands, estuaries (as described in s.4.2 of the BAM).
   - Wetlands as described in s.4.2 of the BAM.
   - Groundwater.
   - Groundwater dependent ecosystems.
8. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
   - Existing surface and groundwater.
9. The EIS must assess the impact of the development on hydrology, including:
   - Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
   - Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
   - Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).

End of Submission