



Our ref: DOC19/1034158
Senders ref: SSD 10404 (Fairfield)

David Koppers
Senior Environmental Assessment Officer
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Koppers,

Subject: Request for SEARs for Horsley Drive Stage 2, Building 1 (SSD 10404) (Fairfield City)

Thank you for your letter received on 19 November 2019, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment on the SEARs for the Horsley Drive Stage 2 (SSD 10404) (Fairfield City).

EES has reviewed the draft SEARs and the scoping report prepared by Ethos Urban dated 19 November 2019 and provides the following comments and recommendations its comments at **Attachment A**.

Aboriginal Cultural Heritage

EES recommends the SEARs include the attached Aboriginal cultural heritage requirements.

Biodiversity

EES recommends the SEARs include the attached biodiversity requirements.

Flooding

EES recommends the SEARs include the attached flooding requirements.

Soil and Water

EES recommends the SEARs include the attached water and soils requirements.

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or Bronwyn.smith@environment.nsw.gov.au.

Yours sincerely

S. Harrison 28/11/19

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Climate Change and Sustainability

Attachment A – EES Environmental Assessment Requirements – Horsley Drive Stage 2, Building 1 SSD 10404 (Fairfield City)

Aboriginal cultural heritage

1. Identify and describe the Aboriginal cultural heritage values that exist across the whole area that would be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010), and guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011).
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

Note that due diligence is not an appropriate assessment, an ACHAR is required.

Biodiversity

4. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).
5. 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 Biodiversity Assessment Method.
6. 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;
- The number and classes of like-for-like biodiversity credits proposed to be retired;
- The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
- Any proposal to fund a biodiversity conservation action;
- Any proposal to conduct ecological rehabilitation (if a mining project);
- Any proposal to make a payment to the Biodiversity Conservation Fund.

If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.

7. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM.
8. 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 s6.10 of the Biodiversity Conservation Act 2016.

Water and soils

9. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems
 - f. Proposed intake and discharge locations
10. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - a. Existing surface and groundwater.
 - b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - c. Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/leo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.

- d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.
- e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>

11. The EIS must assess the impacts of the development on water quality, including:

- a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
- b. Identification of proposed monitoring of water quality.
- c. Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan).

12. The EIS must assess the impact of the development on hydrology, including:

- a. Water balance including quantity, quality and source.
- b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
- c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
- d. 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).
- e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
- f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
- g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal hazards

13. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
 - a. Flood prone land.
 - b. Flood planning area, the area below the flood planning level.
 - c. Hydraulic categorisation (floodways and flood storage areas)
 - d. Flood Hazard.
14. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
15. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
 - a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
16. Modelling in the EIS must consider and document:
 - a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
 - b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
 - c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
 - d. Relevant provisions of the NSW Floodplain Development Manual 2005.
17. The EIS must assess the impacts on the proposed development on flood behaviour, including:
 - a. Whether there will be detrimental increases in the potential flood affection of other properties, assets and infrastructure.
 - b. Consistency with Council floodplain risk management plans.
 - c. Consistency with any Rural Floodplain Management Plans.
 - d. Compatibility with the flood hazard of the land.
 - e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.

- f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
- i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
- j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
- k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)



DOC19/1033196-01
SSD 10404

David Koppers
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

David.Koppers@planning.nsw.gov.au

3 December 2019

Dear David

New Request for Advice - Horsley Drive Stage 2 - Building 1 - SSD 10404 - Fairfield City

I refer to the request for advice for Horsley Drive Stage 2 - Building 1 (SSD 10404), Fairfield City LGA, received by the Environment Protection Authority on 26 November 2019.

On the basis of the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA does not consider that the proposal will require an Environment Protection Licence (EPL) under the POEO Act.

Accordingly, the EPA has no comments regarding the proposal and has no further interest in this proposal.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jacqueline Ingham'.

JACQUELINE INGHAM
Unit Head - Regulation Unit North
Environment Protection Authority



3 December 2019

TfNSW Reference: SYD19/01554/01 (A30190464)

DPIE Reference: SSD 10404

David Koppers
Department of Planning and Environmental
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

REQUEST FOR SEARS HORSLEY DRIVE BUSINESS PARK - CNR COWPASTURE ROAD AND TRIVET STREET,

Reference is made to Department of Planning and Environment's correspondence dated 27 November 2019 requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the *Secretary's Environmental Assessment Requirements (SEARs)*.

TfNSW would like the following issue to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required). The key intersections to be examined/modelled is to include but is not limited to:
 - Cowpasture Road/ The Horsley Drive; and
 - Elizabeth Street/Victoria Street.
2. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e.; turn paths, sight distance requirements, aisle widths, etc.).
3. Proposed number of car parking spaces and compliance with the appropriate parking codes.
4. Details of service vehicle movements (including vehicle type and likely arrival and departure times).

If you have any further questions please direct attention to Mr Reynaldo Bito-on, Development Assessment Officer at TfNSW via email to development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely,

A handwritten signature in black ink, consisting of several loops and a vertical stroke, likely representing the name Amanda Broderick.

Amanda Broderick
A/ Senior Land Use Planner

11 December 2019

Contact: *Justine Clarke*

Telephone: *02 9865 2402*

Our ref: *D2019/143454*

Ms Joanna Bakopanos
Industry Assessments
Department of Planning, Industry & Environment
320 Pitt Street
SYDNEY NSW 2001

Dear Ms Bakopanos

Horsley Drive Stage 2 – Building 1 – Request for SEARs (SSD 10404)

Thank you for your email dated 26 November 2019 requesting WaterNSW's input into the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above proposal. The proposed development would include construction and 24-hour operation of the first warehouse building on the site for the receipt, storage, handling and distribution of food and groceries associated with on-line retail.

WaterNSW understands the site (Lots 17-23 in DP 13961) was the subject of a Concept Plan and Stage 1 earthworks approval for the development of general industrial, light industrial, warehouse and distribution uses (SSD 7664 – November 2017).

WaterNSW owns and manages the Upper Canal Corridor that forms the western boundary of Horsley Drive Business Park. The corridor is categorised as a 'Controlled Area' under the *Water NSW Act 2014* and its associated Regulation. The Upper Canal is a critical component of Sydney's bulk water supply infrastructure and is also State Heritage listed. Public access is prohibited unless a written access consent has been issued by WaterNSW. Notwithstanding, WaterNSW acknowledges the public shared pathway that has been constructed within the Canal corridor immediately adjacent to the subject site, which is managed as part of the Western Sydney Parklands. WaterNSW retains ownership of the entire corridor.

The location of the proposed warehouse is in the south-west corner of the lots, adjacent to and downslope of the Upper Canal corridor. To ensure the development does not have any impacts on water flows, water quality, the structural integrity or the heritage significance of the Upper Canal System, WaterNSW requests the following points be included in the SEARs and addressed in the subsequent Environmental Impact Statement (EIS) for the proposed works.

- WaterNSW Guidelines – WaterNSW requests the proponent address WaterNSW's 'Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines' in the EIS to protect Sydney's critical water supply infrastructure.
- Risk assessment – an assessment of the risks to the integrity and security of the Upper Canal corridor that may result from the development and the proposed measures to mitigate against those risks and impacts.
- Consent conditions – all consent conditions issued for SSD 7664 related to this development should be addressed including how landscape setbacks are achieved.
- Consultation – WaterNSW requests we are consulted during the preparation of the EIS to ensure the development considers all the impacts to the Upper Canal corridor.

- Soils and Water –
 - Surface water is currently conveyed through a series of flumes and culverts across the corridor and then flows onto the subject site. The EIS should demonstrate how stormwater systems for the development will be designed to accommodate and not impede any upstream flows from systems that convey stormwater across, along or under the Upper Canal. The stormwater management system should ensure it makes allowance for all flow emanating from land to the west of the Upper Canal as well as from the corridor itself.
 - Should the ground level of the development site be raised, the EIS may also need to show how stormwater management systems will retain stormwater within the development site and prevent any flows from entering the Upper Canal corridor. All stormwater structures associated with the development should be kept within the development site.
 - In order to manage the environmental impacts that may arise from dam dewatering, the EIS should consider the quality and quantity of the water to be released; the fate of the water; any impacts to native, threatened or protected species; relocation of displaced native fauna; and the spread of nuisance flora and fauna species.
- Western Sydney Parklands – the EIS should demonstrate how the development meets the provisions *within State Environmental Planning Policy (Western Sydney Parklands) 2009* specifically clauses 12 and 13.
- Heritage – the EIS should consider the heritage status of the Upper Canal and any impacts the proposed development will have on the heritage fabric of the corridor.
- Erosion and Sediment control plans – the EIS should consider any impacts from sediment or polluted run-off, and airborne dust emissions on the quality of the water in the Upper Canal. This should include mitigation measures for the prevention of impacts on the corridor and the open waters of the Upper Canal.
- Earthworks:
 - the EIS should detail the measures being taken to prevent any impacts on the Upper Canal corridor from any earthworks occurring adjacent to the boundary, including how sediment or polluted run-off will be prevented from entering the corridor, and dust suppression measures to prevent dust blowing into the open waters of the Upper Canal.
 - WaterNSW requires the proponent outlines plans in the EIS for any retaining walls or similar structures where they are planned to be installed along the boundary with the Upper Canal for WaterNSW assessment.
- Security – the EIS should address the need for a security fence to be erected to WaterNSW's standards on the boundary of the development site and the Upper Canal corridor, with the existing rural fencing being removed. The fencing required is either a 2.1 metre chain mesh fence with three barbed wire strands on top, or a 2.1 metre palisade fence.

WaterNSW would appreciate being advised when the EIS is exhibited for further review, and requests the Department continues to consult with us on any development that may impact on our assets, infrastructure or land, using the email address Environmental.Assessments@waternsw.com.au.

If you have any questions regarding this letter, please contact Justine Clarke at justine.clarke@waternsw.com.au.

Yours sincerely



CLAY PRESHAW
Manager Catchment Protection



In reply please quote: SSD-10404

Contact: Kerren Ven on 9725 0878

11 December 2019

David Koppers
Industry Assessments
Department of Planning, Industry and Environment,
320 Pitt Street,
SYDNEY NSW 2000

Dear Mr Koppers,

REQUEST FOR ADVICE: SEARS - HORSLEY DRIVE STAGE 2 - BUILDING 1 (SSD-10404)

I refer to your recent email dated 26 November 2019 requesting comments from Council in relation to the above matter.

Council officers consider that the EARs Scoping Report prepared by Ethos Urban dated 19 November 2019 as outlined under section 7 of the report generally outlines the information and key issues relevant to the proposal that is required to be addressed in the SEARs.

In addition, Council requests that the following specific matters be addressed:

Planning matters

i. Limits of consent

Condition A10 of SSDA 7664 approved for stage 1 works and stage 2 concept development requires any future development to be consistent with approved development controls set out in Table 1 of the consent. Detailed plans showing the dimensions and scale of the development must be provided as part of the EIS ensure compliance with SSDA 7664.

ii. Heritage impact

The subject site adjoins the state heritage listed Upper Canal System. A Heritage Impact Statement may be required to be prepared as part of the EIS. Comprehensive consultation shall be undertaken with Office of Environment and Heritage prior to development application lodgement.

iii. Bushfire prone land

The subject site is identified as bushfire prone land by the NSW Rural Fire Service. A bushfire protection assessment shall be carried out. The development may need to accommodate for perimeter fire-access roads and asset protection zones. Comprehensive consultation shall be undertaken with the NSW RFS prior to development application lodgement.

iv. Landscaping requirements

Concern is raised in relation inconsistency between the indicative master plan and proposal, particularly in regards to the lack of landscape setbacks along Cowpasture Road.

A 10 metre fully landscape setback to Cowpasture Road shall be proposed to be consistent with other large scale warehouse distribution/industrial facilities in the Fairfield LGA. At the secondary frontage at the north elevation (unnamed road), a minimum of 7.5 metres of landscaping shall be proposed.

Landscaped setbacks shall include canopy trees whose mature height is in scale with the proposed development to screen any acoustic barrier, blank walls or loading docks from nearby sensitive receivers and along the canal to comply with condition B13 and B11 of SSDA 7664.

Further, screen planting with evergreen shrubs and trees shall screen car parks, vehicular manoeuvring areas and storage areas, tree planting in the form of island planter beds should be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat effect and soften hard surfaces. Retaining walls in excess of 3 metres along street edges or external boundaries should be in a stepped form with landscaped areas between level changes to soften to visual impact of the retaining walls.

v. Stage 2 concept plans for future warehouses

The current proposal involves the consolidation of the approved warehouse 1 and 2, south of the subject site. SSDA 7664 that was granted consent for the concept plan of the overall stage 2 development including four warehouses, which the two warehouses north of the subject site will be subject to a future development application. The EIS shall provide indicative conceptual plans for the future stage development to determine the impact of the development and surrounding area.

vi. Building design

Industrial and warehouse faces oriented towards Cowpasture Road should be articulated using architectural elements and avoid long expanses of unbroken blank walls. Where industrial and warehouse components incorporate commercial office spaces, building facades should include appropriate fenestration.

Materials used should achieve a balance solid surfaces (that may include coloured metal cladding, masonry or brick) and vertical walling which contains large areas of glass.

vii. Consultation with stakeholders

Consultation with the relevant stakeholders including TransGrid, Water NSW, Western Sydney Parklands Trust and nearby rural residential interface etc shall be undertaken prior to the lodgement of the SSDA, to determine the impacts of the development on infrastructure services in proximity of the site and affected properties in terms of noise, odour, vibration, overshadowing, privacy, excessive bulk etc.

viii. Section 94A Contributions

A Cost Report shall be submitted as part of the EIS to determine the cost of s94A Contribution levy of the development in accordance with Council's Indirection (Section 94A) Development Contribution Plan 2011).

Traffic matters

The following matters raised by Council's Traffic Engineers shall be addressed within the EIS:

1. A Traffic Impact Assessment detailing daily and peak traffic and traffic movements likely to be generated as a result of the proposal (vehicle, public transport, pedestrian and cycle trips), including vehicle access routes and the impacts on nearby intersections, including The Horsley Drive/Cowpasture Road, Newton Road/Cowpasture Road, Cowpasture Road/Victoria Street, Trivet Street/Cowpasture Road and Cowpasture Road/Burilda Close.
2. An assessment of the existing and future performance of key intersections providing access to the site including any upgrades to the roads or intersections required as a result of the development. The assessment will need to be supported by appropriate modelling and analysis to the satisfaction of Roads and Maritime Services.
3. As Chandos Road and Trivet Street are 5 tonne load road, limited heavy vehicle access shall be restricted via those roads.
4. An assessment of proposed loading docks, servicing provisions and access arrangements to loading docks shall be addressed.
5. Details of access and parking arrangements for emergency vehicles shall be submitted as part of the EIS.
6. The installation of a single roundabout at the intersection of Trivet Street/Cowpasture Road requires approval from Fairfield Traffic Committee, consultation with Council's Traffic and Transport Department is required.

7. The installation of a roundabout requires changes to the access arrangements to adjacent properties which will require consent from the affected stakeholders.
8. Construction Traffic Management Plan shall be submitted with details of vehicle routes, number of trucks, hours of operation, access arrangement and proposed traffic control measures for all stages of construction.
9. Details of the likely dangerous goods to be transported on arterial and local roads to and from the site, if any, and the preparation of an incident management strategy if relevant.
10. The EIS must demonstrate appropriate provisions, design and location of on-site bicycle parking and how bicycle provisions will be integrated with the existing bicycle network.
11. The impact of the development on the Southern Link Road connection to Victoria Street shall be addressed within the EIS.
12. All loading and unloading activities shall be carried out within the designated areas inside the building. Swept path diagrams shall be submitted for the largest vehicles proposed to service the site. Vehicular access to the site and all parking spaces shall be designed in accordance with AS 2890.1-2004 and AS 2890.2:2002.
13. Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by the use of raised and textured surfaces. As far as possible, pedestrian access through carparks should be kept separate from vehicle access ways.

Catchment Branch comments

The Site Plan prepared by Leffler Simes Architects drawing no. SK-01 dated October 2019 shows that stormwater management systems have been removed as part of the development including the major drainage channel to the south of the site and the stormwater quality improvement and stormwater detention to the eastern side of the site.

The stormwater management systems included as part of the concept plan are critical to resolve the flooding issues on site and impact on adjoining sites. The location of the stormwater quality improvement and stormwater detention must be reinstated in the location and designed to accommodate the new layout of the development. If this is not undertaken, a full modelling assessment of flood impacts is required.

Furthermore, the overland flood flows were being passed through the centre of the site in a westerly direction towards a stormwater detention basin. The flowpath for these flows have not been accommodated in this design, and must be included as part of the development.

A stormwater detention basin on north western side of site will need to be included in this phase of works as the sites OSD in accordance with Council's Stormwater Management Policy Sept 2017. The design will also need to accommodate any development on the site, specifically Warehouse 1 & 2 of the stage 2 development that is subject to future development consent.

The site will need to include and address Council's Water Conservation requirements for industrial development as per Chapter 5 of FCC's Stormwater Management Policy.

Development Engineers comments

Due to the flood affectation of the site a Flood Risk Management Report prepared by a qualified consultant shall be included in the submission to demonstrate that the proposal fully complies with Chapter 11 of Council's DCP. In particular, a Flood Impact Assessment Report prepared by an engineer based on Council's adopted flood model shall be submitted to Council. Proposed overland flow path through the site shall be superimposed on the site plan.

Biodiversity impact

The Scoping Report dated 19 November 2019 by Ethos Urban, states that *SSDA 7664 for Concept Plan and Stage 1 Earthworks* approval included a full assessment of biodiversity impacts of the Stage 1 development, which concluded that the overall biodiversity values of the site were low. Appropriate measures were conditioned as part of SSDA 7664 consent to ensure the impact of the development on the native vegetation is protected. The Scoping Report states that a s4.55 modification application will be submitted for the Stage 1 works to address changes to the stage 1 development area and a BDAR waiver request will be submitted as part of the EIS.

The proponent shall provide receipt of the retired 38 ecosystem credits and apply the Biodiversity Assessment Method (BAM) to determine if any further modifications to the approved concept plan will alter the assessment described in the Biodiversity Assessment Report prepared by EcoPlanning Pty Ltd dated 24 November 2016.

Furthermore, any changes to the scope including the development footprint, vegetation removal, vegetation protection, direct and indirect impacts on fauna will require a Test of Significance, and if triggered, follow the Biodiversity Offset Scheme requirements in accordance with s7.2 of the Biodiversity Conservation Act 2016.

Council appreciated the opportunity to comment on this matter and I hope the above is of assistance.

Yours faithfully



Kerren Ven
STRATEGIC PLANNER