

15 January 2016

Peter McManus
NSW Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

**State Significant Development 7235
Proposed Warehouse and Distribution Facility, 2 & 12 Hume Highway Chullora (Lot 12 in
DP834734 & Lot 1020 in DP871836) - Response to Submissions**

Dear Peter,

On behalf of Commercial & Industrial Property Pty Ltd (CIP), Charter Hall Core Plus Industrial and Bieson Pty Limited as Trustee of the CPIF Hume Highway Logistics Fund, please find enclosed the response to the submissions received in relation to SSD 7235 for the proposed Warehouse and Distribution Facility at 2 & 12 Hume Highway, Chullora (Lot 12 in DP834734 & Lot 1020 in DP871836).

The application was exhibited for a total of 28 days from 11 November to 11 December.

In total, 13 submissions were received in relation to the proposal. The content of these submissions and the relevant responses are detailed in the table attached.

Enclosed are the following attachments which form part of the response and support the comments provided:

- **Appendix 1** – Visual Perspective
- **Appendix 2** – Early Works Conditions of Consent (DA 1246/2015)
- **Appendix 3** – Location of 'No Stopping' signs proposed at Worth Street.

It is kindly requested that the Department review the enclosed responses and notes them accordingly as part of the assessment of the proposal.

Should you require further information, please contact the undersigned.

Yours faithfully,



Andrew Cowan
Senior Associate
Willowtree Planning Pty Ltd
ACN 146 035 707

Table 1: Proponent Response to Agencies

Agency Comment/Condition	Proponent Response
NSW DPE – submission dated 18 December 2015	
1. <i>Details of the status of the early works and bulk earthworks development application (DA 1246/2015) lodged with Bankstown City Council, be provided;</i>	Early works conditions of consent (DA 1246/2015) were received on 11 January 2015, see Appendix 2 .
2. <i>Details of the expected hourly operating capacity of the proposed facility and associated vehicle movement input/throughput (PUD vehicles etc) to demonstrate the proposed capacity of the facility is consistent with the predicted traffic generation;</i>	Transport and Traffic Planning Associates (TTPA) assessed the impact of the proposed development on the operational performance of the access intersections during peak periods by modelling (in SIDRA 6) traffic impacts caused by an additional 107 vehicle trips per hour (vtph). This peak traffic generation rate reflects the ultimate capacity of the modern, automated distribution facility proposed, and is consistent with the RMS adopted figures for large contemporary warehouse / distribution uses. It is noted that given the nature of the 24/7 use at the site the traffic peaks from the site are typically outside the road network peaks (generally between 7am to 9am and 4pm to 6pm) for business efficiency. It is envisaged the facility will ultimately operate three shifts over a 24-hour period. The morning shift will be 5am to 12.50pm; afternoon from 1pm to 8.50pm; and night from 9pm to 4.50am. The staffing mix will include full and part-time employees and contractors with total car visitations at ultimate capacity being approximately 322 over a 24 hour period. The number of vehicles over this period that are less than 4 tonne will be approximately 925, including 230 contractors in light delivery vehicles arriving onsite at 5am for pick-up then dispersing intermittently when loaded and parking off-site at the end of their shift. The total number of vehicles greater than 4 tonne is expected to be approximately 444. TTPA modelled the worst-case traffic scenario during peak network times at 107 vtph which is consistent with the vehicle movements at ultimate capacity operating three shifts over 24 hours.

3. Clarification of the gross floor area (GFA) of each development component of the proposed development (please note that awning GFA is not applicable); and	Area	m ²
	Warehouse GFA	39,225
	Office GFA	3,580
	Café/Ground Floor Lobby GFA	360
	Raised Pedestrian Walkway GFA	125
	Total	43,290
4. Details of the proposed use, treatment, and on-going maintenance of the residual site area east of the proposed development be provided, which comprises existing car parking and site access.	Currently there is no proposed use for the residual site. The land will be serviced and benched in accordance with the local authority requirements in preparation for a suitable development. Any future development of this land will be subject to further detailed assessment.	
NSW RMS – submission dated 10 December 2015		
5. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Hume Highway boundary.	Noted and agreed. No objection is raised to a condition of consent to this effect.	
6. Should the post-development stormwater discharge into the Roads and Maritime drainage system exceed the pre-development discharge, detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 88492766	Noted and agreed. No objection is raised to a condition of consent to this effect.	
7. The developer shall be responsible for all public utility	Noted and agreed. No objection is raised to a condition of consent to this	

<i>adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.</i>	effect.
<i>8. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Hume Highway during construction activities.</i>	Noted and agreed. No objection is raised to a condition of consent to this effect.
<i>9. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Hume Highway.</i>	Noted and agreed. No objection is raised to a condition of consent to this effect.
<i>10. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.</i>	Noted and agreed. No objection is raised to a condition of consent to this effect.
Sydney Water - submission dated 25 November 2015	
<i>1. Water</i> ▪ <i>The drinking water main available for connection is the 200mm main on the eastern side of Sydney Road.</i> ▪ <i>Detailed drinking water requirements will be provided at the Section 73 application phase.</i>	The existing Fairfax building is connected to a 450mm diameter drinking water main in Worth Street. CIP contacted Sydney Water and it was agreed that the most suitable connection point for the proposed development will be determined through the subsequent section 73 application process.
<i>2. Wastewater</i> ▪ <i>The wastewater main available for connection is the 225mm main constructed within the property boundaries.</i> ▪ <i>Detailed wastewater requirements will be required at the Section 73 application phase.</i>	Noted and agreed. No objection is raised to a condition of consent to this effect.
Office of Environment & Heritage - submission dated 7 December 2015	
<i>1. After reviewing the relevant documents, OEH's Greater Sydney Planning Team has concluded that the matter does not contain biodiversity, natural hazards and Aboriginal Cultural Heritage issues that require a formal OEH response. We have no need to be further involved in the assessment of the project.</i>	Noted and agreed.

NSW Heritage Council of NSW - submission dated 16 November 2015

- | | |
|--|--|
| 1. Prior to works commencing, the applicant must determine the exact location of the Sydney Water Pressure Tunnels to avoid unnecessary impact on their heritage significance. | Noted and agreed. No objection is raised to a condition of consent to this effect. |
| 2. If historical archaeological deposits or Aboriginal objects are discovered during works, work must immediately cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the finds. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. | Noted and agreed. No objection is raised to a condition of consent to this effect. |

NSW Environment Protection Authority - submission dated 18 November 2015

- | | |
|---|--|
| 1. On the basis of the information provided in the exhibition material, the proposal does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 (the Act). Accordingly, the EPA is unlikely to be the appropriate regulatory authority for the warehouse and distribution centre and an environment protection licence (EPL) for scheduled development works and/or scheduled activities is not required.

However, if future tenants' use of the buildings constitutes a Scheduled Activity under Schedule 1 of the Act, the premises will require an EPL prior to undertaking the activity, as well as likely requiring further environmental assessment. | Noted and agreed. No objection is raised to a condition of consent to this effect. |
|---|--|

Australian Rail Track Corporation – submission dated 27 August 2015

- | | |
|--|---|
| 1. The proposal does not adjoin ARTC network (it is approximately 400m from the ARTC rail corridor). | Noted and agreed. No further investigation is required in relation to the ARTC rail corridor. |
|--|---|

Public Submission - submission dated 15 November 2015

- | | |
|---|---|
| 1. It is requested that parking be provided within the subject development site to cater for PRIMO meats. | There are insufficient car parking spaces available onsite to cater for over-flow demand from other local businesses. |
|---|---|

2. *It is requested that dust and noise be minimised as a result of the construction and operation of the development.*

All necessary measures will be imposed as part of the construction and operation of the proposed facility. These include:

Air Quality

Construction

Nuisance and Dust Control Measures

Typically, emissions from these processes can be minimised through the implementation of water spraying, particularly during periods of heavy onsite activity.

Other dust mitigation measures that may be implemented during the construction phase include:

- *Removal of silt and other material from around erosion and sediment control structures to ensure deposits do not become a dust source.*
- *Amending dust-generating construction activities during adverse meteorological conditions, such as strong winds blowing in the direction of sensitive receptors. A wind sock should be installed and be visible to all areas of an active construction site to assist in reactive response procedures (ie to determine when construction activities should be postponed, minimised or relocated in windy conditions).*
- *Minimising the use of material stockpiles and ensuring sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.*
- *Erecting solid screens or barriers around dusty activities or the site boundary to prevent windblown dust being transported offsite.*
- *Ensuring fine powder materials are delivered in enclosed tankers and stored in silos to prevent escape of material during delivery.*
- *Ensuring smaller bags of powder materials are sealed after use and stored appropriately.*
- *Minimising drop heights from loading shovels and other loading / unloading equipment and using fine water sprays on such*

equipment where appropriate.

- *Ensuring vehicles entering/exiting the site are covered to prevent escape of materials during transport.*

It is also proposed that plant and machinery and fuel storage areas are managed appropriately through bunding and provision of spill kits. On-going site management is also proposed including:

- *Visual inspection of dust generation.*
- *Ensure roads leaving the site are free of soil, and prevention of soil tracking onto the road network.*
- *Inspection of the erosion and sediment controls.*
- *Inspection of the waste storage areas.*
- *Inspection of any rehabilitated areas (where relevant).*
- *Ensure all hazardous goods, including fuel and oil, are adequately stored or banded.*
- *Ensure spill kits are appropriately located and stocked.*

During construction works, no air quality monitoring is considered to be necessary given the results predicted within this assessment. However, suspended particulate monitoring on the boundary in closest proximity to the Hume Highway will be performed to assist in dust management and to confirm the mitigation measures are being effectively implemented, especially in the morning periods when winds are more likely to transport material from construction works.

Operation

Control measures to be utilised for vehicles during the operational phase include:

- Ensuring vehicles are maintained in accordance with manufacturer's specifications.
- Minimising truck queuing and unnecessary trips through logistical planning of materials delivery and work practices.
- Ensure all vehicles switch off engines when stationary so that there are no idling vehicles.

During operation, no air quality monitoring is considered to be necessary, given the results of this assessment.

Noise

Mitigation measures proposed to be implemented during construction include:

- *scheduling construction activities such that the concurrent operation of plant is limited;*
- *preparation of a construction noise management plan (to be included in the project Environmental Management Plan) prior to construction to ensure that all employees understand and take responsibility for noise control at site;*
- *properly maintaining plant to ensure rated noise emission levels are not exceeded;*
- *undertaking construction activities guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";*
- *providing a contact telephone number via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintendent in a responsive manner.*

To mitigate any increase in noise levels, the following measures are included:

- *scheduling truck movements and loading dock operations such that concurrent operation of vehicles is minimised. This would include limiting onsite vehicle idling while loading;*
- *design traffic management to minimise the need for reversing especially during the night-time period; and*
- *preparation of an operational noise management plan (to be included in the project Environmental Management Plan) prior to operation to ensure that all employees understand and take responsibility for noise control at site.*

The proposal will maintain a sufficient level of amenity to surrounding properties to ensure that the construction and operation of the facility will

	have no undue impact.
Bankstown City Council – submission dated 11 December 2015	
1. The need to comply with the NSW Biodiversity Offsets Policy for Major Projects and the Framework for Biodiversity Assessment <i>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.</i> <i>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.</i> <i>The proposed development also does not consider the following principles in the Framework for Biodiversity Assessment:</i> ▪ <i>Impacts must be avoided first by using prevention and mitigation measures.</i> ▪ <i>All regulatory requirements must be met. Offsets must never reward ongoing poor performance.</i> ▪ <i>Offsets will complement other government programs.</i> ▪ <i>Offsets must be underpinned by sound ecological principles.</i> ▪ <i>Offsets should aim to result in a net improvement in biodiversity over time.</i> ▪ <i>Offsets must be enduring- they must offset the impact of the development for the period that the impact occurs.</i> ▪ <i>Offsets should be agreed prior to the impact occurring.</i> ▪ <i>Offsets must be quantifiable - the impacts and benefits must be reliably estimated.</i> ▪ <i>Offsets must be targeted.</i> ▪ <i>Offsets must be located appropriately.</i> ▪ <i>Offsets must be supplementary.</i> ▪ <i>Offsets and their actions must be enforceable through development consent conditions, licence conditions, conservation agreements or contracts.</i>	The FBA (Framework for Biodiversity Assessment) has been applied to the assessment as a best fit approach to this proposal, as no native vegetation (as defined under the Act) is proposed to be cleared. As such, ecosystem credit species do not warrant further consideration. Species credit species have been considered and addressed as required, with targeted surveys for Green and Golden Bell Frog (GGBF) undertaken to resolve any uncertainty regarding their occurrence. It is recommended that Council review the FBA and the information presented in the BAR (Biodiversity Assessment Report) for conformance with the required outputs. This comment also appears inconsistent with the findings of OEH (The Office of Environment & Heritage), who prepared and guide the FBA. Furthermore, the Office of Environment and Heritage has responded and confirmed that there is no objection to the proposal as outlined below: <i>"the matter does not contain biodiversity, natural hazards and Aboriginal Cultural Heritage issues that require a formal OEH response"</i> For the reasons stated above, the proposal is considered satisfactory in relation to the FBA and Biodiversity Offsets Policy.

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*

2. The need to consider Bankstown City Council's Biodiversity Strategic Plan and Bankstown Development Control Plan 2015-Part 811 (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*

The Office of Environment & Heritage responded on 15 December 2015 to Council's concerns as provided below:

"Table 9 of the Environmental Assessment Report provides a breakdown of the assessment of Green and Golden Bell Frog, Tadgell's Bluebell and Downy Wattle as it would be done under Section 6.5 of the Framework for Biodiversity Assessment (FBA) if the FBA was applied. This has, correctly, ruled out those species being present, so no offsets are required. The likelihood that the other two species mentioned in the letter, Australian Bittern and Black Bittern, use the site is extremely low.

All of the species mentioned, with the exception of the Grey-Headed

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

Flying-Fox (GHFF), are species credit species, and no offsets are required if surveys show they are not present. OEH notes that report has successfully done that.

Section 5.1.1.3 of the FBA states: "Areas that are not native vegetation (i.e. land not included in native vegetation extent) do not require further assessment in the FBA except where it is assessed as habitat for threatened species according to Section 6.4."

Section 6.4 of the FBA relates to species credit species. GHFF is only a species credit species where there is a camp. Together, these mean that the FBA cannot be applied to GHFF at this site. In addition, there is no significant foraging habitat for GHFF on-site. For these reasons, OEH does not consider that further investigation and assessment is required by the applicant".

In accordance with the response from OEH, it is considered that no further action is required.

All of the vegetation at the site was planted when the Fairfax development occurred in the mid 1990s. Before this, the site was significantly disturbed by extensive land remediation works following the former rail uses. The ecological values of the site are extremely low and its effectiveness to meaningfully contribute to a broader 'Core Conservation Corridor' is severely limited by the amount of surrounding development and lack of any connectivity to other areas of vegetation.

CIP discussed the 3:1 compensatory planting requirement with Council who is seeking a negotiated outcome for this development. CIP is still waiting on feedback from Council to resolve this.

In respect of Council's comments for a Management Plan for the Green and Golden Bell Frog the ecological consultant for the project, Biosis, advised:

<i>for the threatened green and golden bell frog. The report states:</i> <i>" an unanticipated threatened species finds procedure to be developed including fact sheets on threatened species likely to be encountered".</i> <i>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</i>	<i>"It is expected that this will be a condition of approval relating to the requirements of a Construction Environmental Management Plan and in our experience will typically look like – a procedure for dealing with unexpected EEC/threatened species identified during construction, including cessation of work and notification of the OEHL, determination of appropriate mitigation measures in consultation with OEHL (including relevant re-location measures) and updating of applicable plans or measure".</i> Based on the above, it is requested that DP&E impose a condition for a Management Plan for the Green and Golden Bell Frog should it be deemed necessary.
4. The need for flood impact analysis. <i>Council is concerned the proposed mass landfill of 405,000m³ will change the flood characteristics and worsen the off-site flood conditions.</i> <i>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.</i> <i>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:</i> <i>a) to minimise the flood risk to life and property associated with the use of land,</i> <i>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,</i> <i>c) to avoid significant adverse impacts on flood behaviour and the environment.</i> <i>The proponent must provide a flood study to assess flood impacts (on-site and off-site) in accordance with the NSW Floodplain Development Manual.</i>	Stormwater/flooding is addressed on page 32 of the EIS and comprehensively addressed in the Civil Design Report prepared by Costin Roe Consulting at Appendix 4 (in the EIS). A Stormwater System Report (SSR) has been obtained from Bankstown City Council (WP-SIA/342/2015) dated 23 March 2015. The SSR is included for reference in Appendix B of the Costin Roe Engineering Report and confirms that an overland flow or flooding study is not required for the development site. The report shows an overland flow path is located on the north-eastern corner of the site, associated with the Sydney Water Trunk Drainage Channel. Some ponding in Worth Street is present near the low point in the road and existing site entry. This ponding is also associated with the trunk drain and local flow around the low point of the road. The 1 in 100 year flood level is shown in the SSR to be sited at levels which vary between RL 29m and RL 30m. The existing building is at approximate level of RL 34m and has suitable flood immunity to the overland flow paths and flooding around the site. No additional requirements relating to flooding are recommended as part of the current application.
5. The need for landscaping to enhance the Remembrance Driveway landscape corridor	Section 4.9 Landscaping in the Hume Highway Corridor Strategy has been addressed in Appendix 6 - Landscape Design by Lange Design with tree canopy cover being provided where possible around infrastructure

<i>The EIS does not consider Bankstown City Council's Hume Highway Corridor Strategy and the significance of the Remembrance Driveway landscape corridor.</i> <i>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.</i> <i>As part of Council's adopted Hume Highway Corridor Strategy, the subject site has been identified to provide landscaping along the Hume Highway frontage.</i> <i>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.</i>	easements. A perspective of 2 Hume Highway (Appendix 1) is attached showing the proposed frontage and landscaping which illustrates that a substantial vegetative barrier will be provided. This is considered sufficient to achieve the objectives of Council's Corridor Strategy.
6. Vehicle access safety <i>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.</i> <i>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.</i>	In light of the comments provided by Council, our traffic consultant TTPA has reviewed the proposal and confirmed that the site distances are satisfactory subject to installing 'No Stopping' signs generally as shown in Appendix 3.
7. Heritage <i>There is concern the EIS does not place sufficient measures to manage the potential discovery of archaeological relics during construction.</i> <i>Bankstown Local Environmental Plan 2015 identifies the site as an archaeological site where the Royal Arms Inn may have been located.</i> <i>The proponent must prepare a management plan in the event of discovering archeological relic, and include the following:</i>	Detailed archaeological assessment (part of the non-Aboriginal Heritage Assessment report) has concluded that there is little potential for archaeological relics within the subject site. This is because: ▪ The main Inn buildings appear to be outside the subject site (refer Figure 12 - Appendix 9 of the EIS). No record of other 19th century structures within the proposal site was found as part of the research carried out. ▪ There has been a high level of previous impacts (railway use and 1980s construction) within the subject site. These would have

▪ <i>All site staff must be inducted on the archaeological potential of the site prior to the start of any excavation works.</i> ▪ <i>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.</i>	impacted any unrecorded archaeological remains of the Inn which may have been present within the site. The assessment carried out concludes that there is low potential for relics as defined by the Heritage Act. Therefore, active archaeological involvement in the ground works / initial stages of construction, such as archaeological monitoring, is not warranted. An unexpected finds procedure will be implemented during the construction works. This is an appropriate management strategy given the results of the assessment and will sufficiently mitigate any risks. The Office of Environment & Heritage responded on 7 December 2015 as follows: <i>"the matter does not contain biodiversity, natural hazards and Aboriginal Cultural Heritage issues that require a formal OEH response"</i>
8. Passive surveillance over Beaufort Place <i>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.</i>	It is considered that the site will be activated by the proposed activity which will help deter illegal activities in Beaufort Place.
Bankstown City Council Updated Response – submission dated 23 December 2015	
1. Biodiversity <i>Council does not raise any objection to the proposed development, but is still of the opinion that the Framework for Biodiversity Assessment should be applied and followed. This is based on the documented foraging habitat of the Grey Headed Flying Fox (noting that planted vegetation can be considered under the FBA) and the likelihood of green and golden bell frog habitat (acknowledging no frogs were recorded in the Biosis report).</i> <i>Council has reviewed the available biodiversity information and considers the site to have other biodiversity value which should be compensated for any loss. The Biodiversity Assessment Report (prepared by Biosis) describes the biodiversity values present on the development site and the impacts. "The primary measure for the Project to minimise impacts to ecological values on</i>	In response to Council comments dated 23 December 2015 Biosis (Ecological Consultant) advised: a) <i>The Framework for Biodiversity Assessment has been followed in strict accordance with the manual and cannot be applied, with the correspondence from OEH (15.12.2015) agreeing with the findings of the Biodiversity Assessment Report which was set out and prepared as per the manual.</i> b) <i>Grey Headed Flying Fox only counts as a "species credit species" if a camp occurs, as only foraging habitat occurs it does not warrant further consideration in accordance with the Framework for Biodiversity Assessment manual and as per correspondence from OEH.</i>

the site is to implement measures to minimise indirect impacts associated with the proposed works. Vegetation losses are unavoidable for the development. However, vegetation is solely comprised of planted native and exotic species. Offsets are required under the Bankstown Biodiversity Strategic Plan 2015-

2025, that suggest each mature tree be offset by the planting of three trees". (page VII Biosis Report).

Even if the Framework for Biodiversity Assessment does not apply, then it is still appropriate that offsets be provided for vegetation loss as per the Bankstown Biodiversity Strategic Plan and the adopted Bankstown DCP2015-Part 811 (Tree Preservation Order- clause 2.9) which would occur for any development assessed by Council.

Council notes that the offset planting may be provided through a number of means including on site planting, off site planting, or a combination. In this regard, Council would be willing to continue discussions regarding suitable arrangements for offset planting that could become the basis for conditions of development consent.

2. Flood

Council does not object to the proposed development on flooding/ stormwater management grounds, provided it is demonstrated that the development does not obstruct any existing over land flow paths or increase impacts on adjoining properties or other land in the immediate vicinity of the site. The Department need to be satisfied that proposed introduced fill and building development, along with stormwater mitigation measures, do not adversely impact neighbouring properties including Worth Street and Hume Highway.

c) *Surveys were undertaken in accordance with the federal and state survey guidelines for Green and Golden Bell Frog by experienced ecologists. The initial site based assessment determined that the habitat on site was marginal at best. Surveys were undertaken as a precautionary measure at the request of the client to resolve any uncertainty regarding the presence of the species. In accordance with the Framework for Biodiversity Assessment manual, as suitable targeted surveys were undertaken for the species and no individuals were identified, then the species is not considered further.*

d) *The Biodiversity Assessment Report is quoted within the correspondence from Council (23.12.2015) with the section referring to the recommendations made in the Biosis report. As Biosis has identified the requirements of the strategic plan it is unclear why council have reiterated the requirements of this plan. In our experience the recommendations made in our Biodiversity reports are typically carried through to the Conditions of Consent for major projects and would often be reflected in the requirements of the Construction Environmental Management Plan and Environmental Monitoring/Performance requirements.*

It is requested that DP&E note the above responses and appropriate conditions be imposed where necessary.

As per the response to Council in item 4 above, stormwater/flooding is addressed on page 32 of the EIS and comprehensively addressed in the Civil Design Report prepared by Costing Roe at Appendix 4 (in the EIS).

Section 4.3 'External Catchments & Flooding' addresses the Stormwater System Report (SSR) that has been obtained from BCC (WP-SIA/342/2015) dated 23 March 2015. The SSR is included for reference in Appendix B of the Costin Roe Engineering Report and confirms that an overland flow or flooding study is not required for the development site.

The report shows an overland flow path is located on the north-eastern corner of the site, associated with the Sydney Water Trunk Drainage Channel. Some ponding in Worth Street is present near to the low point in the road and existing site entry. This ponding is also associated with the

	trunk drain and local flow around the low point of the road. The 1 in 100 year flood level is shown in the SSR to be sited at levels which vary between RL 29m and RL 30m. The existing building is at approximate level of RL 34m and has suitable flood immunity to the overland flow paths and flooding around the site. No additional requirements relating to flooding are recommended as part of the current application. The proposed building level of RL 41.6 and RL 36.23 for warehouse and carpark/office respectively are shown in Appendix 3 (in the EIS), drawing number 140204 – DA050.
Strathfield Council – submission dated 9 December 2015	
1. <u>Description of proposed development</u>: the description of the proposed development is relatively generic and does not clearly describe what the intended use of the building will be. A detailed description of the <u>proposed use</u> is not contained within the written text of the Environmental Impact Statement (EIS), making the true nature of the proposed development unclear. <i>The operational particulars and characteristics of the proposed development are not detailed and are only described in part in Appendix 8 – Noise Impact & Vibration Assessment. Detailed particulars should be clearly detailed.</i> <i>The specific use should be clearly identified so as to enable the true nature of the proposed use to be properly assessed.</i>	Detailed information has been provided in the EIS to enable a thorough assessment of the proposal to be carried out by Council in accordance with the Act. Additional details describing the operational characteristics of the proposed development are provided below.
2. <u>Traffic impact</u>: the traffic assessment contained in Appendix 6 is somewhat general, having been based on Roads and Maritime Services (RMS) surveys/estimated data. The following points regarding traffic impact are raised: ▪ Traffic data that specifically relates to the proposed use is contained in Appendix 8 (refer pg. 21), but not in the Traffic assessment report	Transport and Traffic Planning Associates (TTPA) assessed the impact of the proposed on the operational performance of the access intersections during peak periods by modelling (in SIDRA 6) traffic impacts caused by an additional 107 vehicle trips per hour (vtph). This peak traffic generation rate reflects the ultimate capacity of the modern, automated distribution facility proposed, and is consistent with the RMS adopted figures for large contemporary warehouse / distribution uses. It is noted that given the

prepared by Transport and Traffic Planning Associates (Ref 15222, Rev E);

- *The traffic impact assessment should make reference to the predicted number and frequency of truck deliveries which are understood to involve 19m to 25m articulated vehicles (based on the swept path analysis only) to the development site and the impact those movements may have on the peak period movements generally discussed in the traffic assessment report;*
- *Details concerning delivery vans are also neglected in the traffic assessment report and only identified in part within the Noise Impact & Vibration Assessment on page 21 where it is explained that "230 delivery vans could arrive at the site within a half hour period". The significant anticipated number of van movements should be identified in the traffic assessment report;*
- *The EIS should identify not only the existing characteristics of the local road network, but consider the cumulative impact of the proposed use with the knowledge of truck and van numbers, their frequency of delivery and distribution rate, anticipated employee numbers (not just car parking space numbers or expected number of 'jobs' to be generated – 300) and proportion of those employees expected to drive or use public transport to access the facility. The traffic assessment report is not specific in this regard, in circumstances where the operational nature of the proposed use is seemingly available;*
- *The volume of traffic directly attributable to the proposed use, particularly during peak times across the proposed 24 hour cycle, should be considered. Traffic volumes should include, articulated vehicles and other trucks, delivery vans and employee vehicles;*
- *The cumulative traffic impact of the proposed use together with the prevailing traffic conditions has not been considered – other than in a general sense. Furthermore, no regard has been given to the nearby Enfield Intermodal Logistics Centre and its 24 hour operation;*
- *It is noted that some 352 on site car parking spaces are proposed. However, no comment has been made in relation to truck parking*

nature of the 24/7 use at the site the traffic peaks from the development are typically outside the road network peaks (generally between 7am to 9am and 4pm to 6pm) for business efficiency.

It is envisaged the facility will ultimately operate three shifts over a 24-hour period. The morning shift will be 5am to 12.50pm; afternoon from 1pm to 8.50pm; and night from 9pm to 4.50am. The staffing mix will include full and part-time employees and contractors with total car visitations at ultimate capacity being approximately 322 over a 24-hour period. The number of vehicles over this period that are less than 4 tonne will be approximately 925, including 230 contractors in light delivery vehicles arriving onsite at 5am for pick-up which disperse intermittently when loaded and park off-site at the end of their shift. The total number of vehicles greater than 4 tonne is expected to be approximately 444. A relatively small component of these will be truck deliveries up to 25m B-doubles which are currently predicted to be approximately 50 visitations over 24 hours.

TTPA modelled the worst-case traffic scenario, including cumulative impacts, during peak network times at 107 vtpm which is consistent with the vehicle movements described above at ultimate capacity operating three shifts over a 24-hour period.

There is ample capacity in the local road network and onsite for the 230 delivery vans proposed.

In relation to potential impacts on the Enfield Intermodal Logistics Centre and its 24 hour operation, TTPA utilised RMS average annual daily traffic data for the area and conducted additional traffic surveys which will account for this.

Trailer parking bays are shown on the development plans.

TTPA included a 'like for like' comparison between the former Fairfax use and the proposed use. It is considered the current traffic assessment clearly shows the proposed development does not cause adverse traffic and parking impacts at full development.

<i>bays or any temporary truck standing areas; and</i> ▪ <i>While the traffic assessment report (refer pg. 8) goes into some detail to describe the operational nature of the former Fairfax Media newspaper and printing facility, the same type of information has not been provided in relation to the proposed use. The projection data in this instance should be based on the operational nature of the warehouse/distribution centre.</i> <i>A more detailed review of the traffic implications of the intended use and its operational characteristics should be required.</i> <i>The proposed warehousing and distribution centre primarily raises concerns in relation to traffic generation, but that may largely be the case because of the lack of detail provided in relation to the operational characteristics of the proposed warehouse and distribution centre. The EIS is somewhat lacking in this regard.</i>	
<i>Transport for NSW – submission dated 15 December 2015</i>	
<i>1. Number and Timing of the works shift</i>	It is envisaged the facility will ultimately operate three shifts over a 24-hour period. The morning shift will be around 5am to 12.50pm; afternoon from 1pm to 8.50pm; and night from 9pm to 4.50am. The staffing mix will include full and part-time employees and contractors totalling around 300 full-time equivalents.
<i>2. Number of employees for each shift (warehouse and office)</i>	The total number of employees and contractors forecast onsite at full capacity is approximately: • Morning – 350 warehouse + 96 office staff; • Afternoon – 245 warehouse + 96 office staff; • Night – 344 warehouse + 5 office staff.
<i>3. Estimated number of car movements for each shift with consideration of employee staff numbers</i>	Total car visitations at ultimate capacity is forecast to be approximately 322 over a 24-hour period, predominantly arriving in the morning and leaving in the afternoon. The out-of-hours work is mainly contractor vans and truck deliveries.
<i>4. Management of internal traffic and parking during shift changes</i>	There is sufficient car parking onsite to cater for the peak demands during shift change-over notwithstanding that shift start and end times will be

	slightly staggered to relieve congestion and pressure on car parking availability.
5. <i>Number and type of truck movements (hourly) throughout the day</i>	Total car visitations at ultimate capacity is forecast to be approximately 322 over a 24-hour period. The number of vehicles over this period that are less than 4 tonne will be approximately 925, including 230 contractors in light delivery vehicles arriving onsite at 5am for pick-up. These vans disperse intermittently when loaded and park off-site at the end of their shift. The total number of vehicles greater than 4 tonne is expected to be approximately 444. A relatively small component of these will be truck deliveries up to 25m B-doubles which are currently predicted to be around 50 visitations and mainly at night.
6. <i>Impact of the possible sharing of facilities (such as loading areas, parking, access etc) that may result from the overhead conveyor of pedestrian connections (if any) between the new development at 2 Hume Highway and existing operation at 12 Hume Highway</i>	Other than the two buildings at 2 and 12 Hume Highway being physically connected by overhead conveyors, the proposed development does not share facilities.
<i>Sydney Trains – submission dated 11 December 2015</i>	
<i>Sydney Trains advises that the only solution that it may consider is the undergrounding of these powerlines in the current alignment, to current Asset Standards Authority standards and suitable to Sydney Trains. If the solution is agreed by Sydney Trains the current easement conditions will also need to be amended to the satisfaction of Sydney Trains.</i> <i>Prior to us formally submitting our comments, can you advise if DPE would prefer that this is undergrounding design solution is investigated and approved by us prior to determination or covered by a condition of consent.</i>	CIP met Sydney Trains on 18 December 2015 to discuss their specific requirements for the development. At this meeting it was agreed that: 1. The developer will remove the existing Sydney Trains overhead electrical transmission and communication lines and associated infrastructure, and construct new electrical and communication transmission lines below-ground within the current easement alignment, at no cost to Sydney Trains. This is to be designed to Asset Standards Authority standards and endorsed by Sydney Trains prior to the issue of a Construction Certificate; and 2. Satisfactory easement terms are to be finalised and registered on title prior to the issue of an Occupation Certificate. 3. Sydney Trains is satisfied with the proposed conveyor system passing above their underground transmission lines subject to satisfying point 2 above. No further approvals will be required from Sydney Trains if the location of the overhead conveyors move within this easement area.