Request for Secretary's Environmental Assessment Requirements

Lot 9, DP 120567328 McPherson Street, Banksmeadow

Prepared for Orica Australia Pty Ltd
Submitted to the NSW Department of Planning and Environment

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Cover image: Location of Lot 9, 28 McPherson Street in Banksmeadow (Source: Nearmap)

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1 Introduction

The purpose of this report is to request the Department of Planning and Environment (DP&E) to issue Secretary's Environmental Assessment Requirements (SEARs) for the construction of two warehouse buildings at 28 McPherson Street, Banksmeadow.

The site is located in the Bayside local government area (LGA) and is legally described as Lot 9 in DP 1205673. The site is owned by Orica Australia Pty Ltd (Orica) (the Applicant).

The development is proposed to be constructed on a suspended concrete platform to support the warehouse buildings and hardstand/car parking areas above an existing compensatory flood storage area located below. The suspended platform would be supported by a grid of piles constructed approximately 1.5 m above ground level to retain the flood storage capability of the land.

The development meets the criteria of State significant development (SSD) in accordance with *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Under Schedule 1, clause 12(1) of the SRD SEPP, development that has a capital investment value (CIV) of more than $50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation, is considered to be SSD.

The CIV for the project is estimated at $56,200,000. A quantity surveyors report is included at **Appendix A.**

The report provides a preliminary environmental assessment of the development, considers the applicable statutory planning controls and addresses the relevant State and local strategic planning documents.

It is proposed to lodge a development application under section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to be assessed as SSD. It is therefore requested that DP&E issue SEARs under section 4.12 of the EP&A Act and Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) that will enable the preparation of an Environmental Impact Statement (EIS) for the project.

2 The Site and Locality

The site is located at 28 McPherson Street, Banksmeadow in the Bayside LGA and is approximately 9 km south of the Sydney central business district, 4 km south-east of Sydney Airport and 400 m north of Port Botany. The site is located within the Southlands industrial estate and is legally described as Lot 9 in DP 1205673.

The site location is shown in Figure 1.

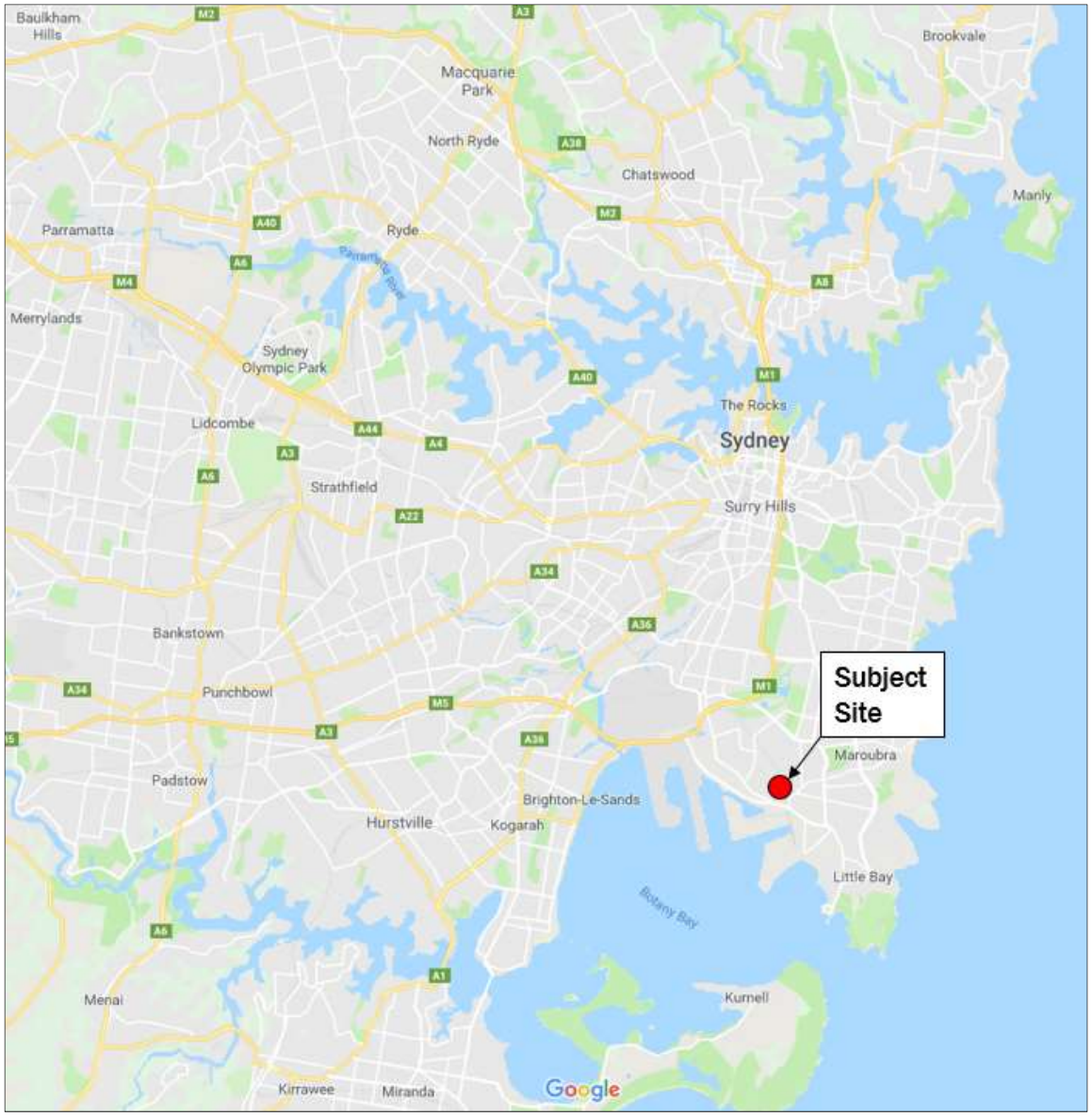

Figure 1: Site location – Southlands Estate, Banksmeadow (Source: Google)

The subject site (Lot 9) comprises an area of approximately 4.129 ha and is bounded by McPherson Street to the south, Nant Street (an unformed Council-owned road) to the west and the Australian Government Detector Dog Facility to the east and north. The groundwater pipe network forming part of the Botany Groundwater Clean Up Project (BGCuP) runs along the southern boundary of the site, adjacent to McPherson Street.

The site is predominantly flat but has been shaped to suit flood storage and is highly disturbed as a result of major earthworks that took place in 2014/2015 following earlier approvals. Current site vegetation is therefore a mixture of new site planting and weeds, self-sown vegetation that has grown since the earthworks in 2015.

McPherson Street is an east-west cul-de-sac that connects to Botany Road via the one-way pairing of Hill Street and Exell Street. The broader locality is characterised by large scale warehousing and industrial development and Port Botany which is located approximately 400 m to the south. The residential suburbs of Matraville, Hillsdale and Eastgardens are located further to the east and Botany to the west. The Australian Government Detector Dog Facility adjoins the site to the north and east.

To the immediate east at 28A McPherson Street is a site currently being developed for 8 industrial units, comprising 7 warehousing, storage and distribution units and 1 unit to be used as a distillery with associated warehousing storage and distribution.

A new Goodman owned facility lies to the west of the site with two relatively recent warehouses built as part of earlier approvals.

In a wider sense there have been a number of changes to land uses in the area with the recent closure of the Mobil terminal to the north, the establishment of the Veolia Waste Facility on the eastern side of the railway line and the recent proposal for a Holcim Concrete Batching Plant on Beauchamp Road.

The site is highly disturbed and modified through site remediation and flood storage works undertaken in accordance with the approved Orica Southlands Remediation & Warehouse Development Project (MP 06_0191 – see Section 3.1).

The site in context to the surrounding locality is shown in Figure 2. Photographs of the site are shown in Figure 3 and Figure 4.

Figure 2: Location of the subject site (Lot 9) (Base source: Nearmap)


Figure 3: View of the site from the eastern boundary looking west (Source: Keylan)

Figure 4: View of the site from the mid-western boundary on Nant Street looking north-east (Source: Keylan)

3 Approved Development – Orica Southlands

3.1 Major Project Approval (MP 06_0191)

Lot 9 forms part of land that was originally known as Southlands. The Southlands site was granted approval for redevelopment under the Orica Southlands Remediation & Warehouse Development Project (MP 06_0191) on 16 April 2012 by the (then) Minister for Planning and Infrastructure. Lot 9 is the last major site owned by Orica in this location (excepting for minor strips of land housing the Groundwater Treatment Plant infrastructure).

The former Southlands project approval allowed for the following works to be carried out across two stages of development:

- site remediation works over the whole site;
- flood mitigation and drainage works;
- staged subdivision;
- establishment of 6 industrial use warehouses;traffic improvement works at the intersection of Hill Street and Botany Road;
- carparking and landscaping works.

3.2 Modifications to MP 06_0191

The Project Approval for MP 06_0191 has since been modified on four occasions providing approval to a range of minor variations to the original approval.

3.3 Restriction on the use of land and positive covenant

There is a Restriction on the Use of Land and Positive Covenant affecting the site (Lot 9 DP 1205673) to the benefit of Bayside Council (Council). The restriction and covenant are enforced through a section 88B instrument under the *Conveyancing Act* 1919, as required by Condition 15 of Schedule 2 of the major project approval (MP 06_0191). A copy of the section 88B instrument affecting the site is included at **Appendix B**.

The Restriction on the Use of Land provides that the landowner must not:

- use the land at grade within the easement site for any purpose except the maintenance of the flood detention basin; or
- erect or permit to be erected any permanent structure except with the consent of the Prescribed Authority.

The Positive Covenant requires the landowner to maintain the lot for the purposes of a flood detention basin but is structured in such a way as to allow any uses that are approved by a consent authority and that do not interfere with or affect the maintenance of the site for the purposes of a flood detention basin.

The development is proposed to be constructed on a suspended concrete platform approximately 1.5 m above the existing flood detention basin. The development will therefore be designed to ensure no impact on the site's existing flood storage capacity.

4 The Project

The proposed development comprises the construction of two warehousing buildings, associated offices and hardstand/car parking areas on a suspended concrete platform. The development is described in Table 1.

Figure 6 and Figure 7 show a floor plan of the proposed development and the warehouse building elevations, respectively. Importantly the construction of the development is to be staged as follows:

- Stage 1 – construction of the suspended deck. This allows the issuance of the Site Audit Statement Section A by the accredited EPA Auditor once the deck is in place
- Stage 2 – construction of the warehouse/industrial buildings and associated activities on the deck.

The proposed warehouses will be used for storage and distribution of general merchandise, including goods arriving from Port Botany.

Proposed works	
Stage 1	
Concrete Platform	• Suspended concrete platform to support the warehouse buildings and hardstand/parking areas above the flood detention basin • The suspended platform will be supported by a grid of piles constructed approximately 1.5 m above the existing ground level to retain the flood retention capability of the basin below.
Stage 2	
Warehouse Building 1 (southern end of site)	• Total GFA of 11,630 m^2 comprising: ○ Warehouse GFA – 10,630 m^2 ○ Office GFA (levels 1 and 2) – 1,000 m^2
Warehouse Building 2 (northern end of site)	• Total GFA of 10,635 m^2 comprising: ○ Warehouse GFA – 9,635 m^2 ○ Office GFA (levels 1 and 2) – 1,000 m^2
Access and car parking	• Site access from Nant Street • Approximately 60 spaces including 1 disabled space for warehouse building 1 • Approximately 57 spaces including 1 disabled space for warehouse building 2 • Car park centrally located between warehouse buildings.
Landscaping	• 10 m landscaped buffer along northern and eastern site boundary • 5 m landscaped buffer along southern site boundary (beyond 10 m setback for services comprising BGCuP infrastructure)
Jobs	• Approximately 100 construction jobs • Approximately 100 to 150 operational jobs
CIV	• Approximately $56.2 million.

Table 1: Proposed Works

Access to the site is proposed via Nant Street, an unformed Council Road. To achieve access and to meet required flood/deck levels a section of Nant Street will need to be upgraded with the appropriate installation of culverts to allow existing flood flow conditions to be maintained while road levels are lifted.

Figure 5: Proposed elevated ground slab over Lot 9 and location of Nant Street access ramps (Source: BMT)

4.1 Consultation

On 18 May 2018, the Applicant met with Bayside Council to discuss the proposed development including environmental impacts that would need to be addressed as part of the EIS.

In May 2018, the Applicant met with representatives from DPE to discuss the proposed development and procedures relating to the assessment of SSD applications.

On 20 November 2018, the Applicant is scheduled to engage with the Orica Botany Liaison Committee meeting. Orica will also share information of the proposal via a community newsletter scheduled for December.

Further to the above, the Applicant is currently in the process of arranging a meeting with the Environment Protection Authority (EPA) to discuss the proposal.

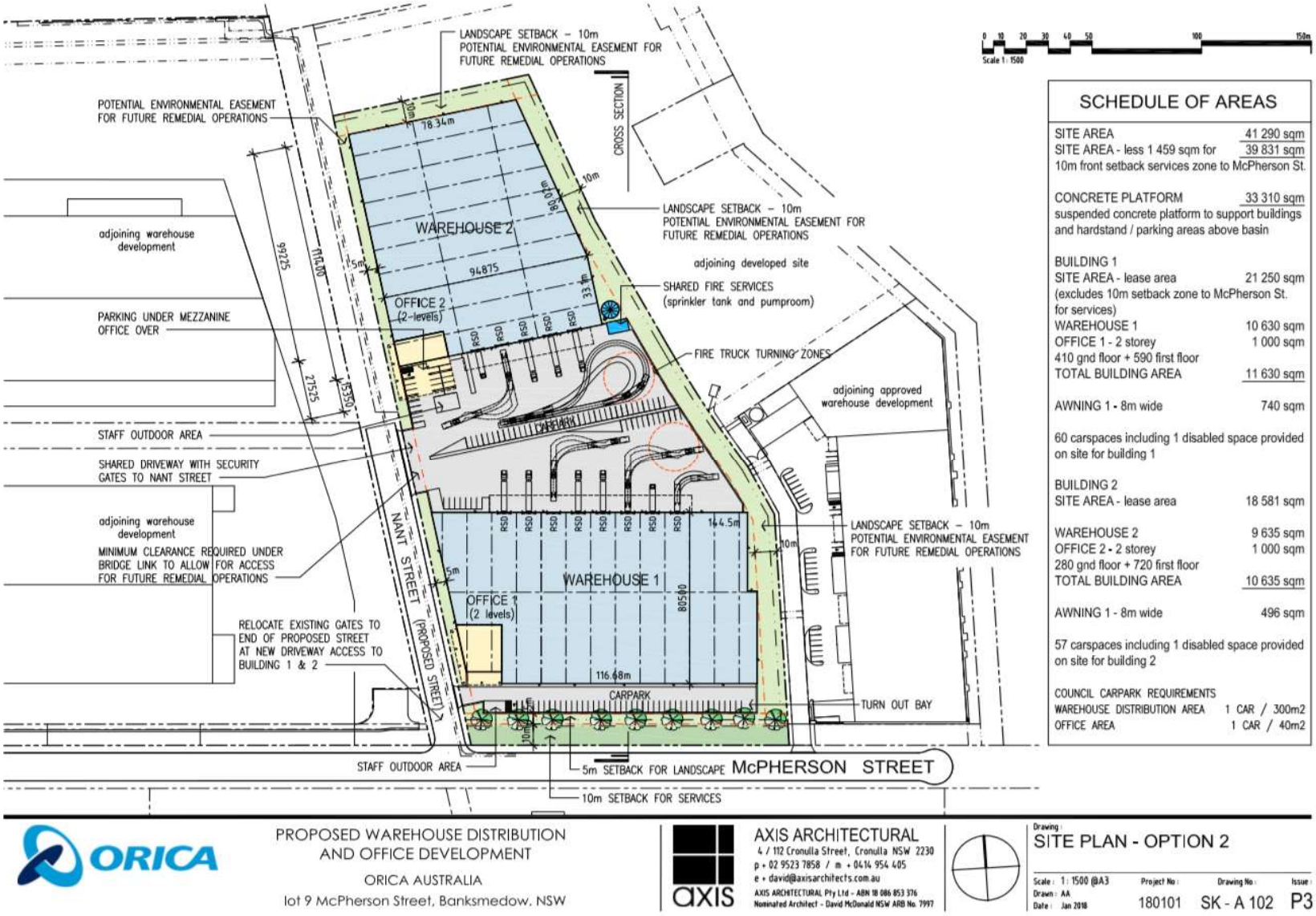

Figure 6: Proposed warehouse distribution and office development (Source: Orica)

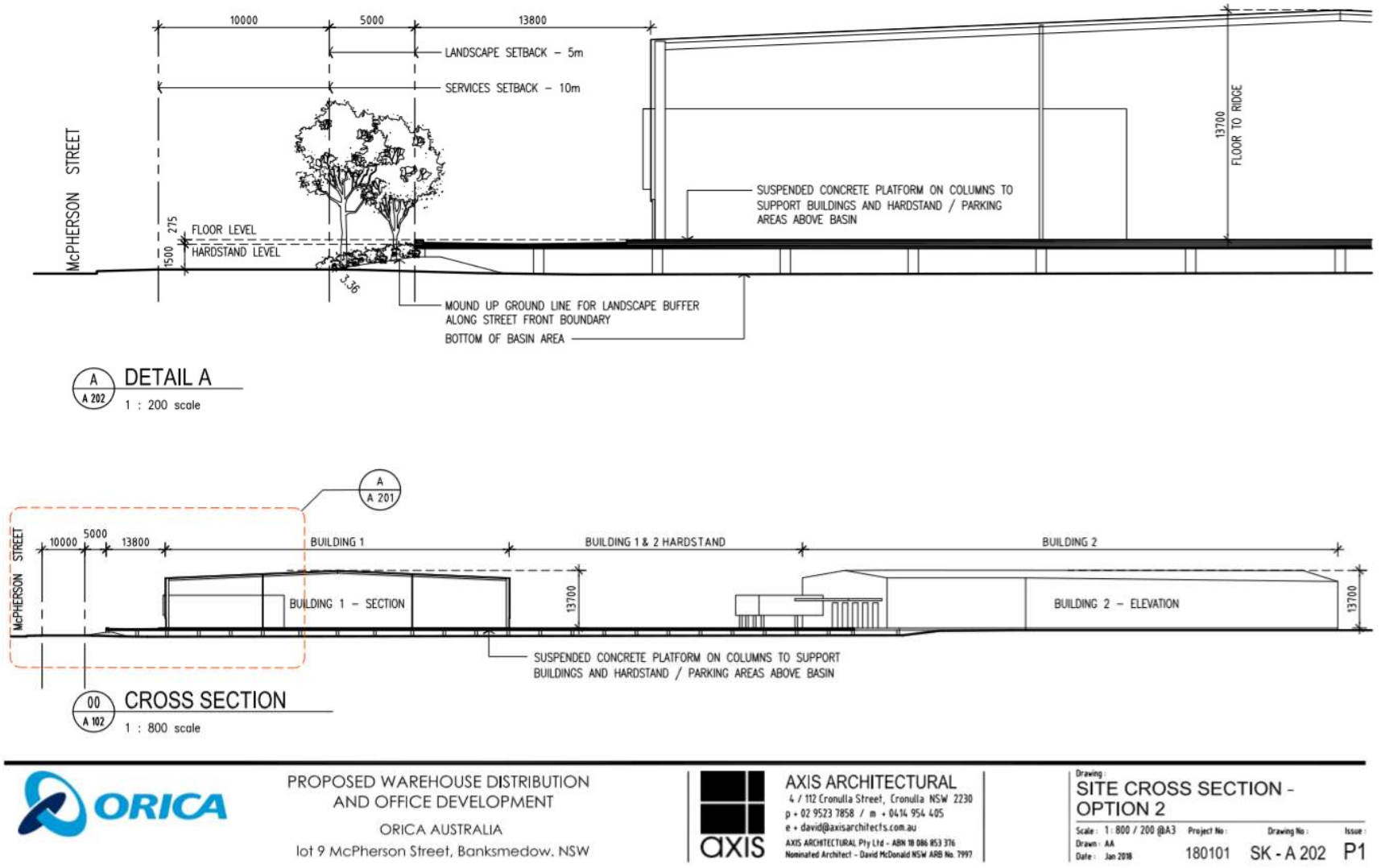

Figure 7: Proposed cross sections (Source: Orica)

5 Statutory Planning Considerations

5.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides the statutory framework for planning in NSW. The Act aims to promote the orderly and economic use and development of land, facilitate ecologically sustainable development and integrate economic, environmental and social considerations as part of the decision-making processes for environmental planning and assessment matters.

Section 4.36 of the EP&A Act enables certain developments to be declared SSD by means of a State Environmental Planning Policy (SEPP) or by order of the Minister for Planning. The project meets the criteria of SSD under Schedule 1 of the SRD SEPP (discussed further at Section 5.4.1).

This report requests the issue of the SEARs for the project under section 4.12 of the EP&A Act.

The Minister (or the Minister's delegate) will be required to take into consideration the matters listed under section 4.15 of the EP&A Act when determining the development application.

5.2 Environmental Planning and Assessment Regulation 2000

The EP&A Regulation contains key operational provisions for the NSW planning system. This includes procedures relating to development applications, requirements for environmental assessments, environmental impact assessments, building regulations and other miscellaneous matters.

Once SEARs for the project have been issued, an EIS will be prepared in accordance with Part 3, Schedule 2 of the EP&A Regulation. This section of the Regulation sets out the form and content required of an EIS.

5.3 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and establishes a framework to avoid, minimise and offset impacts on biodiversity.

In accordance with section 7.9(2) of the BC Act, SSD applications are required to be accompanied by a biodiversity development assessment report (BDAR). However, a BDAR waiver may be granted should it be determined by the Planning Agency Head (DP&E) and the Environment Agency Head (Office of Environment and Heritage (OEH)) that the proposed development is not likely to have any significant impact on biodiversity values.

The site has previously been subject to extensive vegetation clearing, bulk earthworks and revegetation under an approved vegetation management plan. Due to these previous activities, the biodiversity values of the site are considered to be low. However, a BDAR will be prepared and submitted with the EIS. Biodiversity is discussed further at Section 7.5.

5.4 State Environmental Planning Policies

5.4.1 State Environmental Planning Policy (State and Regional Development) 2011

The SRD SEPP aims to identify development that is SSD, State significant infrastructure (SSI), critical SSI and regionally significant development.

The development meets the criteria of Schedule 1, clause 12(1) of the SRD SEPP as it is development that has a capital investment value (CIV) of more than $50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.

As the development meets the criteria of the SRD SEPP, DP&E will assess the application as an SSD project, to be determined by the Minister for Planning (or nominated delegate).

5.4.2 State Environmental Planning Policy (Three Ports) 2013

State Environmental Planning Policy (Three Ports) 2013 (Three Ports SEPP) aims to provide a consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and the Port of Newcastle.

The site is located on land identified on the Port Botany land application map that is zoned IN1 General Industrial. Warehouse or distribution centres and office premises are permissible with consent in the IN1 General Industrial zone. Consent for office premises in the IN1 zone must not be granted unless the consent authority is satisfied that the development is associated with, and ancillary to, port facilities or industrial uses of land. The permissibility of the development will be demonstrated in the development application and supporting EIS for the project.

Draft amendments to the Three Ports SEPP are on public exhibition until 3 December 2018. The Explanation of Intended Effects (EIE) outlines the regulatory changes that are under consideration including amendments that would limit land uses in the IN1 zone to container storage and port-related uses. Any future amendments to the Three Ports SEPP will be considered in the EIS.

5.4.3 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

SEPP 33 will be considered as part of the EIS, including the consideration of relevant DP&E guidelines relating to hazardous or offensive development.

5.4.4 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the State and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying when consent is required, and when it is not required, for a remediation work.

In accordance with SEPP 55, a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if the land is contaminated, it is satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out.

A contamination assessment will form part of a development application to inform DP&E of the site's contamination status.

5.4.5 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) identifies the environmental assessment category into which different types of infrastructure and services development fall.

The Infrastructure SEPP requires certain traffic generating developments to be referred to Roads and Maritime Services (RMS). In accordance with the SEPP, commercial premises and industry of 15,000 m² or greater in size require referral to RMS. The EIS for the project will be referred to RMS for review and comment during the public exhibition period.

5.4.6 Botany Bay Local Environmental Plan 2013

The *Botany Bay Local Environmental Plan 2013* (BBLEP 2013) regulates development throughout the Bayside LGA. A detailed assessment of the proposal against the relevant provisions of the BBLEP 2013 will be provided as part of the EIS.

Of particular relevance is Clause 17 of the BBLEP 2013 which outlines provisions relating to development in industrial zones. The EIS will demonstrate consistency with these provisions.

6 Strategic Planning Considerations

6.1 NSW Making it Happen

NSW Making it Happen sets out the NSW Premier's priorities to grow the economy, deliver infrastructure, and improve health, education and other services across NSW. It outlines the Government's program of investing $68.6 billion over 4 years in transport, roads, schools, hospitals and renewed sports and cultural infrastructure.

Although *NSW Making it Happen* relates to investment in public infrastructure and services, the provision of the proposed warehousing, distributing and office structures will further enhance the provision of employment opportunities in an established industrial warehousing estate that is strategically located in close proximity to Port Botany.

6.2 State Infrastructure Strategy

The *State Infrastructure Strategy* sets out the NSW Government's Rebuilding NSW Plan, which involves the investment of $20 billion in new infrastructure across the state. The Strategy identifies policies and strategies needed to provide infrastructure that meets the needs of a growing population and a growing economy.

Although the Strategy relates to investment in Government infrastructure, the proposal will contribute to the integration of land use and infrastructure planning. The provision of warehousing, distributing and offices will support Port Botany as a freight hub and major trade gateway, by providing industrial land uses and employment opportunities.

6.3 Greater Sydney Region Plan

The *Greater Sydney Region Plan* outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The Region Plan replaces *A Plan for Growing Sydney* as the leading region plan for Greater Sydney.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of three unique but connected cities; an Eastern Harbour City, the Western Parkland City and the Central River City with Greater Parramatta at its heart.

The Region Plan provides broad *Priorities and Actions* which focus on the following 4 key themes:

- *Infrastructure and collaboration*
- *Liveability*
- *Productivity*
- *Sustainability*

There are a number of Directions and Objectives that are of relevance to the Proposal and these are addressed below:

Direction – A well-connected city

Objective 15 – The Eastern, GPOP and Western Economic Corridors are better connected and more competitive

- The proposal is located within the Port Botany trade gateway, which is identified as a major asset of the Eastern Economic Corridor.
- The proposal will contribute to strengthening the economic opportunities of Port Botany and, therefore, the Eastern Economic Corridor.

Objective 16 – Freight and logistics network is competitive and efficient

- The proposal will strengthen the function of Port Botany as a nationally significant trade gateway through the provision of industrial uses and employment opportunities.
- The proposal will support the needs of the trade gateway by retaining industrial land for port, intermodal and logistic uses.
- The provision of warehousing structures and employment opportunities ensures Port Botany trade gateway remains competitive and efficient.

6.4 Eastern City District Plan

The Eastern City District Plan manages growth in the context of economic, social and environmental matters in the Eastern City. It provides the district level framework to implement the goals and directions outlined in the *Greater Sydney Region Plan* for the Eastern City District.

The proposed development is consistent with the District Plan as it will:

- Strengthen the function of Port Botany as one of Australia's major land and sea freight gateways and the State's freight hub through the provision of additional warehousing, distributing and office structures.
- Protection of employment land through the provision of employment uses.
- Continued operation of industrial uses in the Port Botany area.
- Reinforce the role of the industrial land around Port Botany as a land and see freight gateway through additional employment opportunities associated with industrial facilities.

7 Potential Environmental Issues

Potential environmental issues associated with the development will be comprehensively addressed as part of an EIS. This report has identified the likely key issues, including:

- flooding;
- traffic and car parking;
- contamination;
- risk;
- biodiversity;
- noise and vibration;
- air quality; and
- visual character and landscaping.

7.1 Flooding

The site is located at the southern end of the Springvale and Floodvale Drains Catchment and is currently used as the compensatory flood storage area for the broader Southlands site (now owned by others). The subject site in context to the broader flood catchment area is shown in Figure 8.

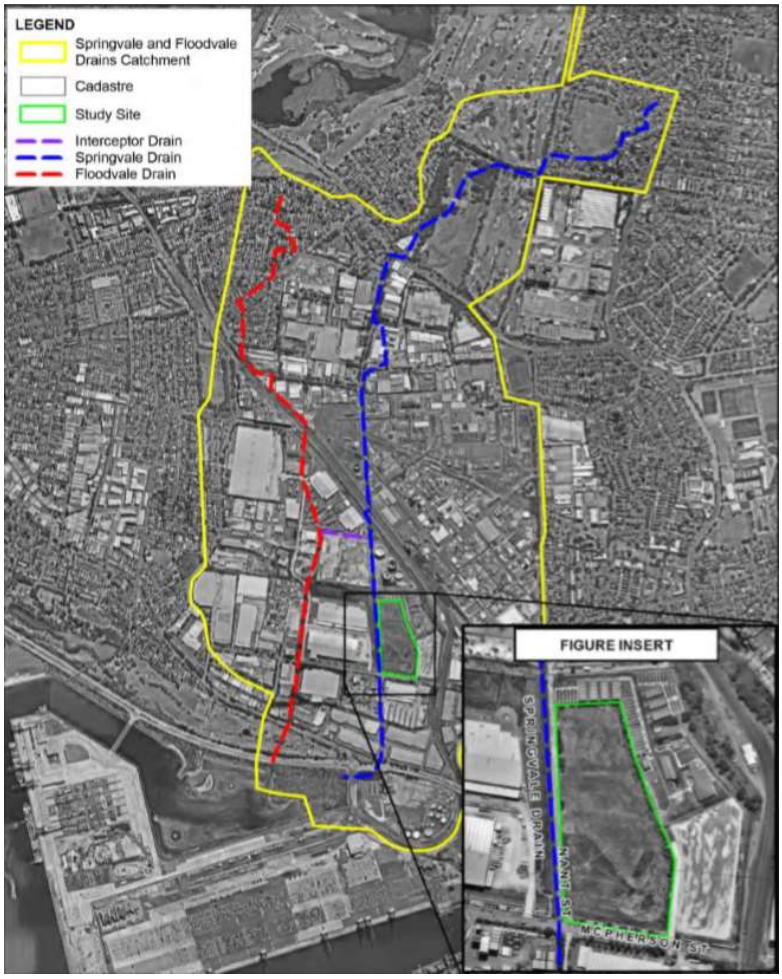

Figure 8: Subject site within the Springvale and Floodvale Drains Catchment (Source: BMT)

The development would be constructed on a suspended concrete platform approximately 1.5 m above the flood storage area below. The elevated ground floor slab would be supported by piles with access ramps connecting Nant Street and McPherson Street.

A preliminary Flood Assessment Report for Lot 9 has been prepared by BMT and is included at **Appendix D**. The assessment reviews the existing flood behaviour affecting the site and considers potential impacts of the project due to the proposed design of the development.

Flood modelling was undertaken utilising the TUFLOW hydraulic model. Design flood simulations were modelled for the 5% AEP, 1% AEP and Probable Maximum Flood (PMF). The modelling results outlined in the preliminary flood assessment indicate that there would be:

- no discernible flood impacts for events less than or equal to the 1% AEP;
- minor changes in flood levels for the PMF event; and
- localised increases in peak flood levels along Nant Street and McPherson Street, in all modelled events, due to the rainfall-on-grid modelling methodology.

In summary, the proposed innovative design of the development upon a suspended concrete platform above the flood storage area below will ensure there is no impact on the existing flood regime at the site and the surrounding locality. A detailed flood study will be submitted with the EIS.

7.2 Traffic and car parking

Traffic

A preliminary Traffic Study has been prepared by TRAFFIX and is included at **Appendix E**. The Traffic Study has referred to the RMS *Technical Direction (TDT2013 04a) Guide to Traffic Generating Developments – Updated Traffic Surveys* in determining the likely traffic generation of the development.

For industrial estates, the guideline specifies a rate of 0.52 and 0.56 vehicle trips per 100 m² GFA during the AM and PM peak periods, respectively. Based on these rates, the development is expected to generate in the order of 116 vehicle trips per hour in the AM peak period (81 vehicle movements in, 31 out) and 125 vehicle trips in the PM peak period (38 vehicle movements in, 87 out). This represents approximately 2 vehicle trips per minute during the peak periods.

A further detailed traffic assessment will be undertaken as part of the EIS that will include SIDRA modelling to assess impacts on key intersections. The traffic modelling will focus on the following intersections that may be impacted by the development:

- Botany Road and Hill Street;
- Botany Road and Exell Street;
- Exell Street and McPherson Street; and
- McPherson Street and Nant Street.

The assessment will determine the need for any road network improvements that would be required to support the development and provide traffic and transport specific recommendations.

Car parking

The site is zoned IN1 General Industrial under the Three Ports SEPP. Car parking requirements for development in the IN1 zone are not specified under the SEPP. The preliminary Traffic Study has therefore referred to the Botany Bay Development Control Plan 2013 (Botany Bay DCP) in determining an appropriate number of car parking spaces for the development.

The Botany Bay DCP specifies a requirement of 1 space per 300 m² of warehouse GFA and 1 space for 40 m² of office GFA. Based on a warehouse GFA of 20,265 m² and office GFA of 2,000 m², a minimum of 117 spaces would be required to comply with the DCP. The concept design for the development provides a total of 117 car parking spaces and therefore complies with the requirements of the Botany Bay DCP.

The site access (via Nant Street) and internal design of the development will ensure the provision of adequate car parking, safe servicing and manoeuvring and adequate bicycle facilities.

7.3 Contamination

Previous investigations undertaken for the Southlands Remediation and Development Project presented a remedial approach for identified contamination that was endorsed by an EPA Accredited Site Auditor. Stage 1 of the Project included the completion of all remedial works and the issuance of a Section A Site Audit Statement (SAS) indicating that the western portion of Southlands (i.e. Goodman Land) was suitable for commercial/industrial use. During this stage of works remediation was also undertaken on the eastern portion of Southlands with shallow non-volatile and volatile contamination being remediated for commercial/industrial use and outdoor commercial/industrial use respectively. Subsequent development of two of the eastern lots (i.e. the site of the Australian Government Detector Dog Facility and the 8-unit industrial development at 28A McPherson Street) has resulted in the issue of Section A SAS's. Lot 9 is yet to be the subject of an EPA Site Auditor review.

Accordingly, an EPA Accredited site Auditor, Mr Chris Jewell has been appointed to review the development of Lot 9. Mr Jewell has requested an initial site investigation be undertaken to confirm the vapour regime, and to enable appropriate control measures to be developed for other potential contaminants of concern. Mr Jewell concludes that it is likely that the concept would remain viable regardless of the outcome of such investigations (see **Appendix F**).

Mr Jewell has indicated that a Site Audit Statement Section B could be issued for the site, noting that the property would be suitable for commercial/industrial development, subject to the implementation of an appropriate Remedial Action Plan (RAP), which would include the construction of the suspended deck (Stage 1).

The EIS for the Application would therefore include the necessary investigations as required by the EPA Accredited Site Auditor and an accompanying RAP to their satisfaction.

Plans for the site will also include easements and setback areas protected on title to allow access for future groundwater monitoring and to allow implementation of remediation technologies (if they become viable in the future). The inclusion of these easements were a fundamental requirement of the original Southlands approvals and these easements would be extended after consultation with the EPA Accredited Auditor and the EPA. Details of these easements would be included in the EIS.

7.4 Land Use Safety Risk

Preliminary risk advice has been prepared by Sherpa Consulting and is included at **Appendix G**. The advice identifies potential land use safety planning risk issues in context to the Botany Industrial Park (BIP) Quantitative Risk Assessment (QRA).

The most recent publicly available BIP risk contours is provided in the 2012 BIP Summary QRA report (2012) and is shown in Figure 9 below.

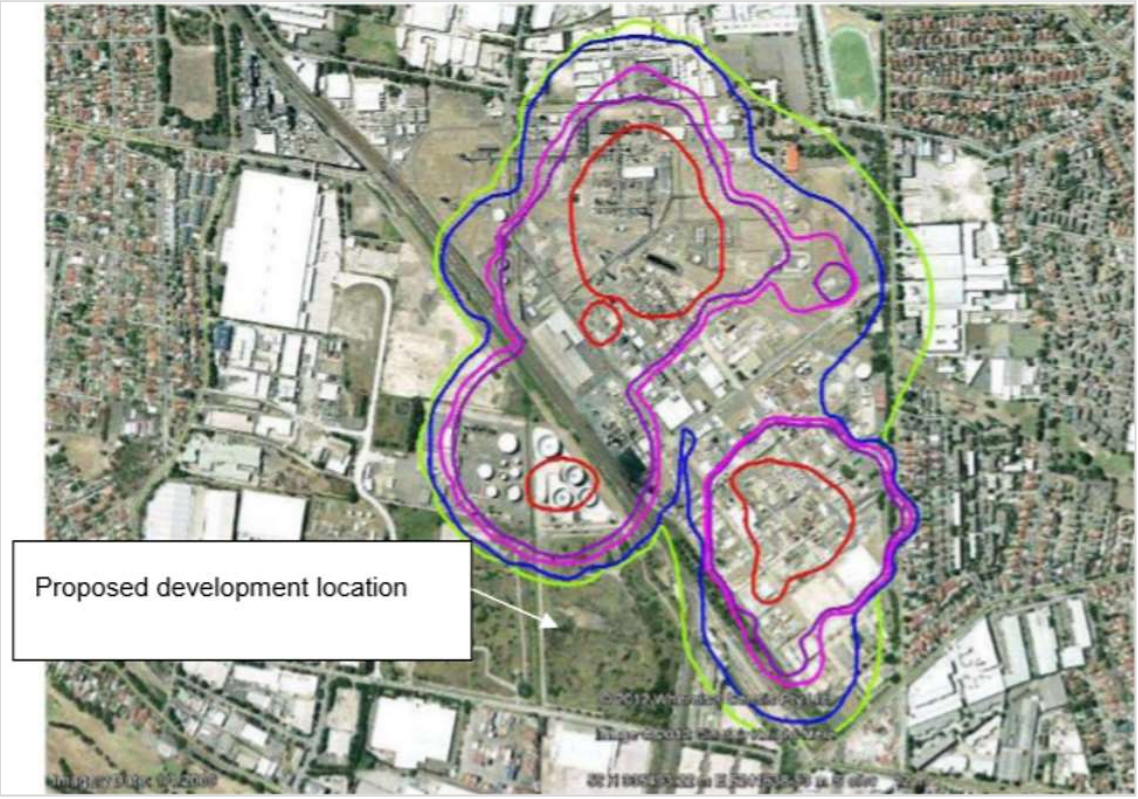

Figure 9: Cumulative BIP Individual Fatality Risk (Source: Sherpa Consulting)

The advice notes that the individual fatality risk at the proposed development location is below 50×10^{-6} per year and therefore meets the relevant risk criterion. However, given the overall societal risk in the broader area is quite high, it is probable that a formal demonstration that the societal risk is not significantly altered will be required as part of the EIS.

It is understood an updated version of the BIP QRA is currently being prepared. The EIS will refer to the updated (2018) QRA, should the document be made publicly available at the time the EIS is being prepared.

7.5 Biodiversity

Previous earthworks carried out on the site for the remediation and flood storage works (carried out in accordance with MP 06_0191) have removed all existing vegetation on the site. Figure 10 is an aerial image of the site from March 2015 when the earthworks activities were in progress.

Figure 10: Earthworks activities on the site in March 2015 (Base source: Nearmap)

However, the site was subject to replanting and a vegetation management plan.

The site in its current form is therefore vegetated following replanting and regrowth. Springvale Drain, which runs adjacent to Nant Street on the eastern boundary of the site provides areas of potential fauna habitat, however this is not on the subject site and is physically separated from the site by Nant Street.

The Springvale Drain corridor was also cleared in 2015 and has subsequently been replanted. Part of the previous Southlands approvals required the provision of offset habitat in the form of two small frog ponds and foraging areas for the Green and Golden Bell Frog (GGBF). The ponds were constructed and remain in place and are located within land now owned by Goodman to the west of the subject site and west of Nant Street and Springvale Drain.

The requirement to construct the GGBF ponds was included as a precautionary approach to the potential existence of GGBF in the drain corridor. The previous biodiversity assessment did not identify any other threatened flora or fauna species or any endangered ecological communities on the subject site.

As discussed at Section 5.3, the biodiversity values of the site are considered to be low however a review of the biodiversity qualities of the site will be undertaken as part of the EIS for the project.

7.6 Noise and Vibration

Noise impacts associated with the development are most likely to occur during the period of construction. A comprehensive Noise and Vibration Impact Assessment (NVIA) will be provided as part of the EIS for the project.

The NVIA will outline the proposed hours of construction, construction noise management levels and include a Construction Noise and Vibration Management Plan. Further, the NVIA will identify all adjoining and nearby sensitive noise receptors. Noise management levels will be established to ensure impacts on sensitive receptors are appropriately managed.

Construction noise and vibration impacts will be considered in accordance with the Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009) and Assessing Vibration: a technical guideline (Department of Environment and Conservation, 2006). Operational noise impacts will be considered in accordance with the Road Noise Policy (Environment Protection Authority, 2011).

The development is expected to result in minimal noise impacts due to the site location within an established industrial estate and surrounded by other industrial and warehousing developments. The nearest residential receivers are approximately 600 m to the east in Hillsdale and will likely experience negligible noise impacts as a result of the development.

7.7 Air Quality

The EIS for the project will include an assessment of potential impacts on local and regional air quality, including details of any proposed mitigation measures that will prevent (or reduce) the generation and emission of dust particles during construction.

The air quality assessment will identify potential sources of air pollution (such as PM10, PM2.5, CO, NO2 and other nitrogen oxides and volatile organic compounds) and consider the impacts of the dispersal of these air pollutants on the ambient air quality in the area surrounding the development.

Further, the air quality assessment will demonstrate compliance with the applicable regulatory framework including *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Clean Air) Regulation 2010*.

7.8 Visual character and landscaping

The surrounding area is characterised by large warehousing and industrial use buildings and associated structures. The proposed warehouse buildings will each have a maximum height of 13.7 m and sit upon a suspended concrete platform of 1.5 m above ground level. There will be limited visibility of the structure from the nearest residential catchment of Hillsdale approximately 600 m to the east. The development is considered to be consistent with the existing visual character of the surrounding industrial area and will have a negligible visual impact.

The development includes a 10 m environmental and services easement that will be suitably landscaped along the northern, eastern and southern site boundaries. An additional 5 m landscaped buffer will be provided along the southern site boundary fronting McPherson Street and will include street tree plantings consistent with Council's requirements.

8 Conclusion

This report is a formal request to DP&E to issue SEARs for the staged construction of two warehouse buildings at Lot 9, DP 1205673 at 28 McPherson Street site in Banksmeadow. The development is proposed to be constructed on a suspended concrete platform (Stage 1) to support the warehouse buildings and hardstand/car parking areas above an existing compensatory flood storage basin located below.

The report has identified the relevant legislative requirements and the key strategic plans and documents that relate to the development.

The key environmental issues associated with the development relate to flooding, access, traffic and car parking, contamination, risk, biodiversity, noise and vibration, air quality, visual character and landscaping. These issues will be comprehensively addressed as part of an EIS for the project.

The EIS will be prepared in accordance with the SEARs and the legislative requirements defined under the EP&A Regulation. The EIS will outline recommendations to address any environmental impacts of the project to inform DP&E in its assessment and recommendation on the project.