



Office of
Environment
& Heritage

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SSD 5175 MOD 5 & SSD 8858

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Exhibition of Eastern Creek Business Hub, Rooty Hill Road South, Eastern Creek - SSD 5175 MOD 5 (Concept Plan) and SSD 8858 (Detailed Design) - Lot 1 Stage 2

Attention: Emily Dickson

Dear Mr Roberts,

I refer to your notification letter dated 26 November 2018 to the Office of Environment and Heritage (OEH) seeking input into the following State significant development applications.

SSD 5175 MOD 5: Modification to the concept approval (as it relates to Lot 1), to relocate the bulky goods building envelope; include new uses and amend the landscape masterplan and the Urban Design Guidelines.

SSD 8858: Construction of a bulky goods retail centre on Lot 1 (gross floor area of 12,020m²) with six tenancies, including a café and indoor recreation facility (play centre), signage zones, 401 at grade car spaces, loading dock and landscaping works.

OEH has undertaken a preliminary review of the information submitted and requires the following matters outlined in Attachment 1 to be addressed to adequately assess the proposal.

Please contact Svetlana Kotevska on 8837 6040 or at Svetlana.kotevska@environment.nsw.gov.au should you have any further queries regarding this matter.

Yours sincerely

S. Harrison 18/01/19

SUSAN HARRISON
Senior Team leader - Planning
Greater Sydney
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Attachment 1 – Office of Environment and Heritage (OEH) comments Exhibition of Eastern Creek Business Hub, Rooty Hill Road South, Eastern Creek - SSD 5175 MOD 5 (Concept Plan) and SSD 8858 (Detailed Design) - Lot 1 Stage 2

Biodiversity

1. The main potential biodiversity impact of this modification is in relation to the new internal access road and roundabout as shown on Figure 51 – Development Control Plan Lot 1. The preferred internal road connection impacts on a small portion of vegetation that is identified as ‘existing vegetation to be retained’ and which forms part of the offset for the site. The impacted area is highlighted in yellow on the extracted map below – Figures 1 and 2 below.

Given this impact, a BDAR will need to be submitted with the SSD 5175 MOD 5. Alternatively, the plans need to be revised to ensure the internal road does not impact this vegetation. OEH cannot grant a BDAR waiver for a modification that has an increased impact on biodiversity values under (s30A(2) Biodiversity Conservation(Savings and Transitional) Regulation 2017).

2. The EIS states that “the northern boundary of Lot 1 is proposed to be realigned to facilitate the revised internal access road. As a result, the boundary will no longer be straight, and the landscaped setback will be reduced by up to 5.4m for a small portion of the frontage (Figure 12).” The drainage channel is part of the landscaped setback and more importantly forms part of the proposed on-site offset. This offset area is identified in the design guidelines as Revegetation DNG (Derived Native Grasslands) as shown in light green (Figure 3 below). Clarification is required that the proposed offset is not reduced due to the boundary realignment. Otherwise a Biodiversity Development Assessment Report (BDAR) may be required.
3. The landscape plans concept tree removal strategy shows 72 trees on site to be removed (Figure 4 below). Clarification is required as to whether these trees form part of the original proposed site offset to be protected under SSD 5175.
4. The EIS consistency table needs to be updated to detail the two SSD proposals consistency with the original concept plan SSD 5175 in relation to:
 - Biodiversity. The proposal cannot rely exclusively on the Biodiversity Development Assessment report (BDAR) waiver issued given the concerns outlined with the proposals potential impacts on the proposed site offset area and vegetation that was meant to be retained.
 - Aboriginal Cultural Heritage (ACH). There is a significant change and relocation of the building envelopes on Lot 1 from the approved to the proposed design which may impact on ACH (refer to Figure 2).

The consistency table in the EIS needs to be updated as it is currently does not address these two matters.
5. OEH supports the conservation measures proposed in the Design Guidelines and this must be conditioned on any forthcoming consent.

Aboriginal Cultural Heritage

6. An Aboriginal Cultural Heritage Assessment Report (ACHAR) was submitted with the original concept plan application for the Eastern Creek Business Hub SSD 5175 and an assessment of Aboriginal Cultural Heritage undertaken at this stage. The report prepared by Kayandel Archaeological Services dated August 2012 recommended that for portions of potential archaeological deposits further sub-surface archaeological investigation occur prior to commencement of ground disturbing works in the vicinity.

However, the original concept plan has now been modified several times and this latest proposed modification (SSD 5175 MOD 5) involves significant changes to the location of the building envelopes. It is unclear whether the relocated building envelopes impact on ACH and whether this location on Lot 1 was assessed as part of the original ACHAR. Clarification is required that the original ACHAR included an assessment of all of Lot 1 and the area where the new building

envelope is proposed as part of this SSD and modification. Otherwise a revised assessment is required.

Flooding

7. The SSD 5175 Modification 5 - Stage 2 relates to the management of stormwater within the Eastern Creek Retail Centre. The Eastern Creek Retail Centre – Lot 1 (Stage 2) Stormwater Management Report (AT&L October 2018) assumes Modification 4 i.e. infrastructure works are approved and constructed when stage 2 works commence. In Section 3.3, the report outlines proposed design criteria for the drainage system within Lot 1 that is required to satisfy Blacktown City Council (BCC) engineering requirements.

It has been noted that Section 3.4 titled Overland Flow and Flooding states *'The proposed development is located within a non-flood risk precinct as defined by BCC flood maps'*. This statement is inconsistent with Council's latest flood studies i.e. Eastern Creek Hydraulic Assessment (CSS, November 2014) which shows the site in existing conditions is impacted by Eastern Creek main stream flooding in the 5% AEP up to the probable maximum flood. Moreover, it is also inconsistent with Eastern Creek Business Hub Local Probable Maximum Flood Assessment (JWP June 2014). Therefore, consultation with BCC regarding this matter is recommended.

Attachment 2 - Relevant Plans

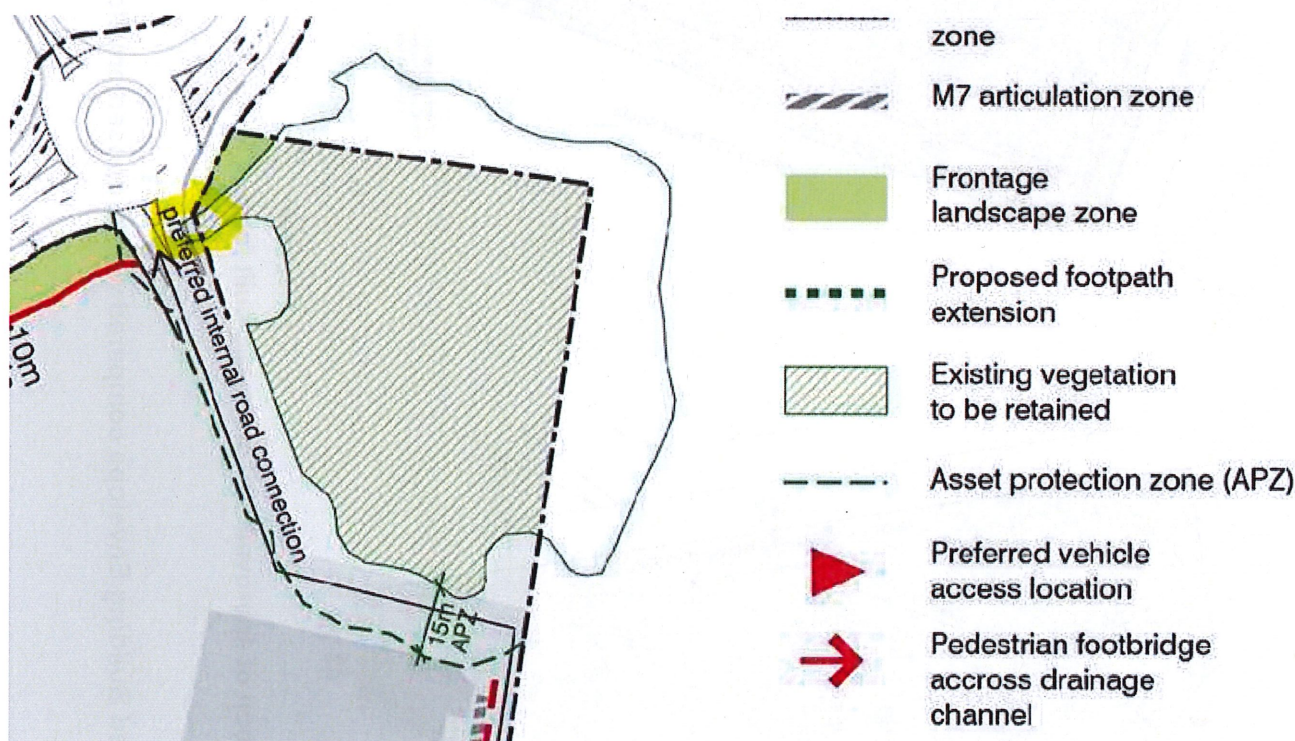
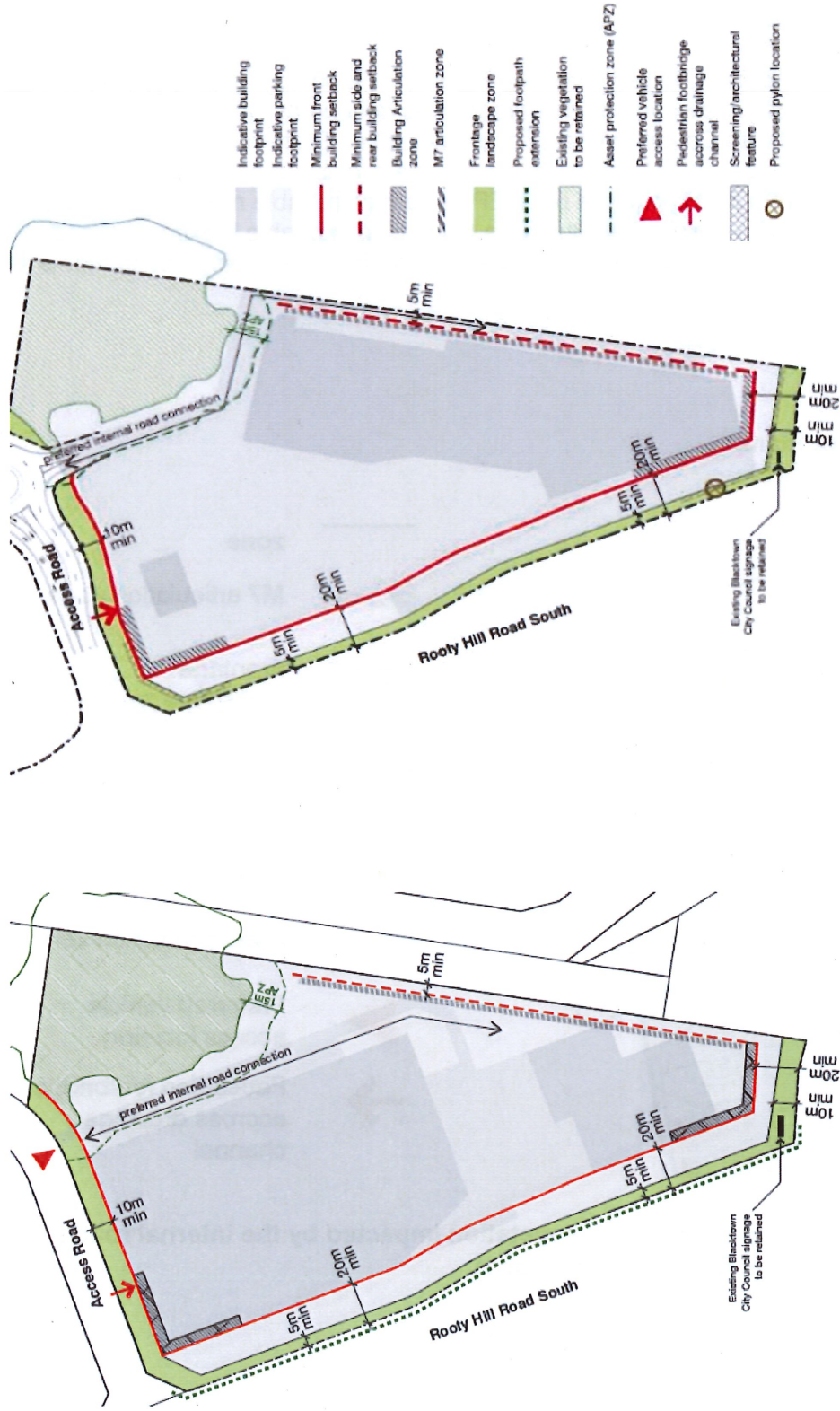


Figure 1 – Showing yellow area of existing vegetation impacted by the internal road (extract from Figure 51 – Development Control Plan – Lot 1)



Approved *Proposed*

Figure 3 Comparison of approved and proposed built form

Source: i2c

Figure 2 – Original approved Building Envelope compared with proposed envelope



Figure 3: Proposed Offset Areas (Ecological Australia)

Figure 3 – Proposed Offset areas showing the Revegetation DNG (Derived Native Grasslands)

CONCEPT | TREE REMOVAL STRATEGY



● Trees Removed: 72

* Indicative only.
Taken from site and desktop analysis

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EASTERN CREEK QUARTER | STAGE 2
LANDSCAPE DEVELOPMENT APPLICATION



PREPARED BY	Arcadia Landscape Architecture	DATE	Oct 2018
CLIENT	Private Property	SCALE	
PROJECT NO.	17-509	ISSUE	1

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Figure 4 - Landscape plans Tree removal strategy showing 72 trees removed

(END OF SUBMISSION)