26 February 2021

Ref: WTJ20-162
Contact: Lewis McAulay

Request for Secretary's Environmental Assessment Requirements

Proposed Construction and Operation of a Warehouse and Distribution Facility

250 Victoria Street, Wetherill Park
Lot 1, 2, 3 and 4 DP781975

Prepared by Willowtree Planning Pty Ltd on behalf of Fabcot Pty Limited as a wholly owned subsidiary of Woolworths Group Limited

February 2021

A national town planning consultancy
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TABLE OF CONTENTS

APPENDICES

Appendix	Document	Prepared by
1	Preliminary Architectural Plans	Watson Young Architects
2	BDAR Waiver	Eco Logical
3	Preliminary Visual Analysis	Roberts Day/Hatch
4	Aboriginal Cultural Heritage Due Diligence Assessment	Artefact

FIGURES

TABLES

PART A PRELIMINARY

1.1 INTRODUCTION

This Scoping Report has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Fabcot Pty Limited as a wholly owned subsidiary of Woolworths Group Limited (the Proponent) and is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of a formal request for Secretary's Environmental Assessment Requirements (SEARs).

The Proponent is proposing to construct a warehouse and distribution facility at 250 Victoria Street, Wetherill Park identified as Lot 1, 2, 3 and 4 DP781975.

The Site is located within the Fairfield Local Government Area (LGA) and is zoned IN1 General Industrial zone (IN1 zone) under the provisions of the *Fairfield Local Environmental Plan 2013* (FLEP2013). Development for the purpose of a warehouse or distribution centre is permissible with consent within the IN1 zone.

The proposed development satisfies the definition of State Significant Development (SSD) pursuant to Schedule, Part 12 of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) as the Capital Investment Value (CIV) exceeds $50 million.

The Scoping Report provides a brief overview of the proposed development and the relevant planning framework that applies to enable the issuance of the SEARs which will guide the preparation of a formal Environmental Impact Statement (EIS) for future development of the land.

Environmental considerations relevant to the proposed development have been identified pertaining to the following parameters:

- Noise;
- Traffic & Transport;
- Site Layout and Design;
- Visual Amenity / Urban Design;
- Hazards and Risks;
- Air Quality;
- Hazards and risks;
- Social / Economic;
- Community Consultation;
- Other Infrastructure & Services;
- Soil and Water;
- Biodiversity;
- Aboriginal Cultural Heritage and Non-Aboriginal Heritage;
- Waste; and,
- Economic Impacts.

The proposed development would provide significant benefit to the Sydney Metropolitan Region supporting the preservation and enhancement of industrial land for employment purposes.

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The identified portion of land that is subject to this Report is legally defined as 250 Victoria Street, Wetherill Park, Lot 1, 2, 3 and 4 DP781975.

The Site comprises a total 86,233m² and is subject to the applicable provisions outlined in the FLEP2013. The Site presently benefits from dual access from both Redfern Street and Victoria Street.

The Site is situated approximately 27km west of the Sydney CBD, 9km south west of Parramatta CBD and 9km north of the Liverpool CBD. The Site is located within close proximity of bus stops located along Victoria Street, and Fairfield Station is located approximately 4km from the Site. Further, the Site is within proximity of both the M4 and M7 which provides enhanced connectivity the Greater Sydney Metropolitan Region.

In its existing state, the Site contains factory/warehouse structures and ancillary offices, a number of shipping containers and storage of various machinery and industrial goods. The Site is bound by Victoria Street to the south and Redfern Street to the north.

Land surrounding the Site comprises the following zoning categories, including:

- IN1 General Industrial;
- IN2 Light Industrial;
- R2 Low Density Residential;
- RE1 Public Recreation; and
- E2 Environmental Conservation.

The nearest sensitive land use comprises the R2 Low Density Residential, RE1 Public Recreation and E2 Environmental Conservation zones located predominately to the south of the Site. Accordingly, mitigation and protection measures would be required as part of any future development proposed, in order to preserve the amenity of the subject Site.

The Site is subject to the provisions outlined within FLEP2013 which is the primary Environmental Planning Instrument (EPI) and categorises the Site within the IN1 General Industrial zone, as displayed in **Figure 1** below. The Site and surrounding context are illustrated in **Figures 2** and **3** below.

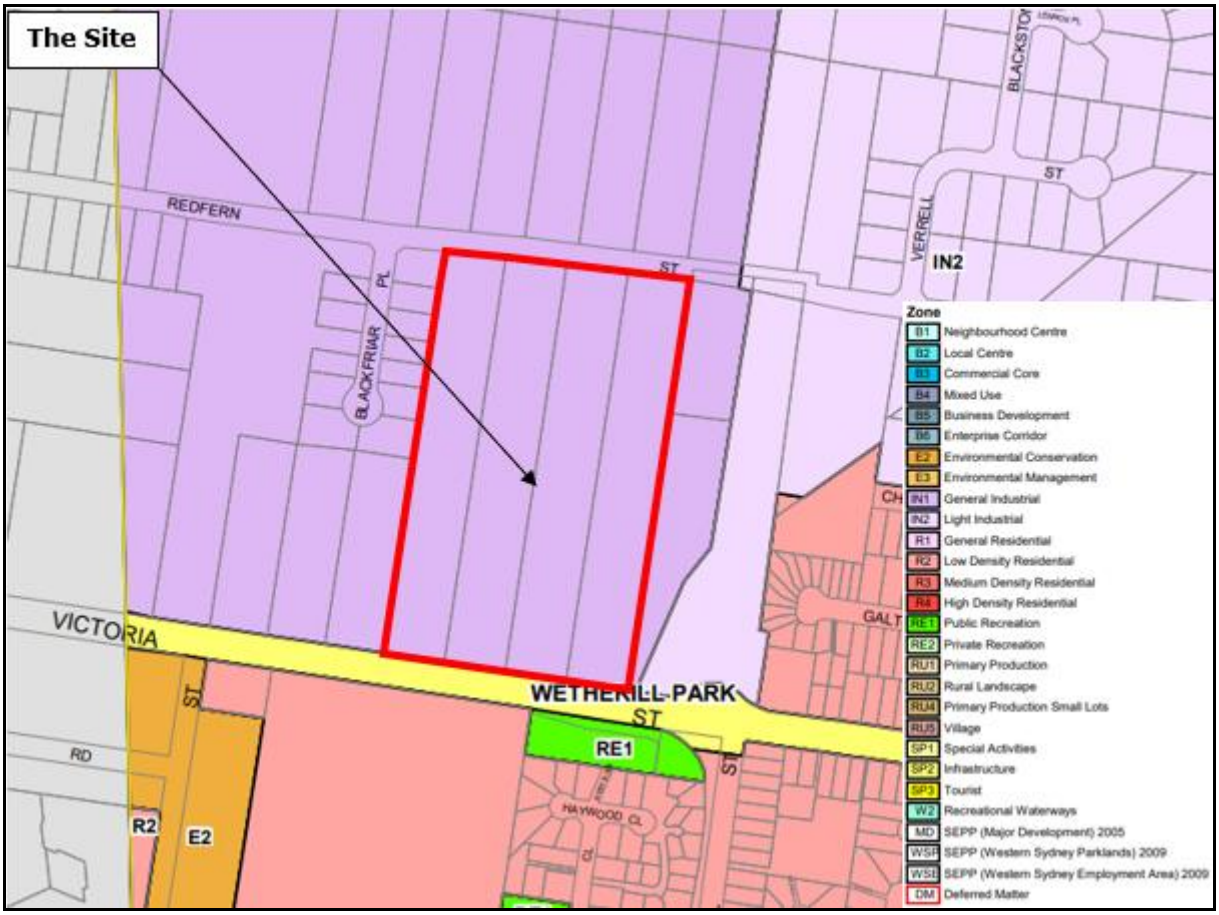


Figure 1: Land Zoning Map (NSW Legislation, 2020)

Figure 2: Cadastral Map of Site (SIX Maps, 2020)

Figure 3: Aerial Map of Site (Nearmaps, 2021)

2.2 SITE CONTEXT

The Site is located in the suburb Wetherill Park, which is part of the wider Fairfield LGA.

The immediate Site context exhibits an industrial character being previously being used for factory/warehouse and zoned for industrial-related purposes pursuant to FLEP2013.

Other land uses in the vicinity of the Site include:

- Aspect Western Sydney School;
- Wetherill Park Natural Reserve;
- TAFE NSW – Wetherill Park; and
- Low density detached dwellings.

FLEP2013 remains the primary EPI applicable to the Site. It is noted that the surrounding regional road network is located in close proximity to the Site which includes both the M4 and M7 motorways providing enhanced connectivity to the wider Sydney Metropolitan Area.

Figure 4: Site Context Map (Nearmaps, 2021)

PART C PROPOSED DEVELOPMENT

3.1 OVERVIEW

The proposal seeks development consent for a warehouse and distribution facility. The following objectives have been identified as forming the basis of the proposed development as well as being consistent with the aims set out within the FLEP2013, including:

- Design the Site to achieve a viable economic return;
- Ensure minimal environmental and amenity impact;
- Ensure ongoing compliance with all operational legislative requirements;
- Provide for employment generating land use; and
- Ensure development is compatible with the surrounding development within the Site's context.

The Site and the proposed design are considered to meet the objectives of the proposal, as it allows for development on land that is current being utilised for factory/warehouse purposes, would be suitably located and is zoned accordingly for warehouse and distribution purposes.

The development is a facility for handling Chilled Products and Fresh Fruit and Vegetables (Chilled and Fresh Products) with the building split into a number of different temperature and humidity zones to handle these goods. The facility will operate in concert with the two Moorebank Facilities, which will handle all of the fast moving ambient goods in NSW and all of the slow moving ambient goods for Australia. The warehouse and distribution facility will provide all chilled and fresh products to approximately 285 of the supermarkets, metro stores and convenience based outlets across NSW. The facility is a temperature controlled facility storing over 3700 fresh produce and chilled products. Presently, all chilled and fresh food products are handled through existing facilities at Minchinbury, Arndell Park, Prospect with support from other Third-party Logistics (3PL) carriers. It is proposed to consolidate the operations at these 3 locations and the 3PL support to this one facility at Wetherill Park. The net immediate benefit will be an immediate reduction in truck movements on Sydney's broader road network via the network efficiency that we can create. The facility is exclusively a logistics hub for chilled products and fresh fruit and vegetables. There will be no customers or members of the general public accessing this facility. Both Auburn and Marrickville Customer Fulfillment Centre (CFC) will receive chilled and fresh products from this distribution centre, with most ambient products delivered from the new facility in Moorebank.

Preliminary Architectural Plans are provided at **Appendix 1** of this Scoping Report.

3.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

Consent is sought for the construction and operation of a warehouse and distribution facility. The proposed development is shown at **Appendix 1** of this Scoping Report contains the preliminary Architectural Plans for the proposed development. These Plans demonstrate the indicative layout of the proposed warehouse and distribution facility which is outlined in the following Sections (**Sections 3.2.1-3.2.5**)

3.2.1 Proposed Warehouse and Distribution Facility

The proposed warehouse and distribution facility would comprise storage and distribution of goods. The ground floor would contain the storage of produce, events and general storage and Level 1 would contain the storage of chilled and frozen goods. Both levels would include hardstand for loading bays for pick up and drop off of goods via rigid vehicles. The proposed development would exhibit a built form resulting in a maximum building height of 42.365m and gross floor area of 70,178m².

Construction works comprising earthworks and infrastructure works will be assessed under a concurrent Development Application which will establish the building pad and precise levels to facilitate the proposed warehouse and distribution facility.

3.2.2 Office and Staff Amenities

Ancillary offices, support space and staff amenities are provided at both ground floor and level 1. The office and staff amenities would comprise and overall GFA of 3,841m² (ground floor office and amenities = 1,010m², ground floor lunchroom and amenities = 2,216m² and level 1 office and amenities = 705m²). The proposed office and staff amenities are considered adequate to serve the functions of future operations and staff once the warehouse and distribution facility is constructed. The proposal seeks to develop this to a 5 star Green Building Council (GBC)

3.2.3 Access and Servicing

The Site benefits from dual access from Redfern Street and Victoria Street. The preliminary Architectural Plans show and ingress and egress from Victoria Street for staff. The rigid vehicle ingress and egress is proposed from Redfern Street.

As noted above, a Development Application for earthworks and infrastructure will be submitted to Fairfield City Council which will include provisions for future infrastructure requirements for the Site including; potable water, wastewater, gas, electricity and telecommunications. Accordingly, all infrastructure services can be provided to the Site to service the proposed warehouse and distribution facility.

3.2.4 Landscaping

A carefully selected landscape setting will be chosen comprising a mix of native and endemic plant species, shrubs, trees and grasses which will help to improve the aesthetic for workers and visitors, as well as exhibit an appropriate landscaping treatment for motorists and pedestrians along Victoria Street. Landscaping will aid the proposal by virtue of landscape screening ultimately improving the visual amenity of the Site, particularly within the 10m landscaped buffer along Victoria Street.

3.2.5 Car Parking

Car parking has been provided across the Site to facilitate operational phase of the proposed development. The proposed development seeks 725 car parking spaces to service the warehouse and distribution facility.

3.3 OPERATIONS AND PROCEDURES

This facility is being developed to provide capacity for the warehousing and distribution of 'Chilled Products', 'Fresh Products (Fruit & Vegetables)', Milk and Meat for Woolworths Store Network in the Sydney Metropolitan basin.

This facility will operate on a 24 hours a day, 7 days a week basis, however, the dominant operational hours of this facility will be between 5:00am and 1:00pm with approximately 100 truck movements an hour throughout this period.

The facility will operate with a series of different temperature and humidity conditions, for the safe handling of products, but to also maintain them in the best possible condition to be distributed Woolworths stores.

This facility is being developed in response to an ever increasing focus on product quality, but also changing consumer habits:

1. With a bigger focus on fresh, high quality, unprocessed foods.
2. A growing focus on shopping at Small Convenience based Stores.

The proposed maximum building height for future built form across selected portions of the Site is considered consistent with Woolworths operational requirements, encapsulating a highly cost beneficial and operationally efficient outcome.

The future SSD Application would be accompanied by a detailed operational management plan.

3.4 CONCURRENT DEVELOPMENT APPLICATION

To facilitate future development on the Site, for the purposes of a warehouse and distribution facility, the Proponent is undertaking a concurrent Development Application. In the concurrent Development Application to be issued to Fairfield City Council, Development Consent will be sought for proposed earthworks and augmentation of associated infrastructure and services to facilitate the future construction and operation of the warehouse and distribution facility.

The proposed development particular are outlined in **Table 1** below.

Table 1: Proposed Development Particulars	
Project Element	**Development Particulars**
Site Area	86,233m²
Primary Land Use	Industrial related uses (factory/warehouse and storage of goods)
Bulk Earthworks	Earthworks are proposed to be carried out, to establish the building pads on the Site which facilitate future built form development for the purposes of a warehouse and distribution facility, as well as balance any required cut and fill accordingly.
Infrastructure and Services	Services to the Site are able to be successfully augmented where necessary.

3.5 CAPITAL INVESTMENT VALUE

While costs have not yet been finalised, the CIV of this Project is expected to be approximately $305 Million. The costs will be finalised once the final design is confirmed.

As this exceeds the $50 Million threshold under Schedule 1, Part 12 of the SRD SEPP, the Proposed Development is considered SSD.

3.6 CONSULTATION

Consultation is currently being undertaken with the following stakeholders:

- Fairfield City Council;
- NSW DPI Water;
- Aboriginal Land Council;
- NSW Environment Protection Authority;
- NSW Roads and Maritime Services;
- Transport for NSW;
- Office of Environment and Heritage (now Environment, Energy and Science Group); and
- Surrounding landowners.

Consultation with relevant stakeholders will be undertaken whilst preparing a detailed Environmental Impact Statement in keeping with the Department's Major Project Community Consultation Guidelines.

PART D JUSTIFICATION

4.1 PROJECT NEED

The proposed development would assist in providing new employment opportunities through the provision of a warehouse and distribution facility to support the Proponent's ongoing operation. Accordingly, this proposal would not alter the quantity or configuration of land currently zoned for industrial-related uses pursuant to the IN1 General Industrial zone under FLEP2013.

The proposed development, for the purposes of a warehouse and distribution facility is considered consistent with the strategic direction of both the Western City District Plan (Greater Sydney Commission) and the Fairfield LSPS. Additionally, the proposed development will further contribute to the growth of jobs within the Fairfield LGA and wider locale; hence, contributing to the Western City District's economic growth, particularly supporting the Fairfield LGA. Additionally, the construction of the warehouse and distribution centre in this location would be an optimal location for the next 15 years, reducing truck travel times and to the store network and driving down the overall carbon footprint.

Furthermore, the proposed development could support the retention and maintenance of existing industrial land stocks and employment objectives, whilst promoting industry diversification; and would generate more employment through the relevant planning, construction and maintenance stages.

4.2 CONSIDERATION OF ALTERNATIVES

The purpose of the proposed development is to contribute towards the intended industrial character and nature of the IN1 General Industrial zone; and provide a warehouse and distribution facility that is capable of supporting Woolworths ongoing operations. The proposed development seeks to ensure it:

- Fit for purpose;
- Is compatible with surrounding development and the local context;
- Would provide increased operational efficiencies for storage and distribution of goods;
- Would result in minimal impact on the environment; and
- Would allow for the implementation of suitable mitigation measures, where required.

Overall, the scale of the proposed development is considered suitable, and the built form proposed would enhance and renew undeveloped and underutilised industrial land, into a modernised, high-quality warehouse and distribution facility, which will be consistent with surrounding industrial-related uses inclose proximity to the Site and the wider Western Sydney Region. The Site design and layout of the built form proposed, seeks to maintain consistentency with the zone objectives under FLEP2013 and enhance the underlying industrial character intended for the identified land, which is zoned for such permissible land uses. Furthermore, this would be achieved by the resultant built form that would reinforce the nature of the land use and is sensitive to the surrounding environment.

The options considered and subsequently dismissed, in arriving to the current proposal with regard to the proposed development included:

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the proposal would not be met, including the objective of facilitating an employment-generating development. If the proposed development was not to proceed, the Site would continue to remain unfulfilled in terms of development potential or be developed for another industrial-related development.

(b) Development on an Alternative Site

Consideration was given to carrying out development on alternate sites; however, these were dismissed as the Site resulted in the most beneficial outcomes for the proposed development as:

- It is located subject to the provisions of the IN1 zone pursuant to the provisions of FLEP2013, which seeks to provide employment-generating land uses;
- The Site is suitably located with respect to sensitive land activities and any environmental and amenity matters can be appropriately mitigated;
- All potential environmental impacts concerning the proposed development are able to be suitably mitigated within the Site;
- The proximity to the regional road network provides accessibility and linkages to the broader Sydney Metropolitan Region and regional areas of NSW;
- The proposed development demonstrates the capability for continued employment-generating opportunities, during both the construction and operational phases;
- The Site represents a large portion of industrial land in the Western Sydney Region which is becoming increasingly difficult to acquire.
- The proposed development has not been identified as containing any items of Heritage significance, including Aboriginal Cultural Heritage and State or Local Heritage items, that require further consideration; and,
- The Proposed Development could be developed with appropriate visual amenity achieved given its surrounding context.

(c) Different Site Configuration

The configuration of the proposed development was chosen based on the Site's constraints and the Proponent's operational requirements. It is noted that a different site configuration would not have been able to respond to the abovementioned site opportunities and constraints and meet the Proponent's operational objectives. This option was therefore not considered appropriate.

Notwithstanding, the proposed development is justified on the basis that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring consideration.

PART E LEGISLATIVE AND POLICY FRAMEWORK

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this Report:

Commonwealth Planning Context

- *Environment Protection and Biodiversity Act 1999*

State & Regional Planning Context

- *A Metropolis of Three Cities – Greater Sydney Regional Plan*
- *Western City District Plan*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1997*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No 55 – Remediation of Land*

Local Planning Context

- *Fairfield Local Strategic Planning Statement*
- *Fairfield Local Environmental Plan 2013*
- *Fairfield City Wide Development Control Plan 2013*

This planning framework is considered in following sections.

5.1 ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

Under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a "controlled action" and formal Commonwealth approval is required.

Based on preliminary investigations carried out, the proposal does not warrant referral to the Commonwealth Minister for Environment.

5.2 A METROPOLIS OF THREE CITIES – GREATER SYDNEY REGION PLAN

A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission, 2018) divides the Sydney Region into three (3) Cities, with a vision of growth until 2056 (refer to **Figure 5** below). The Plan aims to anticipate the housing and employment needs of a growing and vastly changing population. The overall vision pursues an objective of transforming 'Greater Sydney' into a Metropolis of Three Cities, including:

- The Western Parkland City
- The Central River City; and,
- The Eastern Harbour City.

The division into three (3) cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure & services, entertainment and cultural

facilities. By managing and retaining industrial land close to city centres and transport, this will ensure critical and essential services are readily available to support local businesses and community members and residents. Once constructed and operational, the Site would achieve economic growth and prosperity, as well as encourage employment-generating opportunities within an area zoned for such permissible purposes, that is considered relatively close in conjunction to residential communities, providing an ease of commute. The proposed development across the Site considers the employment-generating outcomes that can be achieved for the immediate and wider localities.

The proposed development at 250 Victoria Street, Wetherill Park also contributes to the four (4) standardised elements communicated across for all three (3) cities, including:

- Infrastructure and collaboration – the proposed development of the Site for the purposes of a warehouse and distribution facility, which would be fit for purpose and provide economic benefit to the Fairfield LGA and wider locale.
- Liveability – the proposed development encourages employment-generating opportunities and economic prosperity, which has positive influences on the wider locality;
- Productivity – the proposed development is situated within the Western City District Plan (refer to Section 5.3 below); and,
- Sustainability – the proposed development would not exhibit or emit any detrimental impacts to its wider ecological surroundings.

In summary, the Site contributes to the objectives set out in the A Metropolis of Three Cities – Greater Sydney Region Plan by promoting minor environmental impacts and the further promotion of employment-generating opportunities to the wider locality and community, positioned within the Fairfield LGA.

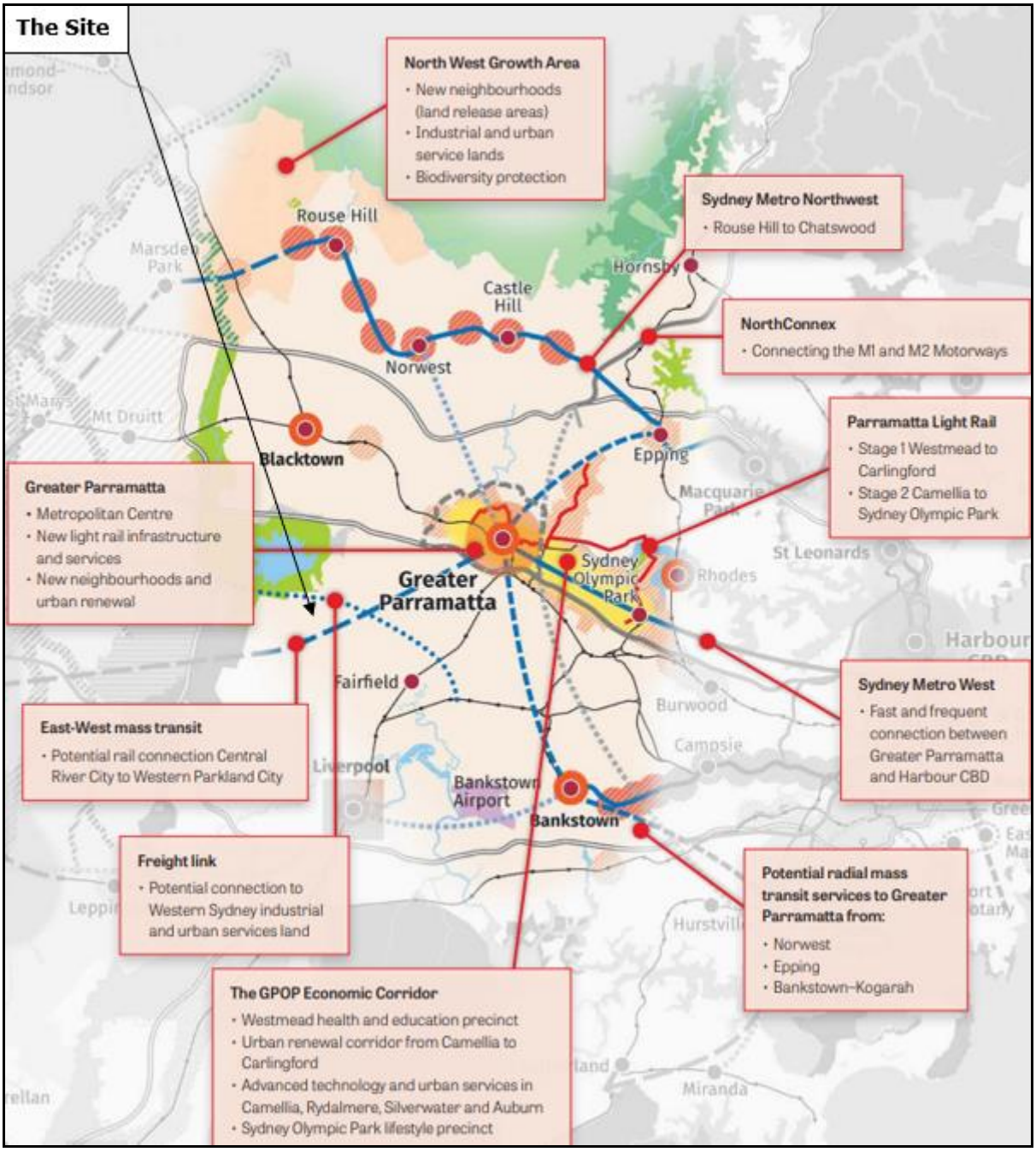


Figure 5: Central City District (Greater Sydney Commission, 2021)

5.3 WESTERN CITY DISTRICT PLAN

Greater Sydney's three cities discussed above reaches across five (5) districts.. The District Plan is a 20-year plan to manage grown in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals, as well as community strategic plans and policies.

Wetherill Park is located within the Western District, and the plan aims to identify the Planning Priorities to achieve infrastructure and collaboration, liveability, productivity and sustainability for the district. At the same time, urban renewal will deliver new housing close to transport and other infrastructure. Overall, 464,000 additional people and 184,500 dwelling are projected for the Western District by 2036.

The priorities and actions relevant to the subject site and proposed development are discussed as follows.

Infrastructure and Collaboration

The key directions for infrastructure and collaboration are additional infrastructure and services to support new developments and working together to grow a greater Sydney. Planning for infrastructure requires co-ordination across all levels of government, industry and the community.

The proposed development would support the transformation that is being pursued by various levels of government. The development would effectively retain and enhance industrial land for industrial-related development, generating employment throughout the construction and operational phases.

Productivity Priorities

Growth in jobs, investment and business opportunities, is to be concentrated in the metropolitan and strategic centres innovation corridors and strategic centres.

In accordance with the District Plan's conceptualisation of growth corridors, the proposed development would support the retention and enhancement of industrial land within an established urban industrial setting promoting the protection of industrial land in an area identified for industrial purposes.

5.4 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the overarching governing statute for all development in NSW and pursuant to Section 4.36(2) provides that:

> *A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.*

The proposed development has been identified as State Significant Development under the SRD SEPP.

5.5 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Section 4(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) states that:

> *Development described in Part 1 of Schedule 3 is declared to be designated development for the purposes of the Act unless it is declared not to be designated development by a provision of Part 2 or 3 of that Schedule.*

The proposal being for a warehouse and distribution facility does not trigger the Designated Development thresholds.

5.6 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (BC Act) is the key piece of legislation in NSW relating to the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BC Act is supported by a number of regulations, including the Biodiversity Conservation Regulation 2017 (BC Regulation).

The BC Act requires consideration of whether a development or an activity is likely to significantly affect threatened species. Preliminary studies have been undertaken to assess the overall ecological context of the subject site and a Biodiversity Development Assessment Report (BDAR) Waiver has been sought. A Letter outlining the request for a BDAR Waiver is provided at **Appendix 2** of this Report.

5.7 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Proposed developments involving activities that are listed in Schedule 1 of the SRD SEPP are identified as being State Significant Development (SSD). Schedule 1, Clause 12 of the SRD SEPP includes provisions for developments comprising warehouse or distribution centres to be undertaken as SSD. Clause 12 states:

> ***12 Warehouses or distribution centres***
> *(1) Development that has a capital investment value 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.*
> *(2) This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.*

The CIV of the entire project is in excess of $50 million, thus the SSD provisions apply to the proposal.

5.8 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) repeals the former State Environmental Planning Policy No 11 – Traffic Generating Development and, pursuant to Clause 104, provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds for 'Warehouse and distribution centres' are:

- 8,000 m² in site area or (if the site area is less than the gross floor area) gross floor area.

The Site comprises a site area of greater than 8,000m². Therefore, any such future development would require referral to the NSW RMS.

5.9 STATE ENVIRONMENTAL PLANNING POLICY NO 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

To facilitate the operational use of the proposed warehouse and distribution facility, there will be some hazardous substances stored on the Site. However, there are no combustibles proposed to be stored on Site, thus State Environmental Planning Policy No 33 - Hazardous and Offensive Development (SEPP 33) is not triggered. Notwithstanding, a Preliminary Risk Screening report would be undertaken and prepared and included within the EIS.

5.10 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55), where a Development Application (in this instance, SSD Application) is made concerning land that is contaminated, the consent authority must not grant consent unless:

> *(a) it has considered whether the land is contaminated, and*
> *(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
> *(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Site investigations are currently underway with respect to contamination on the Site. Site Investigations for Contamination will be submitted with the SSD Application.

5.11 FAIRFIELD LOCAL STRATEGIC PLANNING STATEMENT

Fairfield Local Strategic Planning Statement (LSPS) sets out a 20-year vision for the management and growth of Fairfield City Council. The LSPS was introduced to bridge the gap between the regional local strategic priorities.

The proposed development is in accordance with both Planning Priority 11 *Promote A Robust Economy Which Generates Diverse Services and Job Opportunities* and 12 *Plan for and Manage Urban Services Land* through the retention and enhancement of industrial Site located with land zoned for industrial purposes.

5.12 FAIRFIELD LOCAL ENVIRONMENTAL PLAN 2013

The Site forms part of the Fairfield LGA and is subject to the provisions of the FLEP2013

Permissibility

The Site is zoned IN1 General Industrial under the provisions of FLEP2013.

The objectives of the IN1 General Industrial zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To ensure development is not likely to detrimentally affect the viability of any nearby business centre.*

Within the IN1 zone the following are permissible without consent:

- *Environmental protection works.*

Within the IN1 zone the following are permissible with consent:

- *Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises;* ***Warehouse or distribution centres****; Any other development not specified in item 2 or 4*

Within the IN1 zone the following are prohibited:

- *Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Forestry; Function centres; Health consulting rooms; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Intensive livestock agriculture; Jetties; Marinas; Medical centres; Mooring pens; Moorings; Pond-based aquaculture; Research stations; Residential accommodation; Restricted premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Water reticulation systems; Water treatment* facilities; Wharf or boating facilities

Therefore, a warehouse and distribution centre are permissible with consent in the IN1 zone.

Table 2 provides a summary of the FLEP2013 provisions as they apply to the Site, with respect to the proposed development, for the purposes of a warehouse and distribution facility.

Table 2: Development Standards	
Clause	**Comment**
Clause 4.1 – Minimum Lot Size	The Site is subject to a minimum lot size of 930m² pursuant to the FLEP2013. The proposed development does not seek to subdivision of the lots.
Clause 4.3 – Height of Buildings	The Site is not subject to a maximum building height pursuant to the FLEP2013.
Clause 4.4 – Floor Space Ratio	The Site is not subject to a FSR pursuant to the FLEP2013.
Clause 5.10 – Heritage	The Site is not identified as a heritage item nor is it located within a heritage conservation area. The Site is located within proximity (200m) from a local heritage item known as Bunya Pines (I101).
Clause 6.1 – Acid Sulfate Soils	The Site has not been located within an area that is identified as containing Acid Sulfate Soils pursuant to the FLEP2013. Site investigations are presently being undertaken to establish existing ground conditions. Subject to the findings of these studies, appropriate measures may be implemented to manage Acid Sulfate Soils.
Clause 6.3 – Flood Planning	From a preliminary review of the Prospect Creek Floodplain Management Plan Review, it does not appear that the Site is significantly flood affected. However, preliminary studies will be prepared as part of the Civil Works to ensure that the Site complies with Clause 6.3.

5.13 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft Environmental Planning Instruments Apply to the Site.

5.14 FAIRFIELD CITY WIDE DEVELOPMENT CONTROL PLAN 2013

The *Fairfield City Wide Development Control Plan 2013* (FDCP2013) was formally adopted by Fairfield City Council under delegation from the Director-General of the Department of Planning and Infrastructure (now DPIE) and came into regulatory effect on 31 May 2013.

The proposed development will consider the relevant controls of the FDCP2013, which will be articulated within the proposed built form design and further within the EIS to be prepared.

PART F ENVIRONMENTAL ASSESSMENT

A screening analysis of the environmental issues applicable to the proposal is presented in **Table 3** below. This risk-based analysis has been used to identify the key environmental issues for further assessment and assist the preparation of the SEARs with respect to the proposed development.

The analysis is based on preliminary environmental assessment of the Site only. The EIS for the proposal will fully address these items and other key environmental issues relevant to the Proposal.

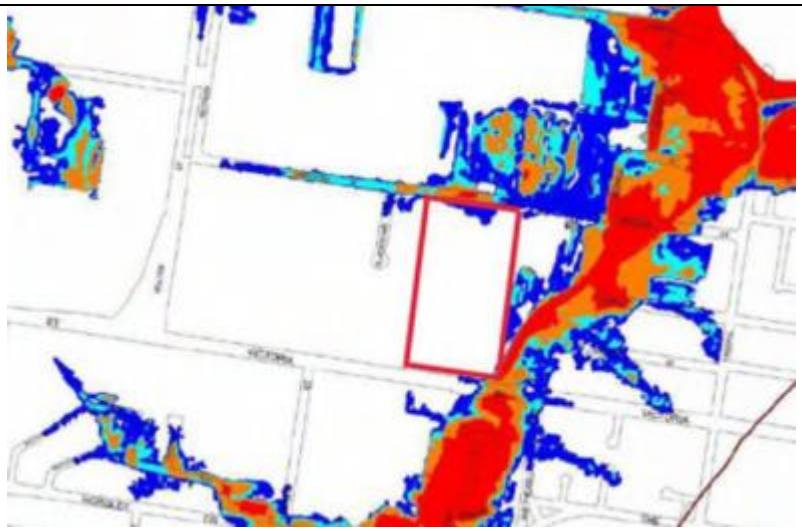
Table 3: Environmental Screening Analysis

Issue	Analysis
Noise	▪ The Site is capable of mitigating acoustic impacts to sensitive receivers. ▪ The SSD Application would consider both construction and operational acoustic impacts (noise and vibration) having regard to the NSW Environment Protection Authority (EPA) Industrial Noise Criteria, including the Noise Policy for Industry (NPI) document, the Interim Construction Noise Guideline, as well as relevant controls FLEP2013, NSW EPA (2011) NSW Road Noise Policy and Standards Australia (1997), Acoustics – Description and measurement of environmental noise, Part 1: General procedures, AS1055:2018 "Acoustics—Description and measurement of environmental noise". ▪ Potential noise impacts generated during the construction phase of the proposed development would be localised through construction traffic and construction equipment, for which a Construction Noise and Vibration Management Plan (CNVMP) would be implemented to address any potential noise and vibration impacts anticipated during the construction phase. ▪ Operational noise would be attributed to proposed plant and equipment including back-up generators distributed throughout the Site. Additionally, it is noted that heavy vehicle manoeuvres and transport refrigeration units on trucks would be a source of noise during operation. ▪ It is noted that a complete Noise Impact Assessment would be undertaken by a suitably qualified Acoustic Engineer to confirm the proposed development does not exceed the relevant acoustic emissions criteria. Where potential impacts are identified suitable acoustic attenuation and mitigation measures would be recommended and implemented where required. ▪ The final selection between urban or suburban noise amenity criteria will be reviewed following the background noise monitoring. The nearby existing arterial roads have through-traffic with characteristically heavy and continuous traffic flows during peak periods, in addition to the existing industrial area adjacent to the nearest receiver locations, as per the NPfI the amenity category will not be based upon zoning alone. ▪ 5 to 6 noise monitoring locations (this will include within the suburban streets with shielding from arterial roads and some exposed to arterial roads) will be identified. All the noise monitoring data will be reviewed once measurements are completed to determine what the appropriate background noise levels should be adopted for the assessment. The prevailing meteorological conditions in accordance with the NPfI. ▪ The following methods will be used to predict on-site operational noise and traffic noise along public roads: **Road Noise Policy (RNP)** - Road traffic noise will be assessed using a modelling method detailed in Appendix B4 of the NSW Road Noise Policy. We will liaise with EPA to determine the appropriate prediction method/algorithms to be used with consideration of the types of

	heavy vehicles proposed to be used by the project. - Potential increases in road traffic noise at the intersection of Redfern Street and Hassall Street, will be based upon an assessment including noise monitoring of road traffic noise level and noise measurements of vehicle type proposed to be used. We will liaise with EPA to confirm this approach. **<u>Noise Policy for Industry (NPfI)</u>** ▪ A 3D computer noise model will be developed for the site to assess noise impacts at all nearby potentially impacted receiver locations. We will liaise with EPA to determine the appropriate prediction method/algorithms to be used, noting that the nearest receivers are around 70m away from the proposal site, with other nearby receivers located beyond 100m which may mean different prediction methods may be appropriate. ▪ The prevailing meteorological conditions would also be assessed, following an assessment as per the NPfI. ▪ Heavy vehicle manoeuvres and transport refrigeration units on trucks that operate within the site will be included in the noise modelling. ▪ The operational noise scenarios to be assessed will be based upon "reasonable worst case" during normal operations (ie. without emergency plant/equipment) as per the NPfI. ▪ Modelled noise sources will be based upon measurements of the proposed Woolworths truck fleet (previously measured data/database noise levels will be relied upon for the trucks Woolworths do not own). This will include measurements of vehicles in simulated conditions similar to what will occur as part of the operations. ▪ The client and consultant are presently preparing a synopsis to inform the methodology for the Noise Impact Assessment.
Traffic & Transport	▪ Suitable provision is made to accommodate and service the proposed development in terms of traffic and transport. ▪ The Site benefits from dual access from Redfern Street and Victoria Street. The preliminary Architectural Plans show and ingress and egress from Victoria Street for staff. The rigid vehicle ingress and egress is proposed from Redfern Street. ▪ The truck fleet will predominantly comprise: o B-Doubles; o 16m Trailers; o 11m Trailers; o 11m Rigid vehicles. ▪ The trucks will have primary and secondary truck routes which will include Western Motorway via Prospect Highway and Hassell Street, and M7 via Horsley Drive, Victoria Street and Walter Street. ▪ A small portion of trucks will be travelling eastbound along Victoria Street to access the Cumberland Highway to service the stores located in Campbelltown, Liverpool, Fairfield, Auburn and Canterbury-Bankstown LGAs. ▪ Parking provision to suit the operations of the warehouse and distribution facility have been provided. ▪ Swept paths vehicles within the car parking area will be demonstrate compliance. Further, swept paths for the loading of heavy vehicles will be clearly articulated within the future SSD Application. ▪ Net traffic generation rates will be calculated and analysed. ▪ Traffic counts would be undertaken during preparation of the SSDA to inform the traffic study, as well as the noise and air quality assessments. ▪ A Traffic Impact Assessment would be prepared by a suitably qualified Traffic Engineer, which would consider the potential traffic related impacts as a result of the proposal on the surrounding road network; access and design; car parking; and traffic generation (including relevant swept path

	analysis).
Site Layout and Design	▪ The Site layout and design respond to the Site constraints, thus providing a highly functional development which enhances the visual amenity of the locality. ▪ The proposed maximum building height for future built form across selected portions of the Site is considered consistent with Woolworths operational requirements, encapsulating a highly cost beneficial and operationally efficient outcome. The increased demand for industrial sites due to the lack of industrial land release and exponential land value increases, requires end users to reach new attainable development standards, via means of verticality to secure an ideal planning outcome. Additionally, location to market is pertinent given the delivery of chilled and fresh products. Accordingly, the proposal is considered to be of an appropriate scale and character, having regard to the desired outcome for the locality. ▪ Suitable provision is made for service vehicles within the Site. Detailed swept paths would be provided within the EIS and Traffic Impact Assessment.
Visual Amenity / Urban Design	▪ A Preliminary Visual Analysis has been prepared by Roberts Day and is attached at **Appendix 3**. ▪ The Preliminary Visual Analysis has chosen key vantage points through identification of physical absorption capacity and visibility of the site as well as focus on the areas that are more likely to be affected by the proposal. ▪ The built form would be designed to incorporate architectural elements that articulate the façades and provide a sufficient level of visual amenity within the public domain. ▪ The 10m setback to Victoria Street would provide for significant landscaping to soften the view of the built form from the landscape and residential properties to the south and east.
Hazards and Risks	▪ A Preliminary Risk Screening will be undertaken in accordance with the relevant SEPP 33 thresholds to establish the storing of Dangerous Goods on-site.
Air Quality	▪ Given the nature of the proposed development being for a warehouse and distribution facility, air quality impacts would be considered accordingly. ▪ During construction, air quality would be managed through appropriate dust mitigation measures. ▪ An Air Quality Impact Assessment Report prepared by a suitably qualified expert would accompany the EIS.
Social / Economic	▪ The proposed development would positively impact on the social and economic conditions of the Fairfield LGA. ▪ The proposed development will create approximately 700 jobs during construction and 500 jobs during the operational stage of the development.
Community Consultation	▪ The client is committed to open and transparent community engagement prior to submission of the Environmental Impact Statement. ▪ The aim is to provide quality information about the proposal and understand key concerns, through a range of channels: o Door-knock of residents with fact sheet on to discuss the plans including acoustics, visual scale - commencing next week, Haywood Cl, Galton St, Chifley St (around 50 houses) o Around 550 houses in a 500 metre radius from the site who will be receiving invite to the community session o Dedicated project website with contact points for the community o Community drop in session 13 March 2021 o Translation of key materials to local languages. ▪ Targeted engagement with local sensitive receivers, including schools and

	nearby residents to explain the proposal in detail. ▪ Catchment area for community consultation is provided below in **Figure 6**.  **Figure 6: Catchment area for Community Consultation (Woolworths, 2021)**
Other Infrastructure & Services	▪ All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications. ▪ An early works Development Application will be submitted to Council which will include consideration of infrastructure and services. ▪ The Wetherill Park Precinct provides a great opportunity for Woolworths to diversify the 'Electrical Supply' to this facility to secure the product security and product quality. There are limited other opportunities in the Sydney Basin to do this without substantial capital cost.
Soil and Water	▪ During construction, an Erosion and Sediment Control Plan would be implemented to protect the downstream drainage system and receiving waters from sediment-laden runoff. ▪ Earthworks are being assessed in a concurrent Development Application with Council and would be designed to minimise the extent of cut and fill and allow the balance of soil to be re-used on-site. Topsoil would be stockpiled for re-use within landscaped areas where possible. Regrading would be required to facilitate the building pad for construction purposes. ▪ With regard to water quantity, the proposed development will include provisions for On-site Stormwater Detention (OSD) to capture all site stormwater runoff and manage overland flow across the Site. The OSD system will be sized accordingly to accommodate sufficient storage volume to mitigate increased peak flows generated from the newly constructed impervious areas (roofs and hardstand areas) to pre-development flows for all storm events, up to and including the 1% AEP Flood Extent, as per Council's flooding and engineering requirements. ▪ The site is generally clear of overland flow flooding as shown on the Council's Flood Extent Maps (**Figure 7**) below:

	 **Figure 7: Council's Flood Extent Maps (Fairfield City Council, 2021)** ▪ The proposed development will include a stormwater quality treatment train approach to reduce pollutants contained in runoff from the Site in accordance with Council's pollution reduction targets further facilitating a Water Sensitive Urban Design (WSUD) strategy that is considered acceptable. It is anticipated that ongoing consultation with the NSW DPIE, Council and WaterNSW will occur throughout the SSD Application. ▪ Rainwater harvesting would also be applied across the Site (where considered practical), which will incorporate re-use in irrigation methods and recycled potable water components, i.e. toilet flushing.
Biodiversity	▪ Earthworks proposed under the concurrent earthworks Development Application with Council considers the ecological context of the Site. Preliminary studies have been undertaken to assess the overall ecological context of the subject site and a Biodiversity Development Assessment Report (BDAR) Waiver has been sought. A Letter outlining the request for a BDAR Waiver is provided at **Appendix 2** of this Report. ▪ The preliminary studies concluded that the development will not have a significant impact on biodiversity values. Nor is the site identified on the Biodiversity Values Map. As such, it is considered that a BDAR is not required.
Aboriginal Cultural Heritage and Non-Aboriginal Heritage	▪ Earthworks proposed under the concurrent earthworks Development Application with Council considers the potential impacts to Aboriginal Cultural Heritage across the Site, for which the proposal was supported by an Aboriginal Cultural Heritage Due Diligence Assessment prepared by Artefact (2020) (**Appendix 4**). ▪ The Assessment found that there are: o No previously recorded Aboriginal sites are located within the study area. o No previously unrecorded Aboriginal sites or areas of archaeological sensitivity were identified within the study area during the site inspection. o The study area have nil-low Aboriginal archaeological potential.
Waste	▪ Operational waste would be managed in accordance with a Plan of Management for the Site. ▪ Waste generated throughout the construction phase would be disposed of in accordance with a Waste Management Plan, which would include provisions for recyclables and suitable off-site disposal.

PART G CONCLUSION

The proposed development would equate to a CIV of more than $50 Million, and therefore constitutes an SSD pursuant to Schedule 1, Part 12 of the SRD SEPP.

The Site is situated within the Fairfield LGA and is considered suitable for the proposed development, given that the land is zoned and identified for industrial development.

The proposed development is considered to align with the strategic objectives of FLEP2013 and will continue to support employment-generating opportunities within the wider Sydney Metropolitan Region. Furthermore, the Site is located within close proximity to housing and key infrastructure. In this respect, the proposed development would provide for economic growth and prosperity for the Fairfield LGA.

Additionally, as noted throughout this Report, the proposed development would be carried out in an environmentally and ecologically sustainable manner and would further implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses would not be compromised.

It is requested that DPIE issue formal SEARs for the preparation of an EIS for the proposed development as SSD.

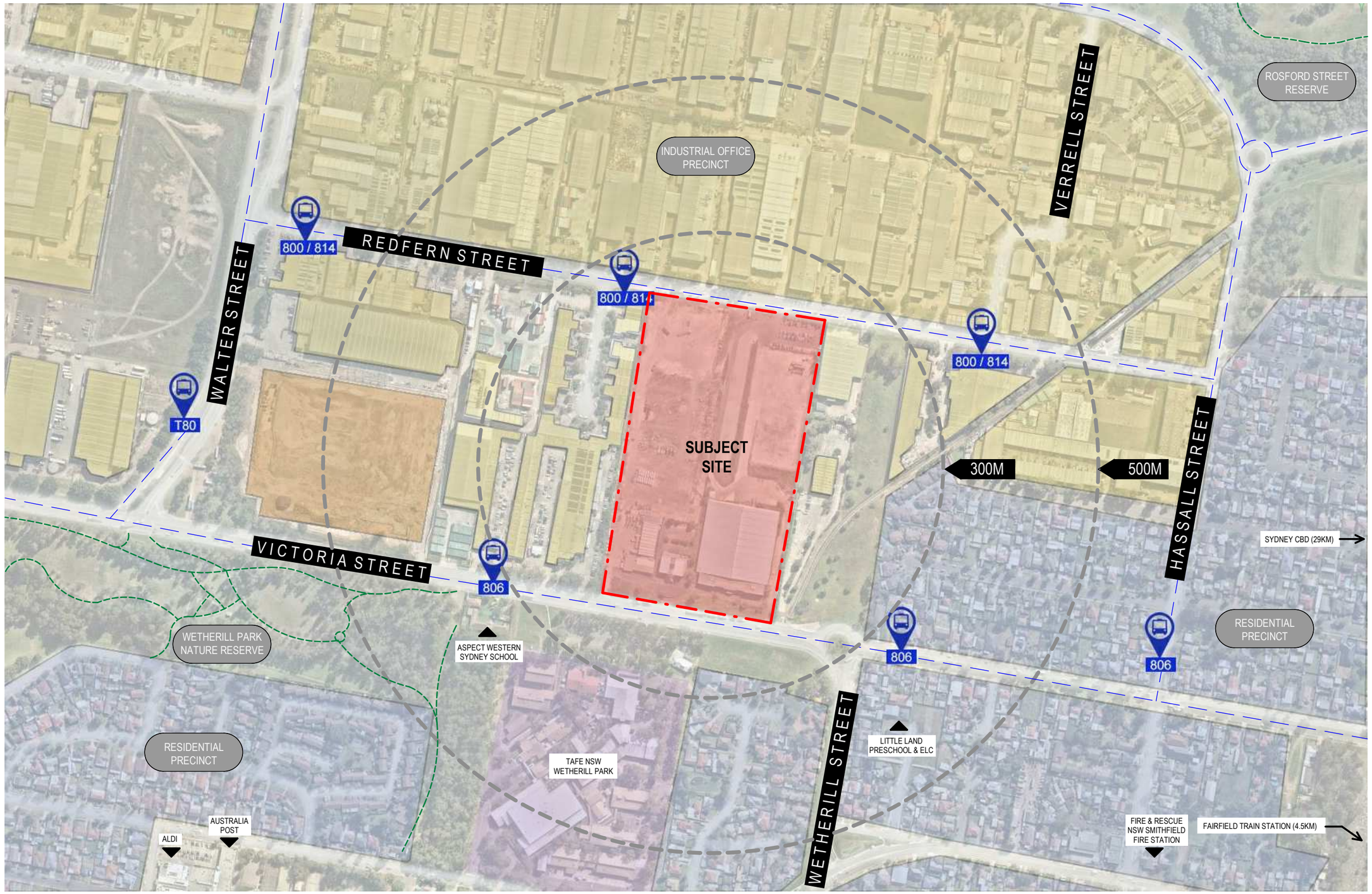
APPENDIX 1 – Preliminary Architectural Plans

DRAFT DEVELOPMENT APPLICATION
FP3, WETHERILL PARK

APPENDIX

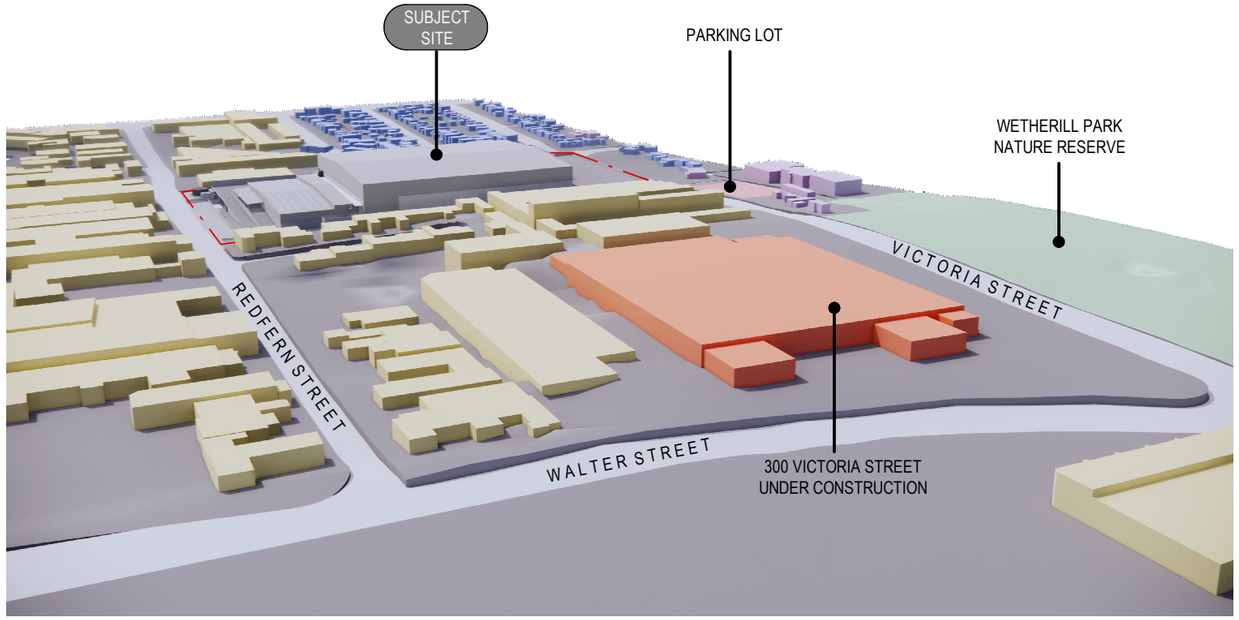
Woolworths

watson young


INDUSTRIAL OFFICE PRECINCT
ROSFORD STREET RESERVE
VERRELL STREET
REDFERN STREET
WALTER STREET
800 / 814
800 / 814
800 / 814
T80
SUBJECT SITE
300M
500M
HASSALL STREET
SYDNEY CBD (29KM)
VICTORIA STREET
806
806
806
WETHERILL PARK NATURE RESERVE
ASPECT WESTERN SYDNEY SCHOOL
RESIDENTIAL PRECINCT
RESIDENTIAL PRECINCT
TAFE NSW WETHERILL PARK
WETHERILL STREET
LITTLE LAND PRESCHOOL & ELC
AUSTRALIA POST
ALDI
FIRE & RESCUE NSW SMITHFIELD FIRE STATION
FAIRFIELD TRAIN STATION (4.5KM)

MASSING DIAGRAMS

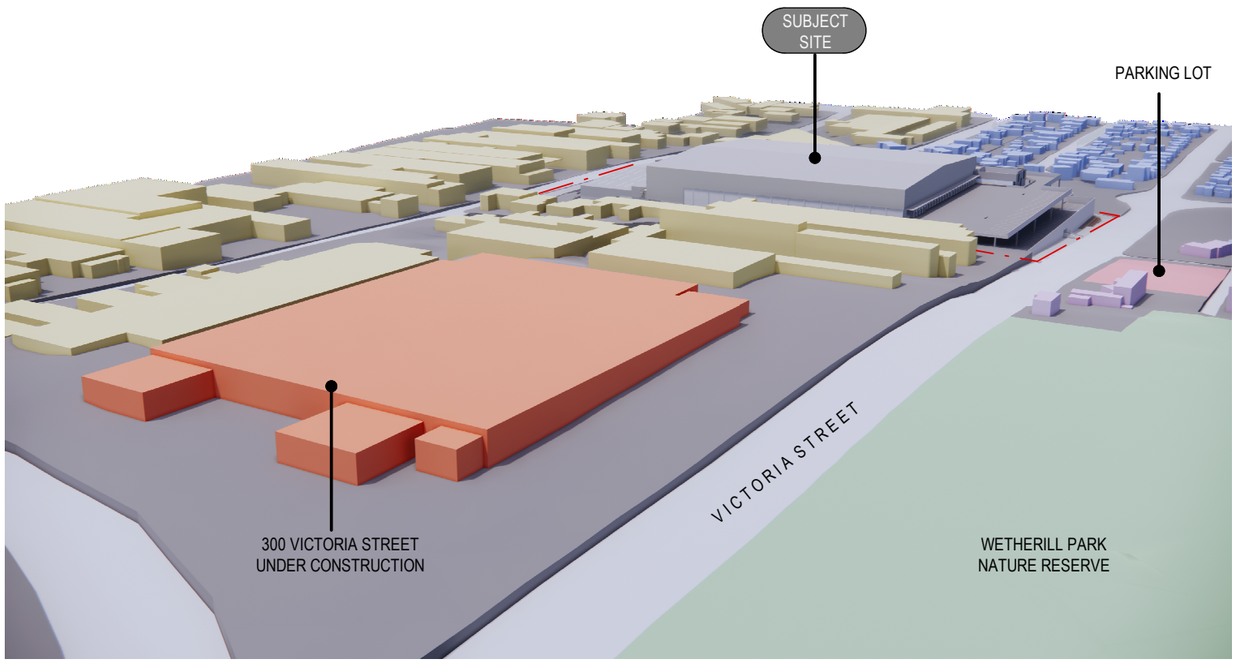
PLAN VIEW
NOT TO SCALE



① CORNER OF REDFERN STREET AND WALTER STREET

LEGEND

- NEW INDUSTRIAL WAREHOUSE UNDER CONSTRUCTION
- INDUSTRIAL PRECINCT
- RESIDENTIAL PRECINCT
- EDUCATIONAL PRECINCT
- PARKING LOT
- WETHERILL PARK NATURE RESERVE



② CORNER OF WALTER STREET AND VICTORIA STREET

Woolworths

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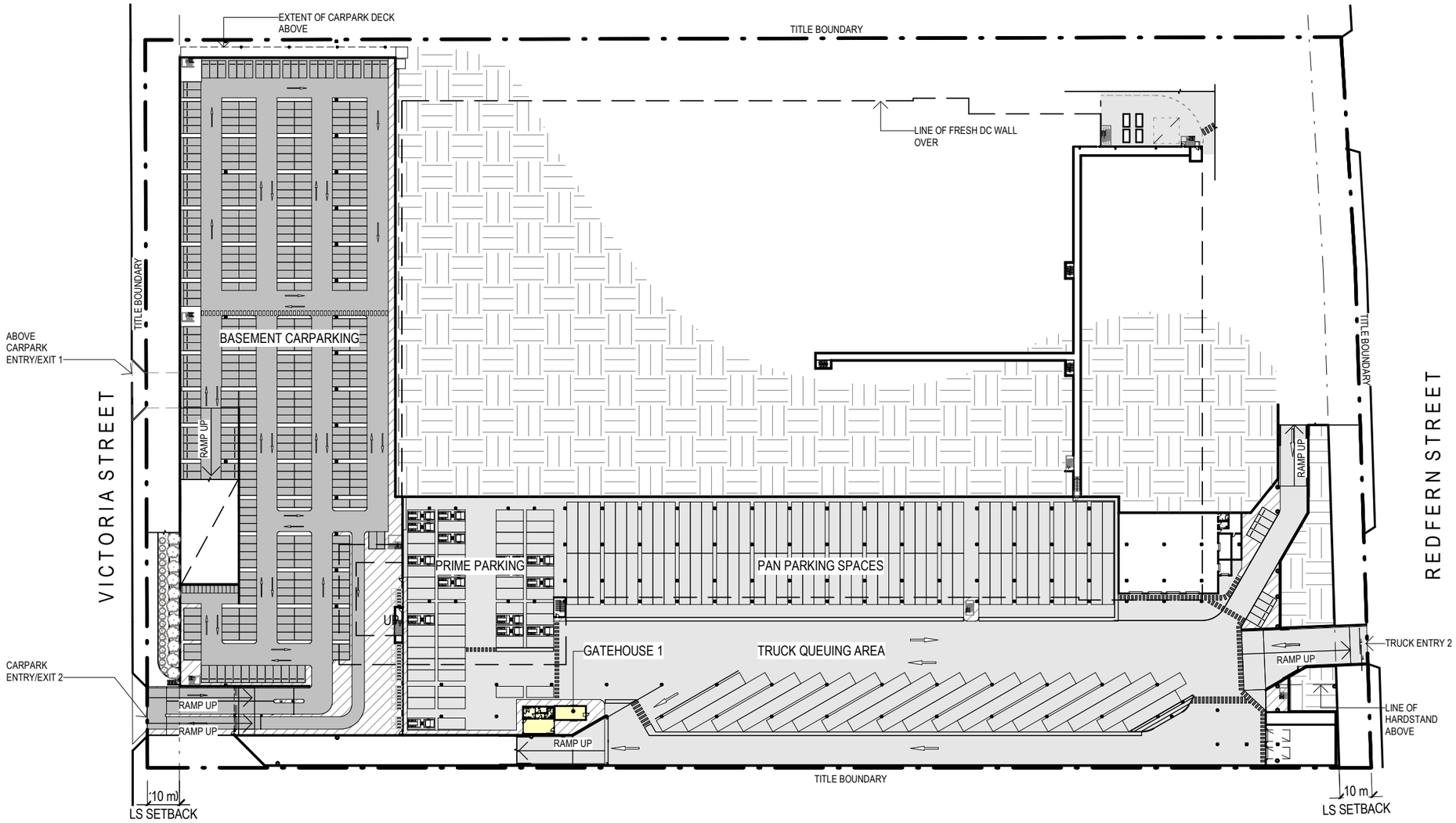
PROPOSED FLOOR PLAN

L0 BASEMENT LEVEL



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:1500 @ A3

Woolworths

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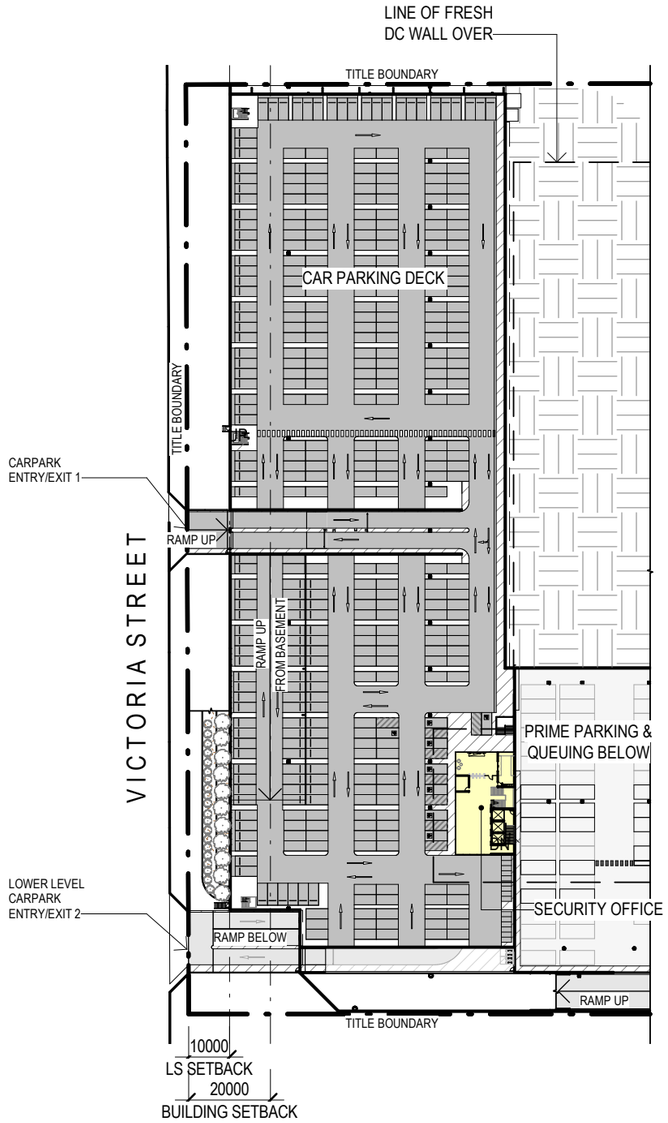
PROPOSED FLOOR PLAN

L0.1 CARPARK DECK



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:1500 @ A3

Woolworths

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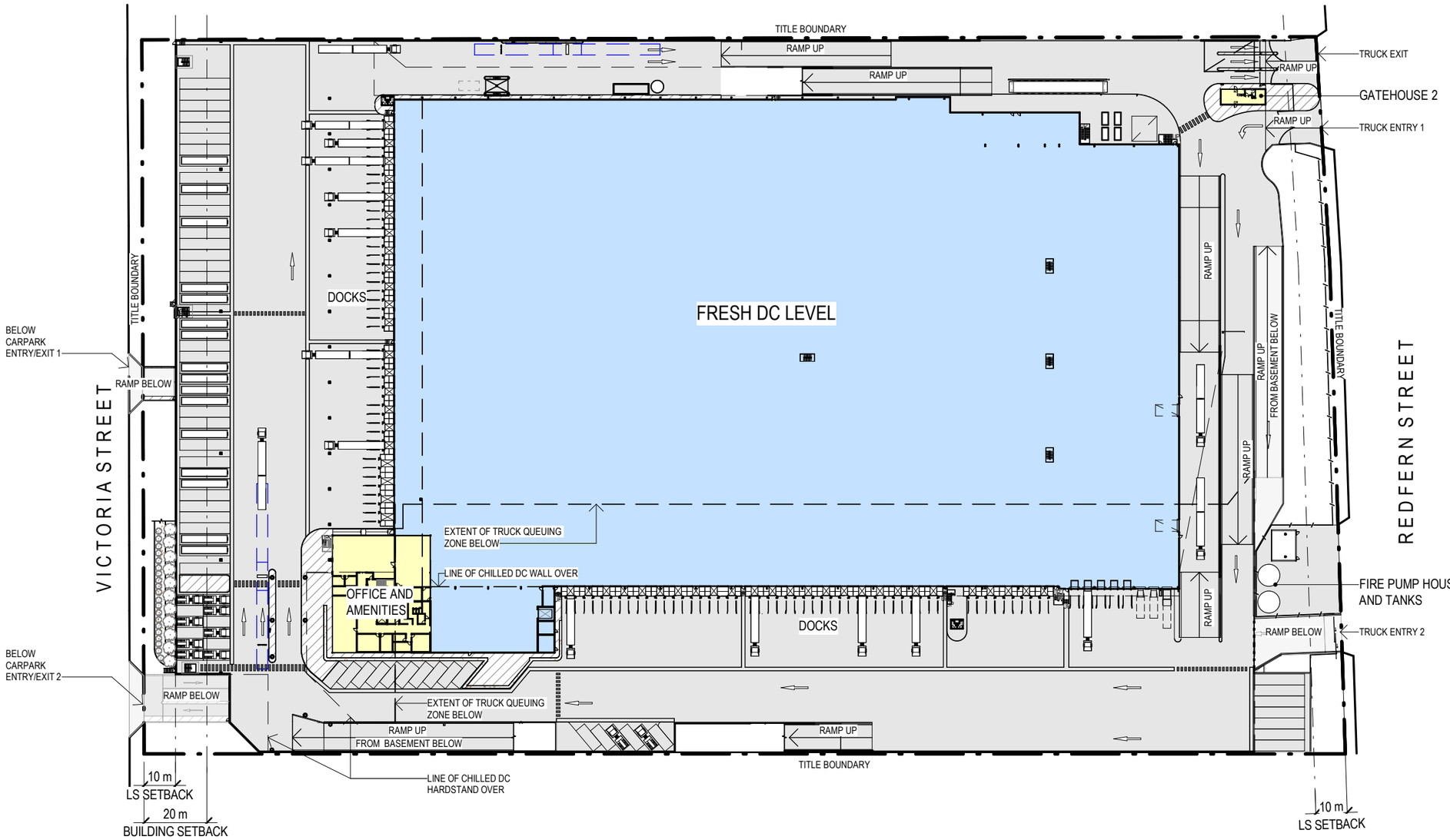
PROPOSED FLOOR PLAN

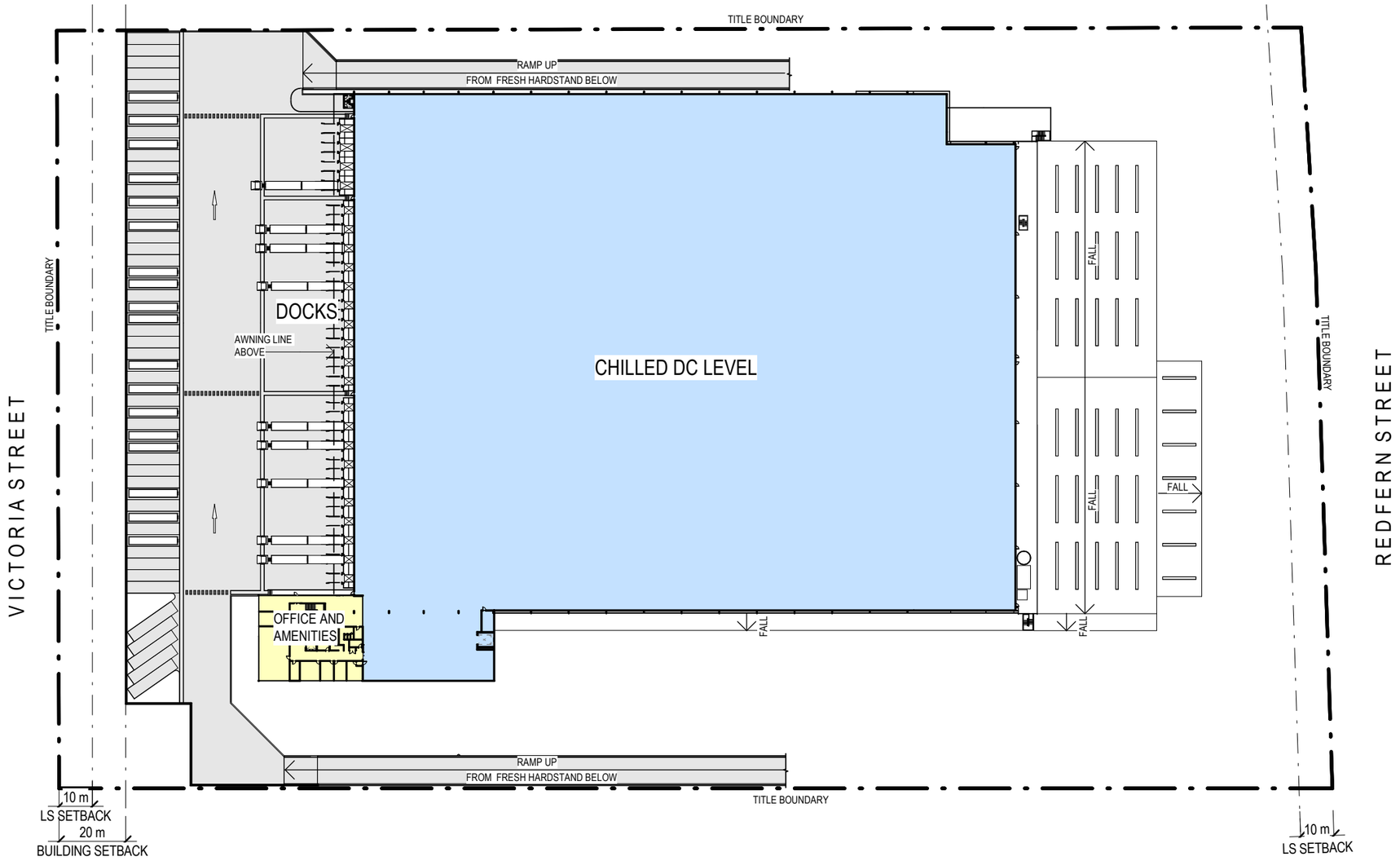
L1 GROUND FLOOR



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:1500 @ A3

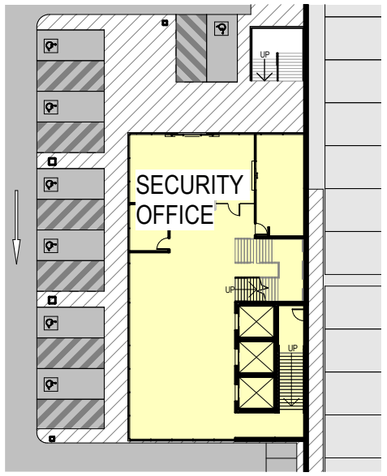
PROPOSED FLOOR PLAN
L2 FIRST FLOOR CHILLED



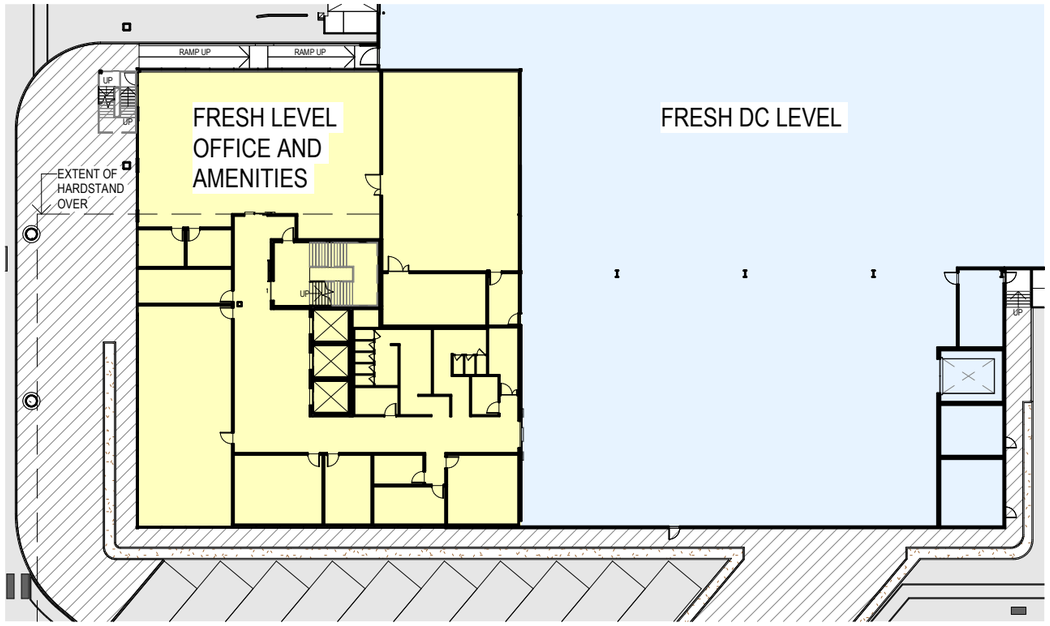
DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:1500 @ A3

L0.1 CARPARK DECK - SECURITY OFFICE



L1 FRESH LEVEL



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:500 @ A3

Woolworths

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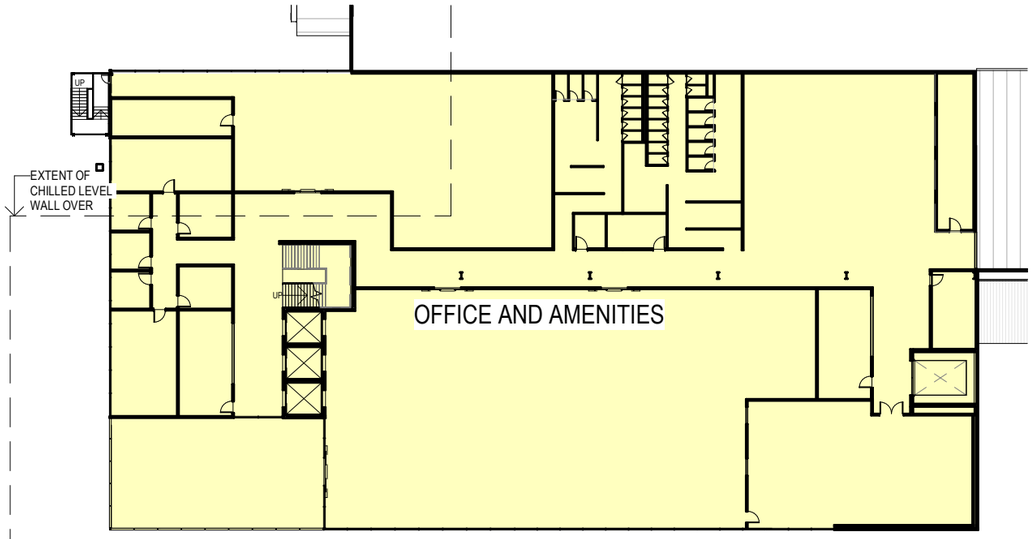
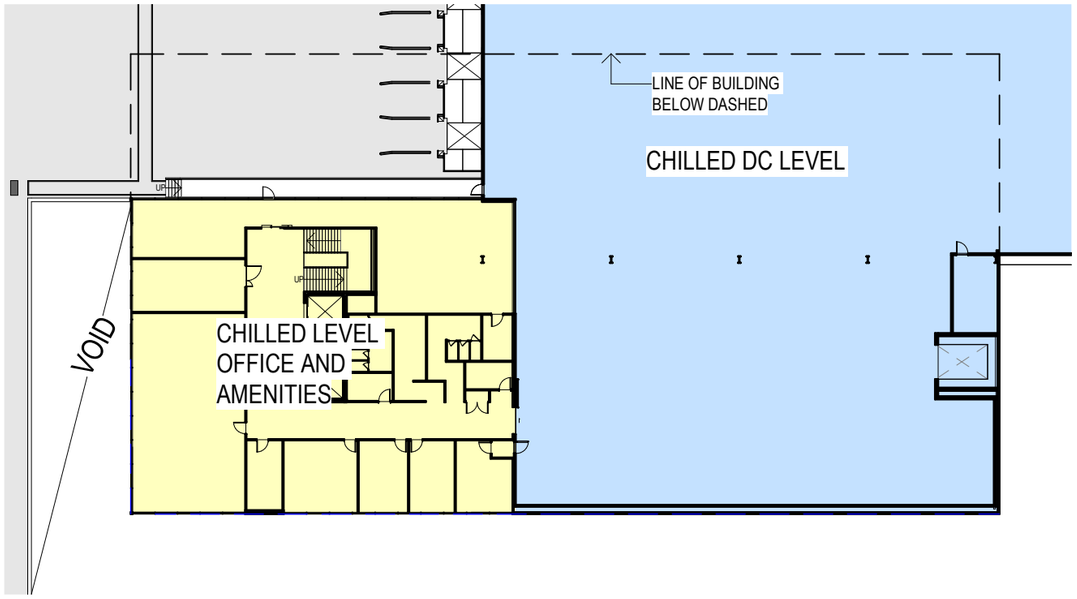
PROPOSED FLOOR PLAN

L1.1 OFFICE FLOOR



L2 CHILLED LEVEL



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:500 @ A3

Woolworths

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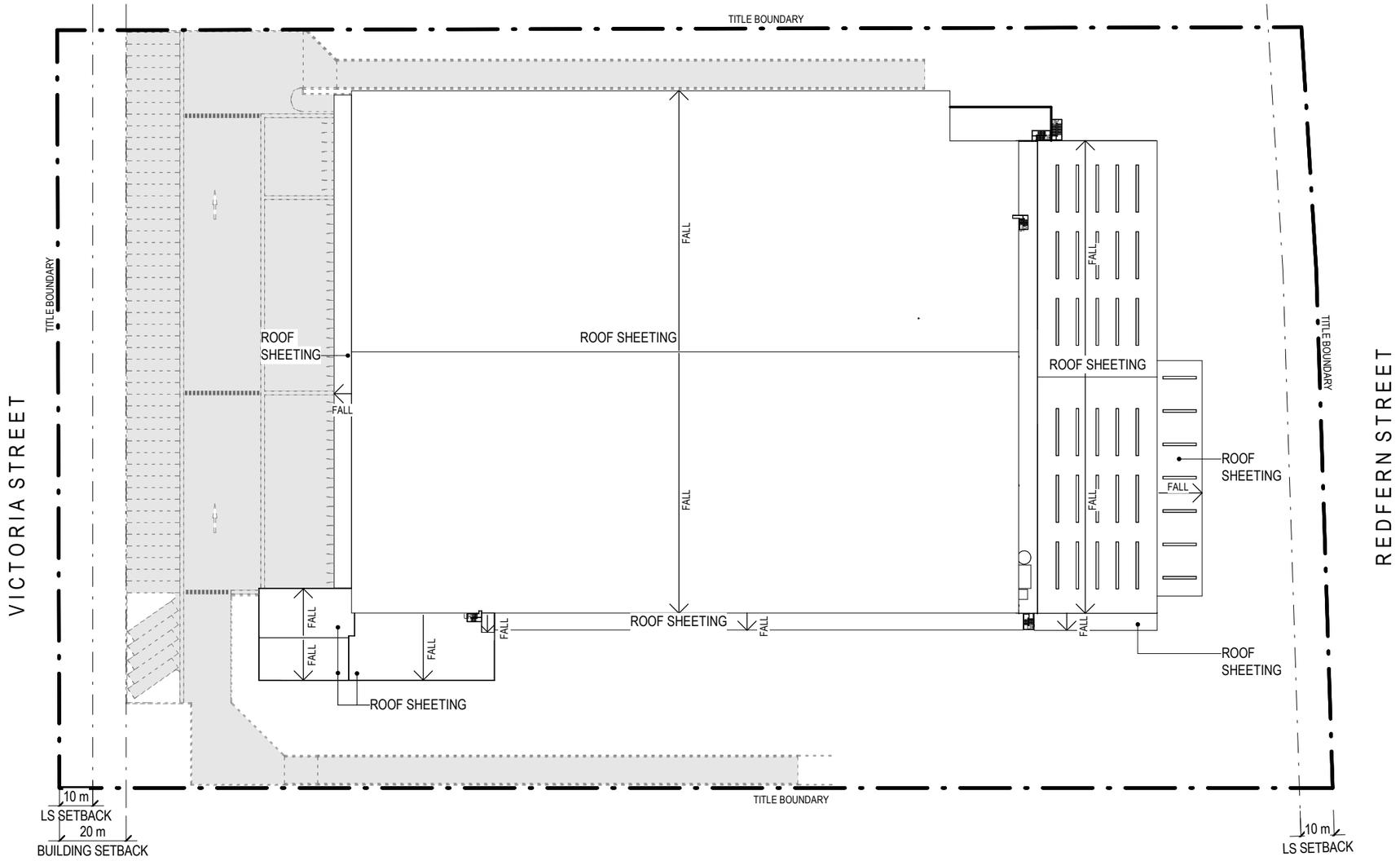
PROPOSED ROOF PLAN

ROOF PLAN



DRAFT DEVELOPMENT APPLICATION: FP3, WETHERILL PARK

SCALE 1:1500 @ A3

Woolworths

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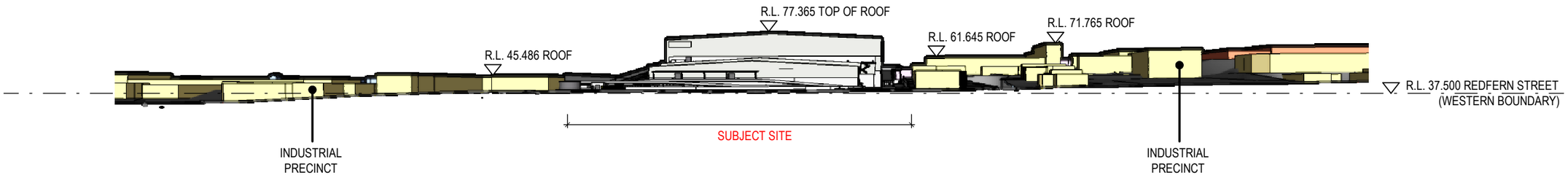
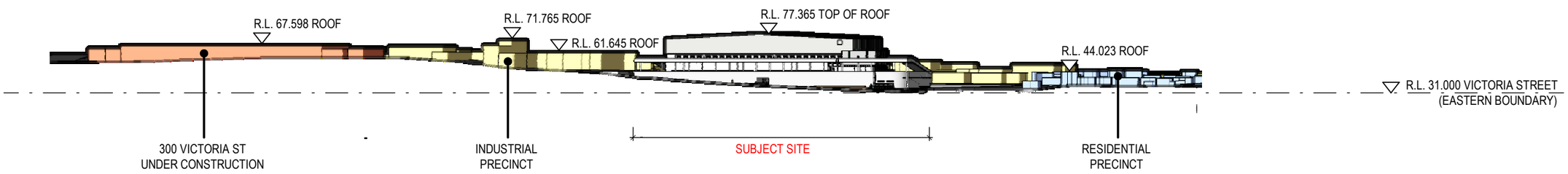
PROPOSED ELEVATIONS
STREET ELEVATIONS



ELEVATION OF REDFERN STREET SHOWING RELATIVE BUILDING HEIGHTS

ALL RL's ARE APPROXIMATE ONLY.



ELEVATION OF VICTORIA STREET SHOWING RELATIVE BUILDING HEIGHTS

ALL RL's ARE APPROXIMATE ONLY.

Woolworths

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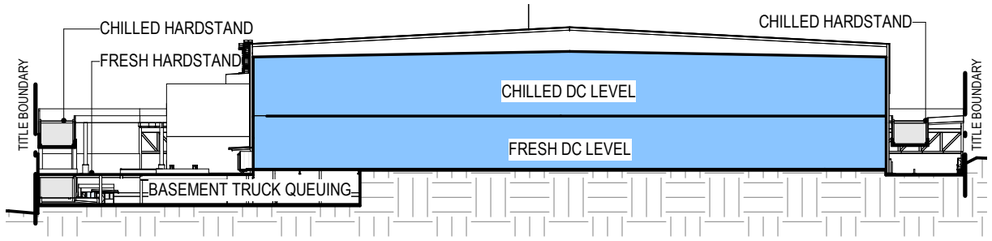
PROPOSED SECTIONS
STREET ELEVATIONS



SECTION 01
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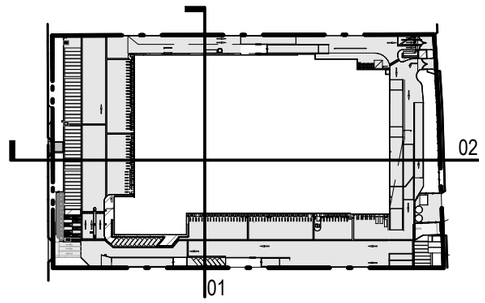
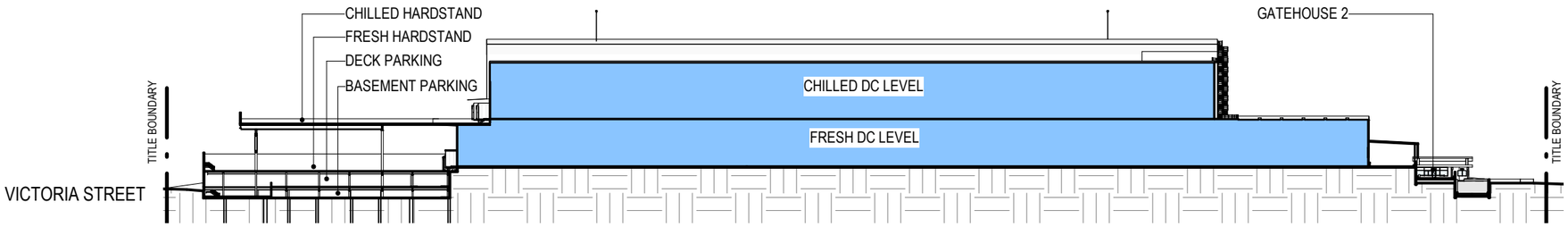


KEY PLAN



SECTION 02
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Woolworths

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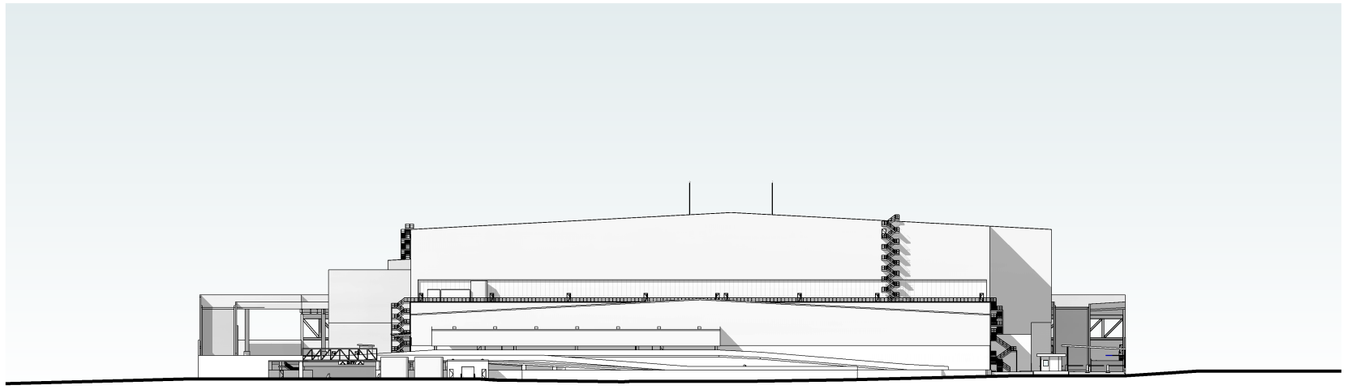
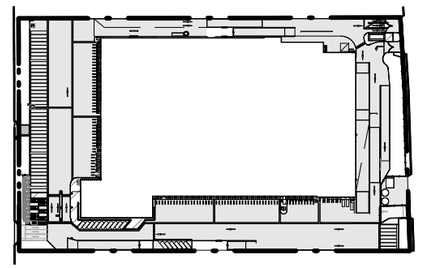
PROPOSED ELEVATIONS
BUILDING ELEVATIONS





KEY PLAN

NORTH ELEVATION
SCALE: 1 : 1500

EAST ELEVATION
SCALE: 1 : 1500

Woolworths

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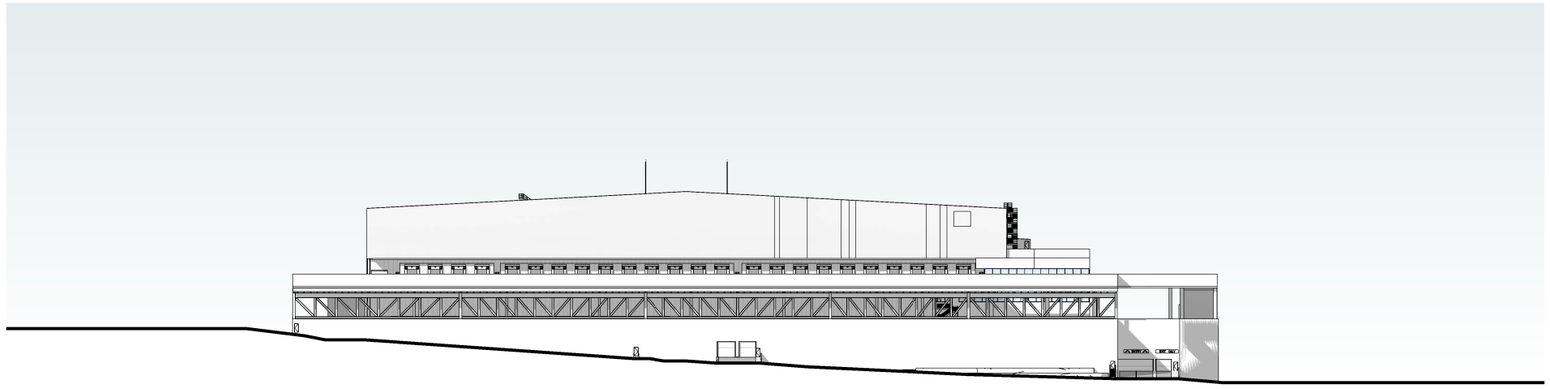
PROPOSED ELEVATIONS
BUILDING ELEVATIONS



SOUTH ELEVATION
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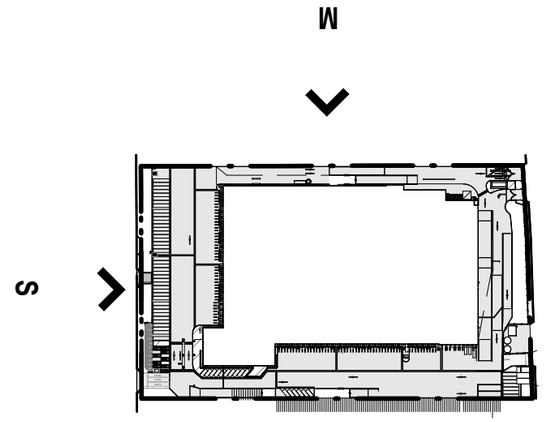

KEY PLAN

WEST ELEVATION
SCALE: 1 : 1500

Woolworths

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3D VISUALISATIONS
VICTORIA STREET

3D VISUALISATIONS
VICTORIA STREET

APPENDIX 2 – BDAR Waiver

Level 3 101 Sussex Street
Sydney NSW 200(
T: (02) 9259 3800

23 December 2020

Our ref: 20SYD-17866

Andrew Hollander
Assistant Development Manager

Fabcot Pty Ltd
PO Box 8000 Baulkham Hills,
NSW 2153

Dear Andrew,

Re: 250-266 Victoria Street, Wetherill Park – Biodiversity Development Assessment Report Waiver

Eco Logical Australia Pty Ltd (ELA) was engaged by Fabcot Pty Ltd to provide a Biodiversity Development Assessment Report for the proposed redevelopment of an existing industrial site at 250-266 Victoria Street, Wetherill Park (Lots 1, 2, 3 and 4 DP 781975) ('the development site'). The proposed development is to be assessed as a State Significant Development (SSD) by the Department of Planning, Industry and Environment (DPIE).

ELA ecologist Carolina Mora conducted a field survey for four person hours on 8 December 2020 with a focus on the following:

- Validation of existing vegetation mapping, determining type, condition and extent within the development site
- Threatened flora and fauna habitat assessment, including spatially recording important habitat features, such as, hollow bearing trees, rocky outcrops, deep leaf litter, or waterways
- Diurnal inspection of human-made structures for microchiropteran bats (microbats) or signs of suitable habitat for microbats with torches
- Opportunistic fauna sightings.

Field survey and subsequent assessment of potential impacts to biodiversity values and concluded that the development will not have a significant impact on biodiversity values. Nor is the site identified on the Biodiversity Values Map.

As an SSD, Section 7.9 (2) of the *Biodiversity Conservation Act 2016* (BC Act) states the following:

"Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values."

The attached tables describe the biodiversity values and impact in accordance with the NSW Department of Planning & Environment's 2018 *Biodiversity development assessment report waiver determinations for SSD and SSI applications fact sheet*.

Regards,

CMora

Carolina Mora
Ecologist

1. Biodiversity Development Assessment Report waiver request information

The information requirements for a BDAR waiver request, as outlined in the NSW Department of Planning and Environment's Guidelines, are provided in Table 1 and Table 2.

Table 1: BDAR waiver request information requirements

Requirement	Information
Administration	Proponent: Fabcot Pty Ltd Project ID: Not yet assigned Progress: Early consultation Completed by: Carolina Mora – Ecologist (Eco Logical Australia), B.Sc. (Advanced, Honours Class I) Reviewed by: Diane Campbell – Principal Ecologist, BAM accredited assessor (Eco Logical Australia), B.Sc.
Site Details	Street address: 250-266 Victoria Street, Wetherill Park Lot and DP: (Lots 1, 2, 3 and 4 DP 781975) Local government area (LGA): Fairfield City Council. The site is currently zoned as IN1: General Industrial under the Fairfield Local Environmental Plan 2013. Existing development site: The site is approximately 9 ha comprising warehouses, office buildings, carparks, a truck depot and masonry stockpiles. Vegetation within the development site is limited to small nature strips around some of the buildings and development site boundaries. The minimum lot size for each lot is 930 m^2 and all four lots are zoned as IN1: General Industrial under the Fairfield Local Environmental Plan 2013. The development site is not mapped under the NSW Government Biodiversity Values Map (accessed 8 December 2020). A location map is presented in Figure 1.
Proposed Development	The proposal for the redevelopment of the industrial site at 250-266 Victoria Street, Wetherill Park seeks consent for the demolition of existing structures and clearing of vegetation within the site, including 0.18 ha of vegetation identified as planted native/ exotic vegetation and 0.78 ha of vegetation identified as weeds and exotic. The development proposes the construction of a distribution centre including fresh and chilled warehouses with associated loading docks, parking spaces and offices. The draft ground floor plan is presented in Figure 2.

Figure 1: Location of the proposed works

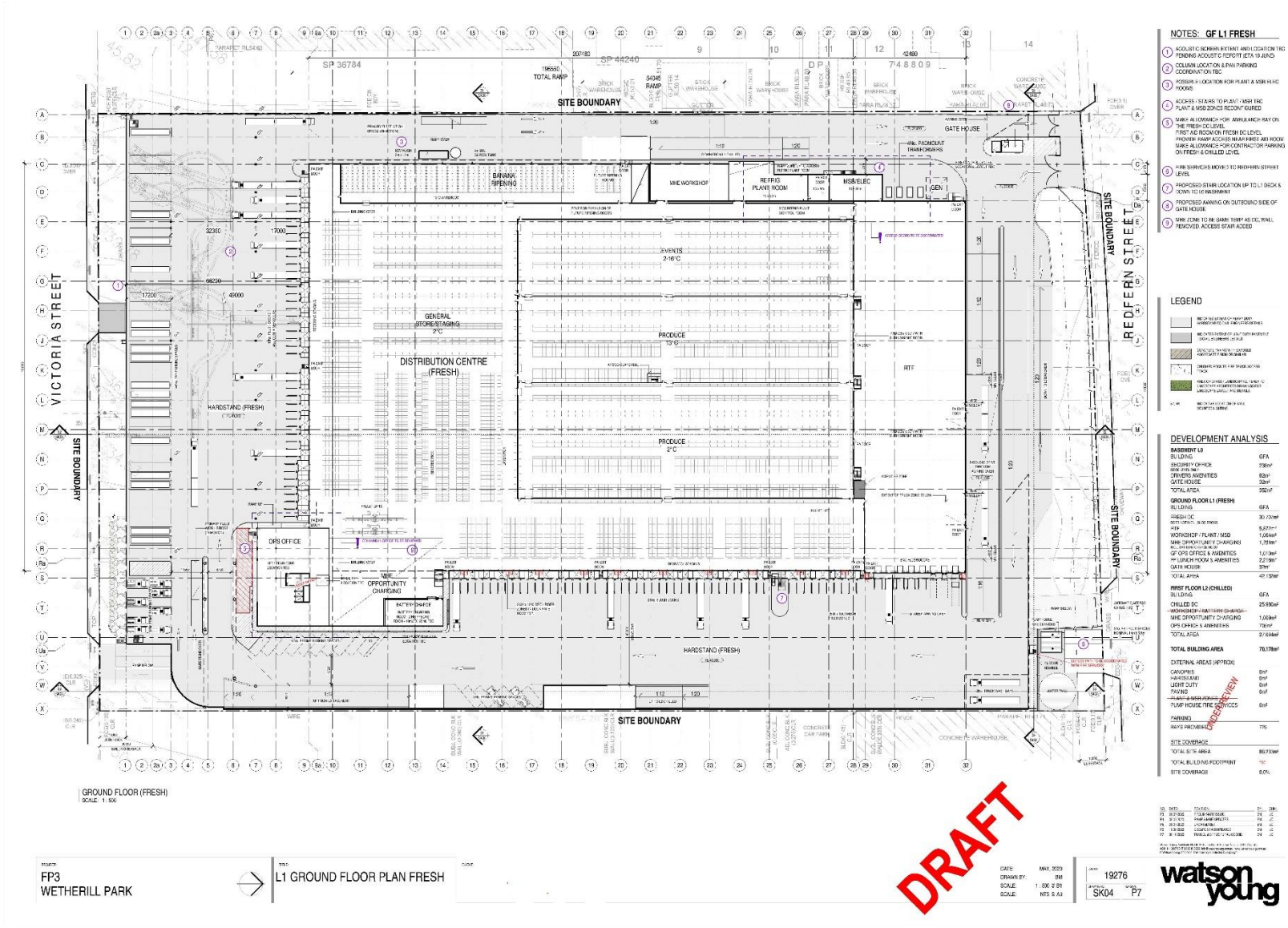


Figure 2: Draft ground level plan of proposed development. Supplied by Fabcot Pty Ltd.

Table 2: Criteria to assess biodiversity under the BC Act and BC Regulation

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
Biodiversity Conservation Regulation (Clause 1.4)			
a) Threatened Species Abundance	The occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	N/A	No threatened ecological communities have been previously mapped in the site (Figure 3), nor were any observed within the site during field survey. The 0.96 ha of vegetation present within the development site was identified as Planted Native/Exotic (0.18 ha) and Weeds and Exotic (0.78 ha) (Figure 5 and **Figure 6**). The removal of 0.18 ha of planted native/ exotic vegetation will not trigger the BOS threshold for a lot with the minimum lot size of 930 m^2 ha (0.25 ha or more). There are no BioNet (Atlas of NSW Wildlife) records of flora or fauna species previously recorded within the site (Figure 7). No threatened flora of fauna species were observed within the site during the survey. A list of flora and fauna species identified during field survey is presented in Appendix A. No habitat was available for threatened flora or fauna species due to the high level of modification of vegetation within the site. No habitat features associated with threatened fauna species (such as hollow bearing trees, deep leaf litter or rocks) or signs of use by threatened fauna species, (such as scats, tracks or scratches) were identified during survey. Human-made structures were inspected externally and internally for holes, cracks and crevices which could be suitable habitat for microbats using torches. No microbats or potential roosts were observed during survey. The results of these diurnal roost searches are presented in Appendix B. An assessment of the likelihood of occurrence of threatened flora and fauna species within the development site is shown in Appendix C. Due to the limited amount of planted native vegetation present, the site does not contain sufficient foraging resources to sustain any threatened fauna species. At best, native plantings have the potential to provide marginal seasonal foraging habitat for the highly mobile species Grey-headed Flying-fox. The removal of this potential foraging habitat was considered in both the BC Act Test of Significance (Appendix D) and the EPBC Act Significant Impact Criteria (Appendix E). In accordance with these assessments, the proposed development will not result in a significant impact to this threatened species.
b) Vegetation Abundance	The occurrence and abundance of vegetation at a particular site.	N/A	The majority of the site consisted of hardstand and industrial structures (Figure 4). Areas identified as Weeds and Exotics (0.78 ha) were characterised as grassed areas dominated by exotic species, including *Plantago lanceolata* (Lamb's Tongues), *Chloris gayana*

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
			(Rhodes Grass) and *Ehrharta erecta* (Vasey Grass). Landscaping within the development site was dominated by exotic ornamental species, including *Juniperus* sp., *Magnolia* sp. and *Citrus* sp. Weed species identified within the development site included 16 Priority Weeds listed in the Greater Sydney Strategic Weed Management Strategy 2017-2022, 2 of which are also Weeds of National Significance (Appendix A). Areas identified as Planted Native/ Exotic (0.18 ha) were dominated by exotic grasses and forbs with planted native trees and shrubs, *Callistemon citrinus* (Crimson Bottlebrush), *Cupaniopsis anacardioides* (Tuckeroo) and *Syzygium australe* (Brush Cherry). Based on the modified soil landscape and site location, vegetation within the site was not consistent with any remnant native vegetation communities and did not conform to any listed Plant Community Types (PCTs). A full list of flora species identified during field survey is presented in Appendix A.
c) Habitat Connectivity	The degree to which a particular site connects different areas of habitat of threatened species to facilitate movement of those species across their range.	N/A	Vegetation within the site is part of a highly fragmented urbanised landscape. The site does not provide any significant level of connectivity to facilitate movement of threatened species across their range.
d) Threatened Species Movement	The degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle;	N/A	The development site contains minimal vegetation which is fragmented by buildings and areas of hardstand surfaces. Movement for less mobile threatened fauna, such as mammals (not including bats), across the site is highly unlikely due to fencing, buildings, cleared open areas and a lack of connective vegetation. Opportunities for movement across the site for more mobile threatened fauna including birds and bats are available, however the site is not considered to be significant for the movement of any threatened species to maintain their lifecycle.
e) Flight Path Integrity	The degree to which the flight paths of protected animals over a particular site are free from interference.	N/A	Given the limited vegetation within the site, and the absence of connectivity in the canopy, it is unlikely that the site would be a significantly important flight path for protected animals to travel between areas of habitat.
f) Water Sustainability	The degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological	N/A	The site is highly disturbed and does not contain water bodies or drainage structures that contribute to hydrological processes that sustain threatened species or ecological communities within or adjacent to the development site.

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
	communities at a particular site.		
Biodiversity Conservation Act (Clause 1.5 (2))			
a) Vegetation Integrity	The degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state.	N/A	Due to previous and current land management practices, vegetation and soils within the site have been highly modified or disturbed and lack natural resilience. Native species – some of which are outside their natural range of distribution – have been planted within the site as landscape specimens in an urban environment. Other vegetation within the site includes opportunistic weeds and planted exotic species. Vegetation present within the site was not consistent with any listed Plant Community Type. Overall, vegetation within the site is highly modified and altered from its natural state. Therefore, the development will not compromise the vegetation integrity of the site.
b) Habitat Suitability	The degree to which the habitat needs of threatened species are present at the particular site.	N/A	Suitable habitat for threatened species is highly limited within the site. Soils within the site have been highly modified and provide no habitat for any threatened flora species. Inspection of holes in human-made structures revealed no suitable habitat for threatened microbats. Due to the limited amount of planted native vegetation present, the site does not contain sufficient foraging resources to sustain any threatened fauna species. The removal of planted native vegetation, which may provide marginal seasonal foraging habitat for the Grey-headed Flying-fox, will not result in a significant impact to the species. The site lacks geological features, hollow bearing trees, derelict human-made structures or non-native vegetation with the potential to provide nesting or roosting habitat for any threatened fauna species. Therefore, the proposed development will not compromise habitat suitability for threatened species.

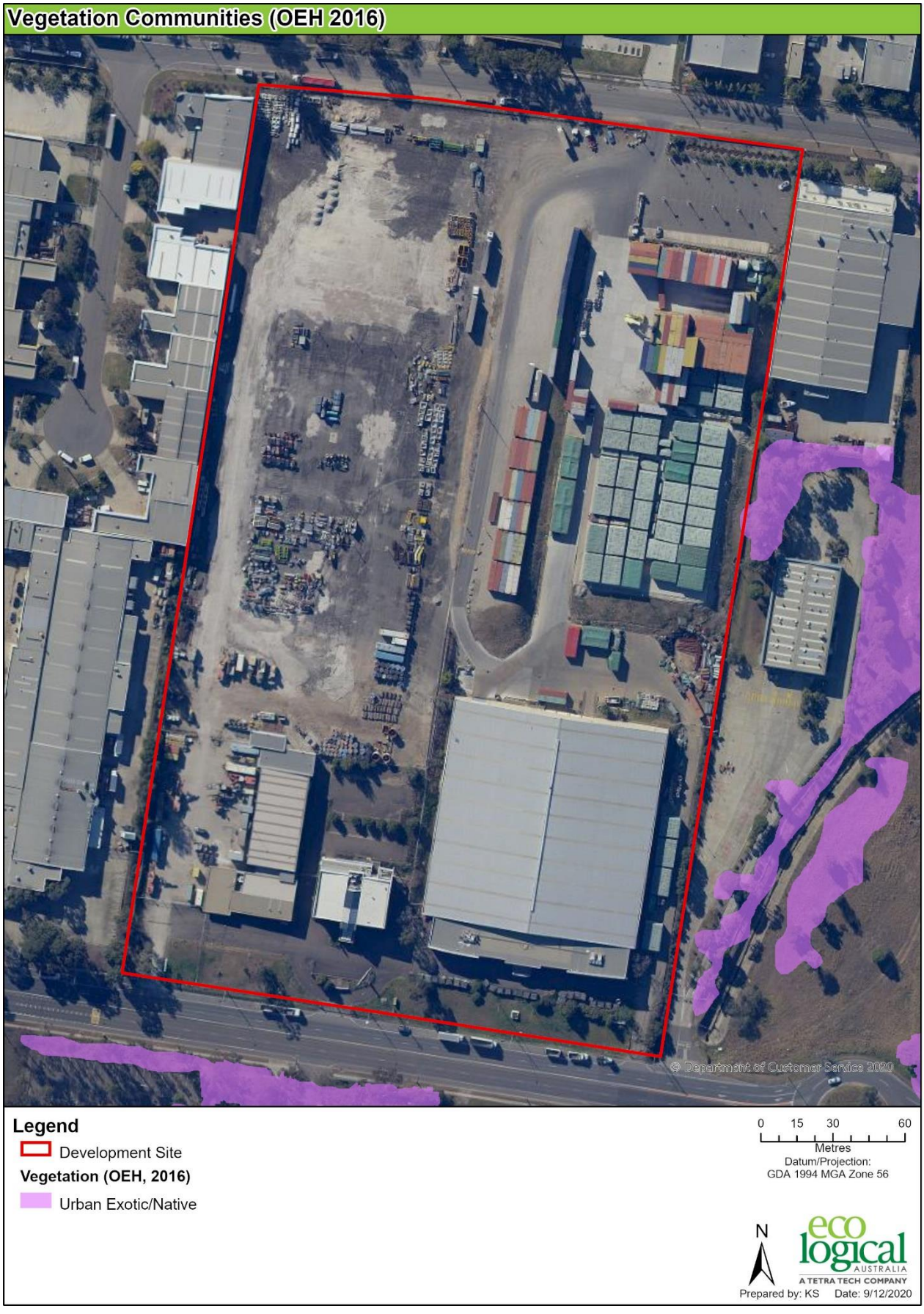


Figure 3: Previously mapped vegetation (OEH 2016)

Figure 4: Validated vegetation (ELA 2020)

Figure 5: Vegetation within the development site identified as Planted Native/ Exotic

Figure 6: Vegetation within the development site identified as Weeds and Exotic

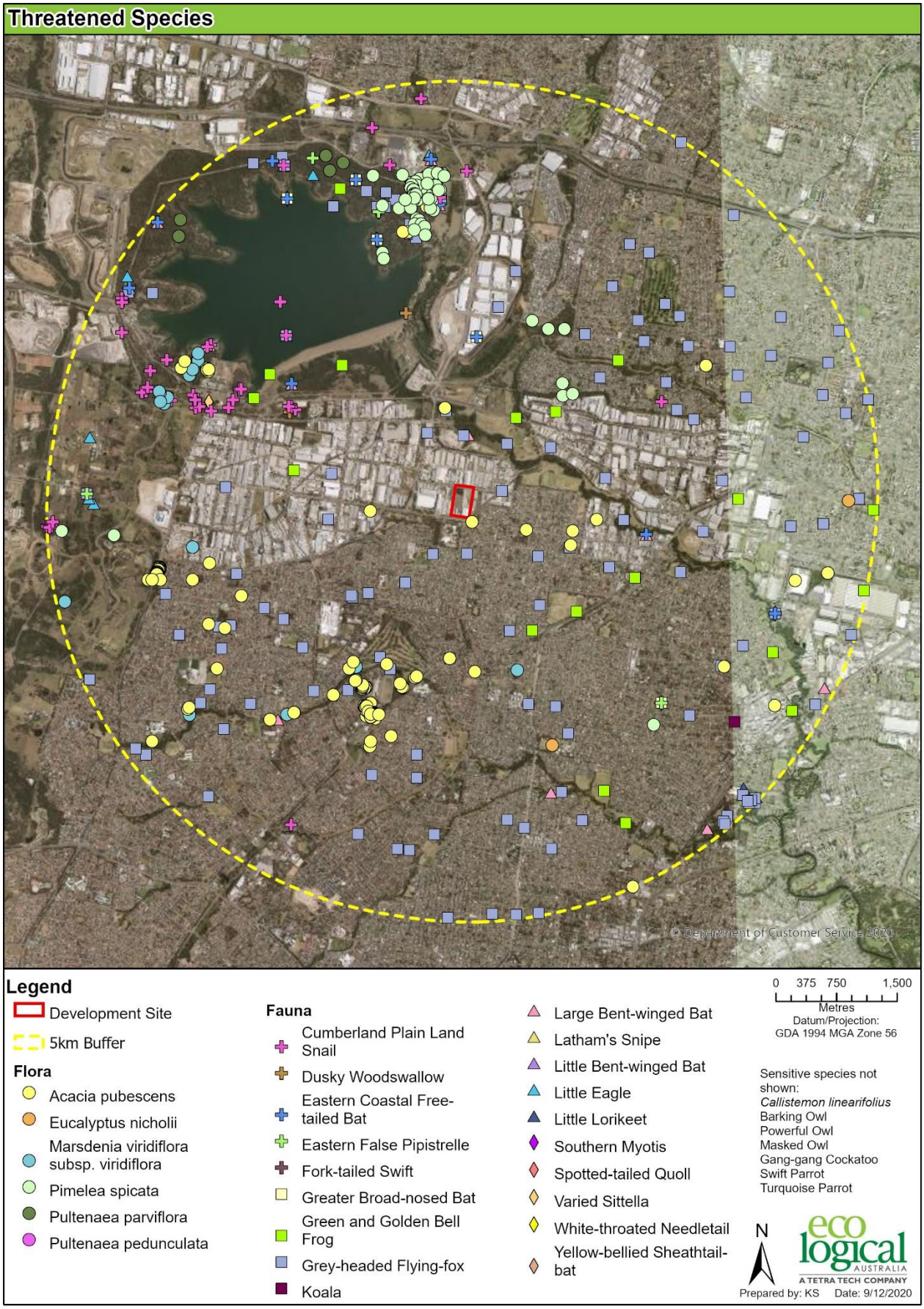


Figure 7: Threatened flora and fauna records within 5 km radius of the site.

Appendix A – Species List

FLORA			
Family	**Scientific name**	**Common name**	**Native (N) / Exotic (E)**
Amaryllidaceae	*Agapanthus praecox*	African Lily	E
Araliaceae	*Schefflera actinophylla*	Umbrella Tree	E (PW***)
Arecaceae	*Chamaedorea elegans*	Parlour Palm	E
Arecaceae	*Phoenix canariensis*	Canary Island Date Palm	E (PW***)
Arecaceae	*Washingtonia robusta*	Mexican Fan Palm	E
Asparagaceae	*Yucca* sp.		E
Asteraceae	*Bidens pilosa*	Cobbler's Pegs	E
Asteraceae	*Conyza bonariensis*	Flax-leaf Fleabane	E
Asteraceae	*Hypochaeris radicata*	Catsear	E
Asteraceae	*Sonchus oleraceus*	Common Sowthistle	E
Buxaceae	*Buxus* sp.	Boxwood	E
Caryophyllaceae	*Stellaria media*	Chickweed	E
Casuarinaceae	*Casuarina glauca*	Swamp Oak	N (Planted)
Chenopodiaceae	*Einadia hastata*	Berry Saltbush	N
Commelinaceae	*Tradescantia fluminensis*	Trad	E (PW***)
Cupressaceae	*Juniperus* sp.		E
Euphorbiaceae	*Triadica sebifera*	Chinese Tallowood	E (PW***)
Fabaceae (Faboideae)	*Genista monspessulana*	Montpellior Broom	E(PW*, WoNS)
Fabaceae (Faboideae)	*Melilotus albus*	Bokhara	E (PW***)
Fabaceae (Faboideae)	*Robinia pseudoacacia*	Black Locust	E (PW***)
Fabaceae (Faboideae)	*Trifolium campestre*	Hop Clover	E
Fabaceae (Faboideae)	*Trifolium repens*	White Clover	E
Fabaceae (Faboideae)	*Vicia* sativa	Vetch	E
Fabaceae (Mimosoideae)	*Acacia parramattensis*	Parramatta Wattle	N
Fabaceae (Mimosoideae)	*Acacia podylriifolia*	Queensland Silver Wattle	E
Gentianaceae	*Centaurium tenuiflorum*		E
Iridaceae	*Dietes* sp.		E
Lythraceae	*Punica* sp.		E
Magnoliaceae	*Magnolia* sp.	Magnolia	E
Malvaceae	*Modiola caroliniana*	Red-flowered Mallow	E
Myrtaceae	*Callistemon citrinus*	Crimson Bottlebrush	N (Planted)
Myrtaceae	*Eucalyptus crebra*	Narrow-leaved Ironbark	N (Planted)
Myrtaceae	*Eucalyptus pilularis*	Blackbutt	N (Planted)

FLORA			
Family	**Scientific name**	**Common name**	**Native (N) / Exotic (E)**
Myrtaceae	*Leptospermum trinervium*	Paperbark Teatree	N (Planted)
Myrtaceae	*Melaleuca quinquenervia*	Broad-leaved Paperbark	N (Planted)
Myrtaceae	*Melaleuca styphelioides*	Prickly-leaved Tea Tree	N (Planted)
Myrtaceae	*Syzygium australe*	Brush Cherry	N (Planted)
Oleaceae	*Jasminum polyanthum*	White Jasmine	E
Oleaceae	*Olea europaea* subsp. *cuspidata*	African Olive	E (PW**)
Phormiaceae	*Phormium tenax*	New Zealand Flax	E (PW***)
Pittosporaceae	*Pittosporum undulatum*	Sweet Pittosporum	N (Planted)
Plantaginaceae	*Plantago lanceolata*	Lamb's Tongues	E
Poaceae	*Avena barbata*	Wild Oats	E
Poaceae	*Bromus catharticus*	Prairie Grass	E
Poaceae	*Cenchrus clandestinus*	Kikuyu	E (PW***)
Poaceae	*Chloris gayana*	Rhodes Grass	E (PW***)
Poaceae	*Cynodon dactylon*	Couch	E
Poaceae	*Ehrharta erecta*	Vasey Grass	E
Poaceae	*Eragrostis curvula*	African Lovegrass	E (PW***)
Poaceae	*Paspalum dilatatum*	Paspalum	E
Polygalaceae	*Polygala myrtifolia*		E
Polygonaceae	*Rumex crispus*	Curled Dock	E
Primulaceae	*Lysimachia arvensis*	Scarlet Pimpernel	E
Proteaceae	*Grevillea* spp.	Horticultrual Grevillea sp.	N (Planted)
Rosaceae	*Rosa* sp.		E
Rubiaceae	*Gardenia* sp.	Gardenia	E
Rutaceae	*Citrus* spp.		E
Sapindaceae	*Cupaniopsis anacardioides*	Tuckeroo	N (Planted)
Solanaceae	*Cestrum parqui*	Green Cestrum	E (PW**)
Solanaceae	*Solanum linnaeanum*	Apple of Sodom	E (PW***)
Strelitziaceae	*Strelitzia* sp.	Bird of Paradise	E
Verbenaceae	*Lantana camara*	Lantana	E (PW*, WoNS)
Verbenaceae	*Lantana montevidensis*	Trailing Lantana	E (PW***)

Key: PW = Priority Weed: * State Level, ** Regional Level, *** Other Weed of Regional Concern, WoNS = Weeds of National Significance.

FAUNA			
Class	**Scientific name**	**Common name**	**Observation Type**
Aves	Corvus coronoides	Australian Raven	Heard
Aves	Manorina melanocephala	Noisy Miner	Observed
Mammalia	*Felis catus*	Cat	Observed

Appendix B – Diurnal roost search results

Building number (as shown in Figure 4)	Habitat features	Presence of bats or evidence of use by bats observed	Photos
1	None. This open warehouse did not contain holes or crevices suitable for use by microbats. The warehouse consisted of large open spaces not suitable for microbat roosts. Bird droppings were present throughout the building.	None. Bird droppings were observed throughout.	

Building number (as shown in Figure 4)	Habitat features	Presence of bats or evidence of use by bats observed	Photos
2	One crevice was present between two brick walls of this building.	None.	
3	None. This office building was in good condition and did not contain any holes, cracks or crevices.	None.	

Building number (as shown in Figure 4)	Habitat features	Presence of bats or evidence of use by bats observed	Photos
4	None. The office building and warehouse in this area were in good condition and did not contain any holes, cracks or crevices. The warehouse consisted of large open spaces not suitable for microbat roosts.	None.	

Appendix C – Likelihood of occurrence

An assessment of likelihood of occurrence was made for threatened and migratory species identified from the database search. Five terms for the likelihood of occurrence of species are used in this report. This assessment was based on database or other records, presence or absence of suitable habitat, features of the proposal site, results of the site inspection and professional judgement. Some Migratory or Marine species identified from the Commonwealth database search have been excluded from the assessment, due to lack of habitat. The terms for likelihood of occurrence are defined below:

- "known" = the species was or has been observed on the site
- "likely" = a medium to high probability that a species uses the site
- "potential" = suitable habitat for a species occurs on the site, but there is insufficient information to categorise the species as likely to occur, or unlikely to occur
- "unlikely" = a very low to low probability that a species uses the site
- "no" = habitat on site and in the vicinity is unsuitable for the species.

A test of significance was conducted for threatened species or ecological communities that were recorded within the study area or had a higher likelihood of occurring and were not recorded during the site visit. It is noted that some threatened fauna species that are highly mobile, wide ranging and vagrant may use portions of the study area intermittently for foraging. For these fauna species, the habitat present and likely to be impacted is not considered to be important to the threatened species, particularly in relation to the amount of similar habitat remaining in the surrounding landscape. As such, a test of significance in reference to State or Commonwealth legislation was not considered necessary.

The records column refers to the number of records occurring within 5 km of the study area, as provided by the Atlas of NSW Wildlife (BioNet) and Protected Matters Search Tool database search.

Information provided in the habitat associations' column has primarily been extracted (and modified) from the Commonwealth Species Profile and Threats Database and the NSW Threatened Species Profiles.

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
FLORA							
Acacia bynoeana	Bynoe's Wattle	E1	V	Found in central eastern NSW, from the Hunter District (Morisset) south to the Southern Highlands and west to the Blue Mountains. Heath or dry sclerophyll forest on sandy soils.	0	No - suitable habitat not recorded within the development site, no local records.	No
Acacia pubescens	Downy Wattle	V	V	Restricted to the Sydney region around the Bankstown-Fairfield-Rookwood and Pitt Town area, with outliers occurring at Barden Ridge, Oakdale and Mountain Lagoon. Open woodland and forest, including Cooks River/Castlereagh Ironbark Forest, Shale/Gravel Transition Forest and Cumberland Plain Woodland. Occurs on alluviums, shales and at the intergrade between shales and sandstones.	1559	No - suitable habitat not recorded within the development site, site is substantially degraded.	No
Allocasuarina glareicola		E1	E	Primarily restricted to the Richmond (NW Cumberland Plain) district, but with an outlier population found at Voyager Point, Liverpool. Castlereagh woodland on lateritic soil.	0	No - suitable habitat not recorded within the development site, no local records.	No
Caladenia tessellata	Thick Lip Spider Orchid	E1	V	Currently known from two disjunct areas; one population near Braidwood on the Southern Tablelands and three populations in the Wyong area on the Central Coast. Grassy sclerophyll woodland on clay loam or sandy soils, or low woodland with stony soil.	0	No - suitable habitat not recorded within the development site, no local records.	No
Callistemon linearifolius	Netted Bottle Brush	V	-	Georges River to Hawkesbury River in the Sydney area (limited to the Hornsby Plateau area), and north to the Nelson Bay area of NSW. Also Coalcliff in the northern Illawarra. Dry sclerophyll forest.	1	No - suitable habitat not recorded within the development site, site is substantially degraded.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Eucalyptus nicholii	Narrow-leaved Black Peppermint	V	V	New England Tablelands from Nundle to north of Tenterfield. Dry grassy woodland, on shallow soils of slopes and ridges.	2	No - development site is located outside of its normal distribution as it is known from the NSW North Coast. The species is commonly planted in Sydney as an urban street tree or in gardens, however it was not identified during survey.	No
Genoplesium baueri	Bauer's Midge Orchid	E1	E	Has been recorded from locations between Nowra and Pittwater and may occur as far north as Port Stephens. Dry sclerophyll forest and moss gardens over sandstone. Heath and shrubby woodland to open forest on sandy or light clay soils usually over thin shales.	0	No - suitable habitat not recorded within the development site, no local records.	No
Marsdenia viridiflora subsp. *viridiflora*	*Marsdenia viridiflora* R. Br. subsp. *viridiflora* population in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith local government areas	E2	-	Razorback Range, also recorded at Prospect, Bankstown, Smithfield, Cabramatta Creek and St Marys. Vine thickets and open shale woodland.	142	No - suitable habitat not recorded within the development site, site is substantially degraded.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Persicaria elatior	Tall Knotweed	V	V	Beside streams and lakes, swamp forest or disturbed areas.	0	No - suitable habitat not recorded within the development site, no local records.	No
Persoonia hirsuta	Hairy Geebung	E1	E	Scattered distribution around Sydney, from Singleton in the north, along the east coast to Bargo in the south and the Blue Mountains to the west. Sandy soils in dry sclerophyll open forest, woodland and heath on sandstone.	0	No - suitable habitat not recorded within the development site, no local records.	No
Persoonia nutans	Nodding Geebung	E1	E	Restricted to the Cumberland Plain in western Sydney, between Richmond in the north and Macquarie Fields in the south. Northern populations: sclerophyll forest and woodland (Agnes Banks Woodland, Castlereagh Scribbly Gum Woodland and Cooks River / Castlereagh Ironbark Forest) on aeolian and alluvial sediments. Southern populations: tertiary alluvium, shale sandstone transition communities and Cooks River / Castlereagh Ironbark Forest.	0	No - suitable habitat not recorded within the development site, no local records.	No
Pimelea curviflora var. *curviflora*	-	V	V	Confined to the coastal area of the Sydney and Illawarra regions between northern Sydney and Maroota in the north-west and Croom Reserve near Albion Park in the south. Woodland, mostly on shaley/lateritic soils over sandstone and shale/sandstone transition soils on ridgetops and upper slopes.	0	No - suitable habitat not recorded within the development site, no local records.	No
Pimelea spicata	Spiked Rice-flower	E1	E	Two disjunct areas; the Cumberland Plain (Marayong and Prospect Reservoir south to Narellan and Douglas Park) and the Illawarra (Landsdowne to Shellharbour to northern Kiama). Well-structured clay soils. *Eucalyptus*	6163	No - suitable habitat not recorded within the development site, site is substantially degraded.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				moluccana (Grey Box) communities and in areas of ironbark on the Cumberland Plain. Coast Banksia open woodland or coastal grassland in the Illawarra.			
Pterostylis saxicola	Sydney Plains Greenhood	E1	E	Restricted to western Sydney between Freemans Reach in the north and Picton in the south. Small pockets of shallow soil in depressions on sandstone rock shelves above cliff lines, adjacent to sclerophyll forest or woodland on shale/sandstone transition soils or shale soils.	0	No - suitable habitat not recorded within the development site, no local records.	No
Pultenaea parviflora	-	E1	V	Endemic to the Cumberland Plain. Mainly from Windsor to Penrith and east to Dean Park, with outlier populations at Kemps Creek and Wilberforce. Dry sclerophyll forest, especially Castlereagh Ironbark Forest, Shale Gravel Transition Forest and transitional areas where these communities adjoin Castlereagh Scribbly Gum Woodland.	25	No - suitable habitat not recorded within the development site, site is substantially degraded.	No
Pultenaea pedunculata	Matted Bush-pea	E1		In NSW it is represented by just three disjunct populations, in the Cumberland Plains in Sydney, the coast between Tathra and Bermagui and the Windellama area south of Goulburn. Woodland, sclerophyll forest, road batters and coastal cliffs.	2	No - suitable habitat not recorded within the development site, site is substantially degraded.	No
Syzygium paniculatum	Magenta Lilly Pilly	E1	V	Only in NSW, in a narrow, linear coastal strip from Upper Lansdowne to Conjola State Forest. Subtropical and littoral rainforest on gravels, sands, silts and clays.	0	No - suitable habitat not recorded within the development site. The development site is not located within the species' natural range. The species is commonly planted in Sydney, however it was not identified during survey.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Thesium australe	Austral Toadflax	V	V	In eastern NSW it is found in very small populations scattered along the coast, and from the Northern to Southern Tablelands. Grassland on coastal headlands or grassland and grassy woodland away from the coast.	0	No - suitable habitat not recorded within the development site, no local records.	No

BC Act key: E1 = endangered, E2= endangered population, E4 = Extinct, E4A = critically endangered, V = vulnerable.

EPBC Act Key: M = migratory, Mar = marine CE = critically endangered, E = endangered, V = vulnerable, X = extinct.

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
FAUNA							
Actitis hypoleucos	Common Sandpiper	-	M	Summer migrant. In NSW, widespread along coastline and also occurs in many areas inland. Coastal wetlands and some inland wetlands, especially muddy margins or rocky shores. Also, estuaries and deltas, lakes, pools, billabongs, reservoirs, dams and claypans, mangroves.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Anthochaera phrygia	Regent Honeyeater	E4A	CE	Inland slopes of south-east Australia, and less frequently in coastal areas. In NSW, most records are from the North-West Plains, North-West and South-West Slopes, Northern Tablelands, Central Tablelands and Southern Tablelands regions; also recorded in the Central Coast and Hunter Valley regions. Eucalypt woodland and open forest, wooded farmland and urban areas with mature eucalypts, and riparian forests of *Casuarina cunninghamiana* (River Oak).	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Apus pacificus	Fork-tailed Swift	-	M	Recorded in all regions of NSW. Riparian woodland., swamps, low scrub, heathland, saltmarsh, grassland, Spinifex sandplains, open farmland and inland and coastal sand-dunes.	2	Unlikely - lack of suitable habitat for this species within the development site.	No
Ardea ibis	Cattle Egret	-	Marine	Widespread and common across NSW. Grasslands, wooded lands and terrestrial wetlands. Primarily inhabit dry, open eucalypt forests and woodlands, including mallee associations, with an open or sparse understorey of eucalypt saplings, acacias and other shrubs, and ground-cover of grasses or sedges and fallen woody debris. It has also been recorded in shrublands, heathlands and very occasionally in moist forest or rainforest. Also found in farmland, usually at the edges of forest or woodland.	0	No - lack of suitable habitat for this species within the development site, no local records.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Artamus cyanopterus cyanopterus	Dusky Woodswallow	V	-	Woodlands and dry open sclerophyll forest, usually eucalypts and mallee associations. Also have recordings in shrub and heathlands and various modified habitats, including regenerating forests. In western NSW, this species is primarily associated with River Red Gum/Black Box/Coolabah open forest/woodland and associated with larger river/creek systems.	5	Unlikely - lack of suitable habitat for this species within the development site.	No
Calidris ferruginea	Curlew Sandpiper	E1	CE, M	Occurs along the entire coast of NSW, and sometimes in freshwater wetlands in the Murray-Darling Basin. Littoral and estuarine habitats, including intertidal mudflats, non-tidal swamps, lakes and lagoons on the coast and sometimes inland.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Calidris melanotos	Pectoral Sandpiper	-	M	Summer migrant to Australia. Widespread but scattered in NSW. East of the Great Divide, recorded from Casino and Ballina, south to Ulladulla. West of the Great Divide, widespread in the Riverina and Lower Western regions. Shallow fresh to saline wetlands, including coastal lagoons, estuaries, bays, swamps, lakes, inundated grasslands, saltmarshes, river pools, creeks, floodplains and artificial wetlands.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Callocephalon fimbriatum	Gang-gang Cockatoo	V	-	In NSW, distributed from the south-east coast to the Hunter region, and inland to the Central Tablelands and south-west slopes. Isolated records known from as far north as Coffs Harbour and as far west as Mudgee. Tall mountain forests and woodlands in summer; in winter, may occur at lower altitudes in open eucalypt forests and woodlands, and urban areas.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Chalinolobus dwyeri	Large-eared Pied Bat	V	V	Recorded from Rockhampton in Qld south to Ulladulla in NSW. Largest concentrations of populations occur in the	0	No - lack of suitable habitat for this species	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				sandstone escarpments of the Sydney basin and the NSW north-west slopes. Wet and dry sclerophyll forests, Cyprus Pine dominated forest, woodland, sub-alpine woodland, edges of rainforests and sandstone outcrop country.		within the development site, no local records.	
Daphoenositta chrysoptera	Varied Sittella	V		Distribution in NSW is nearly continuous from the coast to the far west. Inhabits eucalypt forests and woodlands, mallee and Acacia woodland.	3	Unlikely - lack of suitable habitat for this species within the development site.	No
Dasyurus maculatus (SE mainland population)	Spotted-tailed Quoll	V	E	Found on the east coast of NSW, Tasmania, eastern Victoria and north-eastern Qld. Rainforest, open forest, woodland, coastal heath and inland riparian forest, from the sub-alpine zone to the coastline.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Falco subniger	Black Falcon	V	-	Sparsely distributed in NSW, occurring mostly in inland regions. Woodland, shrubland and grassland, especially riparian woodland and agricultural land. Often associated with streams or wetlands.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Falsistrellus tasmaniensis	Eastern False Pipistrelle	V	-	South-east coast and ranges of Australia, from southern Qld to Victoria and Tasmania. In NSW, records extend to the western slopes of the Great Dividing Range. Tall (greater than 20 m) moist habitats.	7	Unlikely – lack of hollow bearing trees, which represent roosting habitat for this species, were identified within the development site.	No
Gallinago hardwickii	Latham's Snipe	-	M	Migrant to east coast of Australia, extending inland west of the Great Dividing Range in NSW. Freshwater, saline or brackish wetlands up to 2000 m above sea-level; usually freshwater swamps, flooded grasslands or heathlands.	1	Unlikely - lack of suitable habitat for this species within the development site.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Glossopsitta pusilla	Little Lorikeet	V	-	In NSW, found from the coast westward as far as Dubbo and Albury. Dry, open eucalypt forests and woodlands, including remnant woodland patches and roadside vegetation.	2	Unlikely – *Melaleuca quinquenervia,* a nectar food tree for this species, was identified within the development site. However, given the site's history of disturbance and urban setting, it is considered unlikely that the species would occur within the development site.	No
Grantiella picta	Painted Honeyeater	V	V	Widely distributed in NSW, predominantly on the inland side of the Great Dividing Range but avoiding arid areas. Boree, Brigalow and Box-Gum Woodlands and Box-Ironbark Forests.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Haliaeetus leucogaster	White-bellied Sea-Eagle	V	Marine	Distributed along the coastline of mainland Australia and Tasmania, extending inland along some of the larger waterways, especially in eastern Australia. Freshwater swamps, rivers, lakes, reservoirs, billabongs, saltmarsh and sewage ponds and coastal waters. Terrestrial habitats include coastal dunes, tidal flats, grassland, heathland, woodland, forest and urban areas.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Heleioporus australiacus	Giant Burrowing Frog	V	V	South eastern NSW and Victoria, in two distinct populations: a northern population in the sandstone geology of the Sydney Basin as far south as Ulladulla, and a southern population occurring from north of Narooma through to Walhalla, Victoria. Heath, woodland and open dry sclerophyll forest on a variety of soil types except those that are clay based.	0	No - lack of suitable habitat for this species within the development site, no local records.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Hieraaetus morphnoides	Little Eagle	V	-	Throughout the Australian mainland, with the exception of the most densely forested parts of the Dividing Range escarpment. Open eucalypt forest, woodland or open woodland, including sheoak or Acacia woodlands and riparian woodlands of interior NSW.	8	Unlikely - lack of suitable habitat for this species within the development site.	No
Hirundapus caudacutus	White-throated Needletail	-	M	All coastal regions of NSW, inland to the western slopes and inland plains of the Great Divide. Occur most often over open forest and rainforest, as well as heathland, and remnant vegetation in farmland.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Lathamus discolor	Swift Parrot	E1	CE	Migrates from Tasmania to mainland in Autumn-Winter. In NSW, the species mostly occurs on the coast and south west slopes. Box-ironbark forests and woodlands.	50	Unlikely - lack of favoured feed trees which represent suitable foraging habitat for this species in the study area.	No
Litoria aurea	Green and Golden Bell Frog	E1	V	Since 1990, recorded from ~50 scattered sites within its former range in NSW, from the north coast near Brunswick Heads, south along the coast to Victoria. Records exist west to Bathurst, Tumut and the ACT region. Marshes, dams and stream-sides, particularly those containing *Typha* spp. (bullrushes) or *Eleocharis* spp. (spikerushes). Some populations occur in highly disturbed areas.	18	Unlikely - lack of suitable habitat for this species within the development site.	No
Meridolum corneovirens	Cumberland Plain Land Snail	E1	-	Areas of the Cumberland Plain west of Sydney, from Richmond and Windsor south to Picton and from Liverpool, west to the Hawkesbury and Nepean Rivers at the base of the Blue Mountains. Primarily inhabits Cumberland Plain Woodland. Also known from Shale Gravel Transition Forests,	51	Unlikely - lack of suitable habitat for this species within the development site.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				Castlereagh Swamp Woodlands and the margins of River-flat Eucalypt Forest.			
Merops ornatus	Rainbow Bee-eater		Marine	Distributed across much of mainland Australia, including NSW. Open forests and woodlands, shrublands, farmland, areas of human habitation, inland and coastal sand dune systems, heathland, sedgeland, vine forest and vine thicket.	0	Unlikely - lack of suitable habitat for this species within the development site.	No
Micronomus norfolkensis	Eastern Coastal Free-tailed Bat	V	-	Found along the east coast from south Qld to southern NSW. Dry sclerophyll forest, woodland, swamp forests and mangrove forests east of the Great Dividing Range.	16	Unlikely - lack of hollow bearing trees, which represent suitable habitat, for this species within the development site. Human-made structures within the development site do not represent suitable habitat for this species.	No
Miniopterus australis	Little Bent-winged Bat	V	-	East coast and ranges south to Wollongong in NSW. Moist eucalypt forest, rainforest, vine thicket, wet and dry sclerophyll forest, Melaleuca swamps, dense coastal forests and banksia scrub.	1	Unlikely - lack of hollow bearing trees, which represent suitable habitat, for this species within the development site. Human-made structures within the development site do not represent suitable habitat for this species.	No
Miniopterus orianae oceanensis	Large Bent-winged Bat	V	-	In NSW it occurs on both sides of the Great Dividing Range, from the coast inland to Moree, Dubbo and Wagga Wagga.	24	Unlikely - lack of caves which represent primary roosting habitat	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				Rainforest, wet and dry sclerophyll forest, monsoon forest, open woodland, paperbark forests and open grassland.		for this species within the development site. Human-made structures within the development site do not represent suitable habitat for this species.	
Monarcha melanopsis	Black-faced Monarch	-	M	In NSW, occurs around the eastern slopes and tablelands of the Great Divide, inland to Coutts Crossing, Armidale, Widden Valley, Wollemi National Park and Wombeyan Caves. It is rarely recorded farther inland. Rainforest, open eucalypt forests, dry sclerophyll forests and woodlands, gullies in mountain areas or coastal foothills, Brigalow scrub, coastal scrub, mangroves, parks and gardens.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Motacilla flava	Yellow Wagtail	-	M	Regular summer migrant to mostly coastal Australia. In NSW recorded Sydney to Newcastle, the Hawkesbury and inland in the Bogan LGA. Swamp margins, sewage ponds, saltmarshes, playing fields, airfields, ploughed land, lawns.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Myiagra cyanoleuca	Satin Flycatcher	-	M	In NSW, widespread on and east of the Great Divide and sparsely scattered on the western slopes, with very occasional records on the western plains. Eucalypt-dominated forests, especially near wetlands watercourses, and heavily vegetated gullies.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Myotis macropus	Southern Myotis	V	-	In NSW, found in the coastal band. It is rarely found more than 100 km inland, except along major rivers. Foraging habitat is waterbodies (including streams, or lakes or reservoirs) and fringing areas of vegetation up to 20 m.	7	Unlikely – human-made structures within the development site do not represent suitable habitat for this species.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Neophema pulchella	Turquoise Parrot	V		Occurs along the length of NSW from the coastal plains to the western slopes of the Great Dividing Range. Eucalypt and cypress pine open forests and woodlands, ecotones between woodland and grassland, or coastal forest and heath.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Ninox connivens	Barking Owl	V	-	Wide but sparse distribution in NSW, avoiding the most central arid regions. Core populations exist on the western slopes and plains and in some northeast coastal and escarpment forests. Woodland and open forest, including fragmented remnants and partly cleared farmland, wetland and riverine forest.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Ninox strenua	Powerful Owl	V	-	In NSW, it is widely distributed throughout the eastern forests from the coast inland to tablelands, with scattered records on the western slopes and plains. Woodland, open sclerophyll forest, tall open wet forest and rainforest.	3	Unlikely – this highly mobile species may occasionally fly over the study area on feeding forays. However, more suitable habitat is available for this species beyond the development site.	No
Numenius madagascariensis	Eastern Curlew	-	CE, M	Summer migrant to Australia. Primarily coastal distribution in NSW, with some scattered inland records. Estuaries, bays, harbours, inlets and coastal lagoons, intertidal mudflats or sandflats, ocean beaches, coral reefs, rock platforms, saltmarsh, mangroves, freshwater/brackish lakes, saltworks and sewage farms.	0	Unlikely - lack of suitable habitat for this species within the development site.	No
Petauroides volans	Greater Glider	-	V	In Eastern Australia, it is found from the Windsor Tableland in north Queensland through to central Victoria (Wombat State Forest). Eucalypt forests and woodlands. It is typically found	0	No - lack of suitable habitat for this species	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				in highest abundance in taller, montane, moist eucalypt forests with relatively old trees and abundant hollows.		within the development site, no local records.	
Petrogale penicillata	Brush-tailed Rock-wallaby	E1	V	In NSW they occur from the Qld border in the north to the Shoalhaven in the south, with the population in the Warrumbungle Ranges being the western limit. Rocky escarpments, outcrops and cliffs with a preference for complex structures with fissures, caves and ledges.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Phascolarctos cinereus	Koala	V	V	In NSW it mainly occurs on the central and north coasts with some populations in the west of the Great Dividing Range. There are sparse and possibly disjunct populations in the Bega District, and at several sites on the southern tablelands. Eucalypt woodlands and forests.	1	Unlikely - lack of suitable habitat for this species within the development site.	No
Pseudomys novaehollandiae	New Holland Mouse	-	V	Fragmented distribution across eastern NSW. Open heathlands, woodlands and forests with a heathland understorey, vegetated sand dunes.	0	No - lack of suitable habitat for this species within the development site, no local records.	No
Pteropus poliocephalus	Grey-headed Flying-fox	V	V	Along the eastern coast of Australia, from Bundaberg in Qld to Melbourne in Victoria. Subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops.	1437	Potential – suitable foraging habitat for this species was identified within the development site and is proposed for removal.	Yes
Rhipidura rufifrons	Rufous Fantail	-	M	Coastal and near coastal districts of northern and eastern Australia, including on and east of the Great Divide in NSW. Wet sclerophyll forests, subtropical and temperate rainforests. Sometimes drier sclerophyll forests and woodlands.	0	No - lack of suitable habitat for this species within the development site, no local records.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
Saccolaimus flaviventris	Yellow-bellied Sheathtail-bat	V	-	There are scattered records of this species across the New England Tablelands and North West Slopes. Rare visitor in late summer and autumn to south-western NSW. Almost all habitats, including wet and dry sclerophyll forest, open woodland, open country, mallee, rainforests, heathland and waterbodies.	1	Unlikely - lack of hollow bearing trees, which represent suitable habitat for this species, within the development site. Human-made structures within the development site do not represent suitable habitat for this species.	No
Scoteanax rueppellii	Greater Broad-nosed Bat	V	-	Both sides of the great divide, from the Atherton Tableland in Qld to north-eastern Victoria, mainly along river systems and gullies. In NSW it is widespread on the New England Tablelands. Woodland, moist and dry eucalypt forest and rainforest.	6	Unlikely - lack of hollow bearing trees, which represent suitable habitat for this species, within the development site. Human-made structures within the development site do not represent suitable habitat for this species.	No
Tringa nebularia	Common Greenshank	-	M	Summer migrant to Australia. Recorded in most coastal regions of NSW; also, widespread west of the Great Dividing Range, especially between the Lachlan and Murray Rivers and the Darling River drainage basin, including the Macquarie Marshes, and north-west regions. Terrestrial wetlands (swamps, lakes, dams, rivers, creeks, billabongs, waterholes and inundated floodplains, claypans, saltflats, sewage farms and saltworks dams, inundated rice crops and bores) and sheltered coastal habitats (mudflats, saltmarsh, mangroves,	0	Unlikely - lack of suitable habitat for this species within the development site.	No

Scientific name	Common Name	BC Act Status	EPBC Act Status	Distribution and Habitat	Number of Records within 5 km	Likelihood of Occurrence	Impact Assessment Required
				embayments, harbours, river estuaries, deltas, lagoons, tidal pools, rock-flats and rock platforms).			
Tyto novaehollandiae	Masked Owl	V	-	Recorded over approximately 90% of NSW, excluding the most arid north-western corner. Most abundant on the coast but extends to the western plains. Dry eucalypt forests and woodlands from sea level to 1100 m.	3	Unlikely - lack of suitable habitat for this species within the development site.	No

BC Act key: E1 = endangered, E2= endangered population, E4 = Extinct, E4A = critically endangered, V = vulnerable.

EPBC Act Key: M = migratory, Mar = marine CE = critically endangered, E = endangered, V = vulnerable, X = extinct.

Appendix D – *Biodiversity Conservation Act 2016* Test of Significance

Section 7.3 of the *Biodiversity Conservation Act 2016* (BC Act) requires a number of factors to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats. These factors are addressed below for the species likely to be impacted by the proposed development.

D1 *Pteropus poliocephalus* (Grey-headed Flying-fox)

The Grey-headed Flying-fox is listed as vulnerable under the BC Act and EPBC Act. The distribution and habitat of this species are presented in Appendix C. This species was not recorded on site during the survey but has been recorded within 5 km of the site. There is a Nationally Important Flying-fox Camp approximately 6 km northeast of the development site in Parramatta Park (estimated at 10,000-15,999 individuals in October 2018) and another Flying-fox Camp approximately 1.15 km north of the development site in Wetherill Park (estimated at 500-2,499 individuals in May 2019). The proposed development would remove 0.18 ha of planted native and exotic vegetation –which includes species that are potential seasonal foraging habitat for this species. No breeding habitat in the form of camps would be affected by the proposed development.

BC Act	Question	Response
7.3.1 a)	In the case of a threatened species: whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction	The proposed development would affect 0.18 ha of planted native/ exotic vegetation which may provide marginal seasonal foraging opportunities (e.g., *Melaleuca quinquenervia)* for the species. No breeding habitat in the form of camps would be impacted as part of the proposed development. Given the proximity of landscaped gardens, street trees and parks (including Emerson Park and the vegetation riparian corridor of Prospect Creek) to the development site, the loss of vegetation is unlikely to adversely affect the Grey-headed Flying-fox such that its population would be placed at risk of extinction.
7.3.1 b) i	In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: Is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or	Not applicable
7.3.1 b) ii	In the case of an endangered ecological community or critically endangered ecological community: Whether the proposed development or activity is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.	Not applicable

BC Act	Question	Response
7.3.1 c) i	In relation to the habitat of a threatened species or ecological community: The extent to which habitat is likely to be removed or modified as a result of the proposed development or activity	Vegetation impacts would be minimal (0.18 ha). No breeding habitat would be impacted.
7.3.1 c) ii	In relation to the habitat of a threatened species or ecological community: Whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity	The area of potential foraging habitat to be removed forms part of highly modified and planted urban nature strips which contains a mix of planted native and exotic vegetation. There is similar vegetation available immediately adjacent to the development site. The proposed development is unlikely to have an adverse impact on habitat connectivity. The species is highly mobile and would continue to use the surrounding locality for foraging.
7.3.1 c) iii	In relation to the habitat of a threatened species or ecological community: The importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality.	The proposed development would affect 0.18 ha of foraging habitat for Grey-headed Flying-fox. This small area of habitat is not considered vital to the long-term survival of these species within the locality because the species is highly mobile and would be able to continue foraging in similar vegetation directly adjacent to the development site.
7.3.1 d)	Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).	The proposed development would not directly or indirectly impact any declared area of outstanding biodiversity value.
7.3.1 e)	Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.	The clearing of native vegetation is one key threatening process relevant to the proposed development. The proposed development is unlikely to contribute significantly to this process given that only 0.18 ha of planted native/ exotic vegetation is proposed to be removed. The species is highly mobile and would be able to continue foraging in similar vegetation adjacent to the development site.
Conclusion	Is there likely to be a significant impact?	No. The proposed removal of planted native and exotic vegetation is unlikely to have a significant impact on the Grey-headed Flying Fox for the following reasons: • Foraging habitat within the site is marginal and would provide seasonal foraging opportunities, at best. • Similar foraging habitat is abundant immediately adjacent to the development site. • Breeding habitat (camps) was not identified within the study area and would not be impacted by the proposed development.

Appendix E - *Environment Protection and Biodiversity Conservation Act 1999* Significant Impact Criteria

The following assessment was prepared in accordance with the *EPBC Act Matters of National Environmental Significance: Significant Impact Guidelines 1.1*. These guidelines have been established to assist proponents to determine whether a proposed action is likely to result in a significant impact on a matter of national environmental significance.

E1 *Pteropus poliocephalus* (Grey-headed Flying-fox)

Criterion	Question	Response
An action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will:		
1)	lead to a long-term decrease in the size of an important population of a species	There is a Nationally Important Flying-fox Camp approximately 6 km northeast of the development site in Parramatta Park (estimated at 10,000-15,999 individuals in October 2018) and another Flying-fox Camp approximately 1.15 km north of the development site in Wetherill Park (estimated at 500-2,499 individuals in May 2019). No roosting habitat (camps) would be affected by the proposed action. However, the proposed action would remove 0.18 ha of planted native/ exotic vegetation, including marginal seasonal foraging habitat for the Grey-headed Flying-fox. The Grey-headed Flying-fox is recorded as travelling long distances (up to 20 km) on feeding forays. Given the proximity of more suitable habitat within the development site, the removal of this potential foraging habitat would not lead to the long-term decrease in the size of an important population of Grey-headed Flying-fox.
2)	reduce the area of occupancy of an important population	The proposed action would reduce the amount of potential foraging habitat for this species by 0.18 ha. The Grey-headed Flying-fox is not known to occupy the development site in the form of a camp but may occasionally forage within the site when feed trees are flowering. The Grey-headed Flying-fox is recorded as travelling long distances on feeding forays and would likely utilise the potential foraging habitat outside of the development site. Therefore, the proposed action would reduce the areas of occupancy by 0.18 ha of seasonal foraging habitat.
3)	fragment an existing important population into two or more populations	The proposed action would remove 0.18 ha of vegetation, including seasonal foraging habitat for the Grey-headed Flying-fox. There is a Nationally Important Flying-fox Camp approximately 6 km northeast of the development site in Parramatta Park and another Flying-fox Camp approximately 1.15 km north of the development site in Wetherill Park. No camps would be directly, or indirectly removed, and similar areas of foraging habitat are present directly adjacent to the development site. The species is highly mobile; therefore it is considered that the proposed

Criterion	Question	Response
		action would not fragment an existing important population into two or more populations.
4)	adversely affect habitat critical to the survival of a species	The Draft Recovery Plan for the Grey-headed Flying-fox 2017 identifies 'a continuous temporal sequence of productive foraging habitats, linked by migration corridors or stopover habitats, and suitable roosting habitat within nightly commuting distance of foraging areas' as habitat critical to the survival of the species. There is a Nationally Important Flying-fox Camp approximately 6 km northeast of the development site in Parramatta Park and another Flying-fox Camp approximately 1.15 km north of the development site in Wetherill Park. No camps would be directly or indirectly removed by the proposed action. The proposed action would remove up to 0.18 ha of planted native/ exotic vegetation, some of which comprises seasonal foraging habitat for the Grey-headed Flying-fox. The Grey-headed Flying-fox is recorded as travelling long distances (20 km) on feeding forays and suitable habitat is available outside of the development site. Therefore, it is considered the proposed action would not adversely affect habitat critical to the survival of the species.
5)	disrupt the breeding cycle of an important population	The proposed action would remove 0.18 ha of vegetation, some of which comprises marginal seasonal foraging habitat for the Grey-headed Flying-fox. The proposed action would not disrupt the breeding cycle of the Grey-headed Flying-fox given that no camps would be removed by the proposed action and similar areas of suitable foraging habitat are available adjacent to the development site and within the broader locality. There is a Nationally Important Flying-fox Camp approximately 6 km northeast of the development site in Parramatta Park and another Flying-fox Camp approximately 1.15 km north of the development site in Wetherill Park.
6)	modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline	The proposed action would remove 0.18 ha of vegetation, which includes seasonal foraging habitat for the Grey-headed Flying-fox. Grey-headed Flying-fox camps would not be removed or disturbed, and more suitable foraging and roosting habitat is available outside of the development site.
7)	result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat	The proposed action is unlikely to result in the establishment of an invasive species that is harmful to the Grey-headed Flying-fox.
8)	introduce disease that may cause the species to decline, or	Grey-headed Flying-fox are reservoirs for the Australian bat lyssavirus, Hendra Virus and Menangle virus, and can cause clinical disease and mortality in Grey-headed Flying-fox. The proposed action would not increase the incidence of this disease.
9)	interfere substantially with the recovery of the species.	A Draft National Recovery Plan for the Grey-headed Flying-fox was developed in 2017. The relatively small amount of

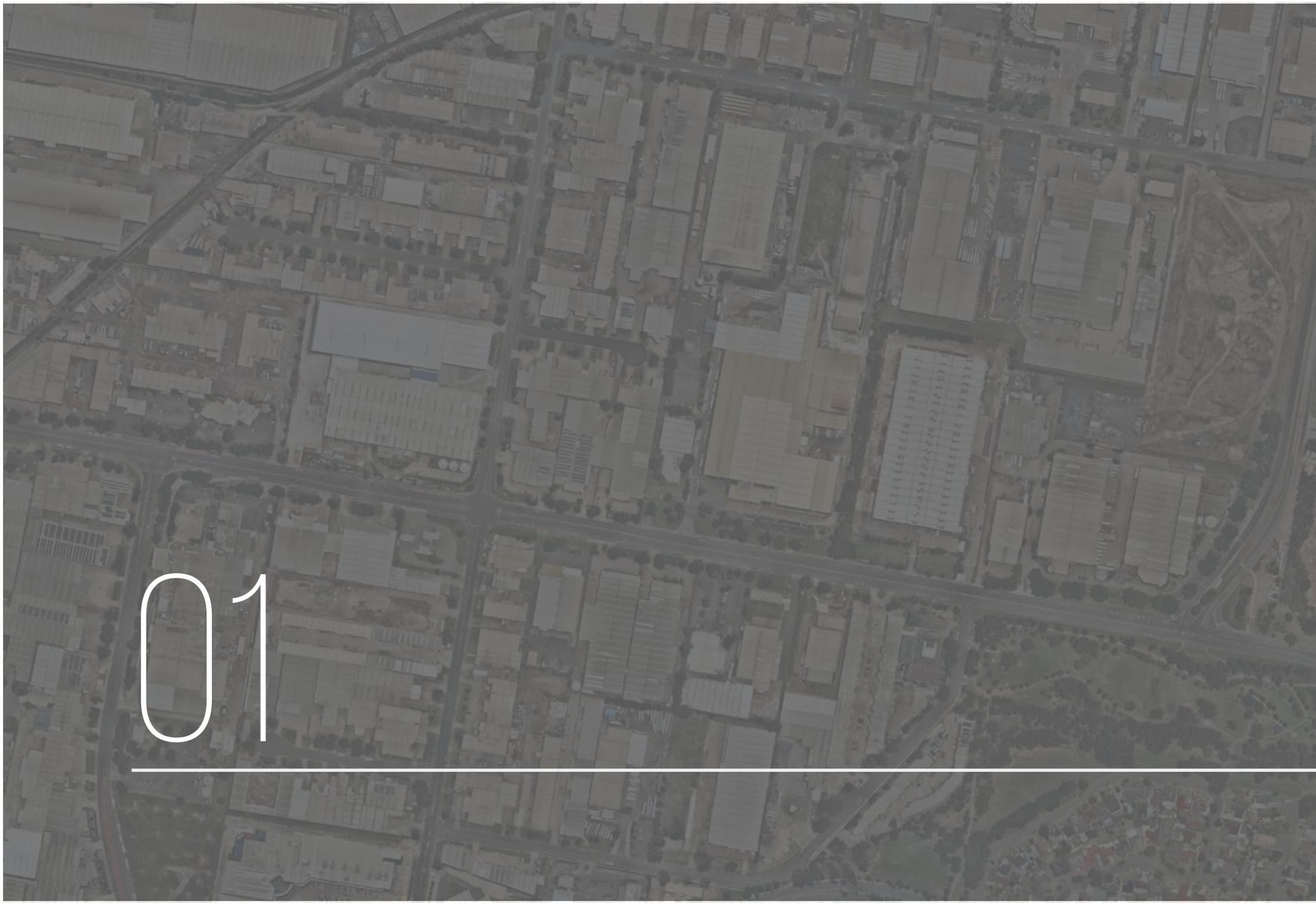
Criterion	Question	Response
		foraging habitat to be removed would be unlikely to substantially interfere with the recovery of this species.
Conclusion	Is there likely to be a significant impact?	No. The proposed removal of planted native and exotic vegetation would be unlikely to have a significant impact on the Grey-headed Flying Fox for the following reasons: • Foraging habitat within the site is marginal and would provide seasonal foraging opportunities, at best. • Similar foraging habitat is abundant in the locality. • Roosting habitat was not identified within the study area and would not be impacted by the proposed development.

APPENDIX 3 – Preliminary Visual Analysis

250 VICTORIA STREET, WETHERILL PARK
PRELIMINARY VISUAL ANALYSIS

JANUARY 2021

HATCH | RobertsDay



01

SITE ANALYSIS

REGIONAL ANALYSIS

REGIONAL CONTEXT

The proposed site is located in the western Sydney suburb of Wetherill park, around 30km west of Sydney CBD and 12km southwest of Parramatta. It is in close proximity to regional road network, including The Horsley Drive and M7 Motorway, providing accessibility to the Site, immediate surroundings and wider locality.

Wetherill Park is a deep-rooted and highly sought after industrial precinct. The Smithfield-Wetherill Park Industrial Estate is one of the largest in the Southern Hemisphere and makes a major contribution to the New South Wales and Australian economies. The industrial area has a strategic location being connected to national and international transport networks including the M4 and M7 motorways, the new Western Sydney Airport, nearby intermodal terminal and in an area of rapid population and economic growth.


Blue Mountains
National Park
Marsden Park
Buisness Park
Penrith
St Marys
Mount Druitt
Blacktown
Macquarie Park
Horsley
Park
Western Sydney
Parklands
Parramatta
North Sydney
Wetherill
Park
Smithfield
Kanangra-Boyd
National Park
M7
Sydney
CBD
Liverpool
Bankstown
Sydney
Airport
Moorebank
Leppington
Port
Botany
Glenfield
M7
Heathcote
National Park
Campbelltown
Royal National
Park
NTS
N

LOCAL ANALYSIS

LOCAL CONTEXT

The proposed site is located within the Smithfield-Wetherill Park Industrial Estate. There are various land uses surrounding the site including industrial, residential and educational. Victoria Street provides direct access to the Cumberland Highway, and proximity to the M4 and M7 motorways.

The Site is bound by Victoria Street to the south and large-format warehouses to the north, east and west. Victoria Street provides the main vehicle access to the Site.

LANDSCAPE CHARACTER

The landscape character of the local area is primarily industrial built forms surrounded by national reserves and low density residential.

The land slopes from Liverpool-Parramatta Transitway descending along Victoria Street towards the residential lands east of the ridgeline.

There are extensive views and vistas to the east and north from the higher elevations which creates an elevated spatial experience. However, the views are enclosed by the existing structure and vegetations from lower elevations.

PLANNING CONTEXT

The main statutory planning framework relevant to the proposed development includes:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Fairfield Local Environmental Plan
- Fairfield City Wide Development Control Plan 2013
- SEPP (State and Regional Development) 2011
- SEPP (Infrastructure) 2007

The proposed site is located within Fairfield Local Government Area and is zoned General Industrial. There is no height and FSR control identified for the proposed site.

Land Zoning Map, Fairfield Local Environmental Plan 2013

Local Context (Industrial, Nature Reserve and Residential)


Liverpool-Parramatta Transitway
Industrial / Warehouses
Industrial/ Warehouse
Industrial/ Warehouse
Proposed Site
Victoria Street
Wetherill Park
Nature Reserve
Residential
Victoria Street
Wetherill Park TAFE
Emerson Park
Residential
N
NTS

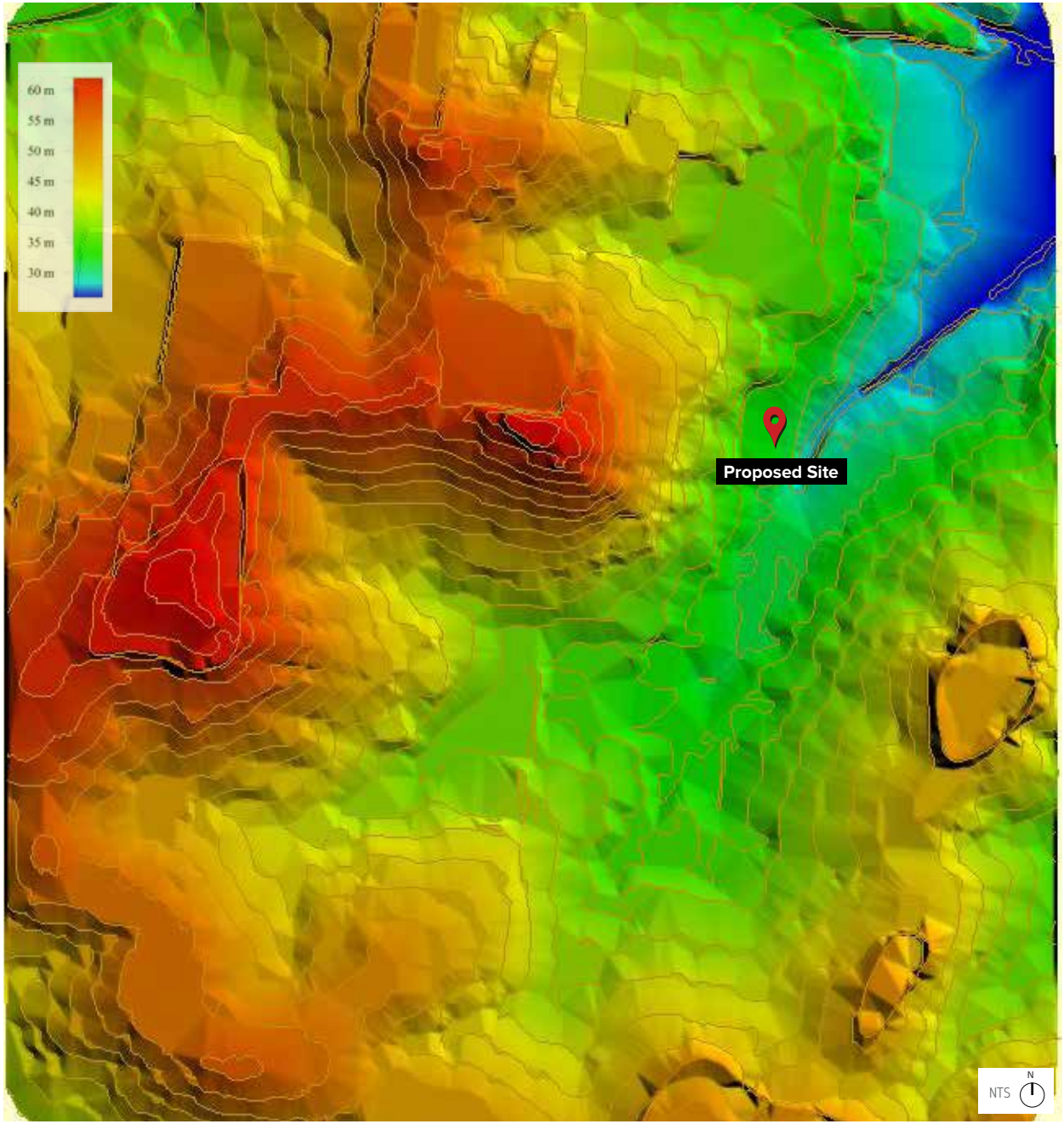
SITE VISIBILITY

PHYSICAL ABSORPTION CAPACITY

Physical Absorption Capacity means the extent to which the existing visual environment can reduce or eliminate the perception of the visibility of the proposed development or its effects, such as view blocking. It includes the ability of the existing and future elements of the landscape setting to physically hide, screen or disguise the proposed development.

Physical Absorption Capacity also includes the extent to which the material and finishes of the proposal blend with others of the same or closely similar kinds, to the extent that they cannot be easily perceived as new elements of the environment. The following factors provide some physical absorption capacity for the proposal and reduces the visibility of the site:

- Presence of surrounding industrial lands and warehouses
- Dense vegetation with mature trees along Victoria Street and Wetherill Park Nature Reserve
- Configuration of residential areas with limited private views facing the proposed site
- Landform west of the proposed site with a significant ridgeline which restricts the visual exposure of the proposal to views from west



Land Elevation Study

Industrial warehouses

Wetherill Park Nature Reserve with mature trees

Wetherill Park TAFE

Proposed Site

NTS

DRONE PHOTOGRAPHY

To better understand the visibility of the site and identify the potential vantage points, a drone was used to take panoramic photographs at height of above 40m from ground level. The flight was performed on the 13th May 2020 by Sydney Drone Operations (DLR Photo). The following photographs provide an indication of receptors within the surrounding context and identifies existing context and visual barriers.

East Panorama

North Panorama

South Panorama

West Panorama

02

VISUAL ANALYSIS

VANTAGE POINTS

SELECTION OF VANTAGE POINTS

The key vantage points for the purpose of visual impact assessment have been determined through identification of physical absorption capacity and visibility of the site as well as focus on the areas that are more likely to be affected by the proposal. Some viewpoints have been intentionally chosen to demonstrate and provide evidence that there will be no visual impacts at all.

The studied key vantage points include:

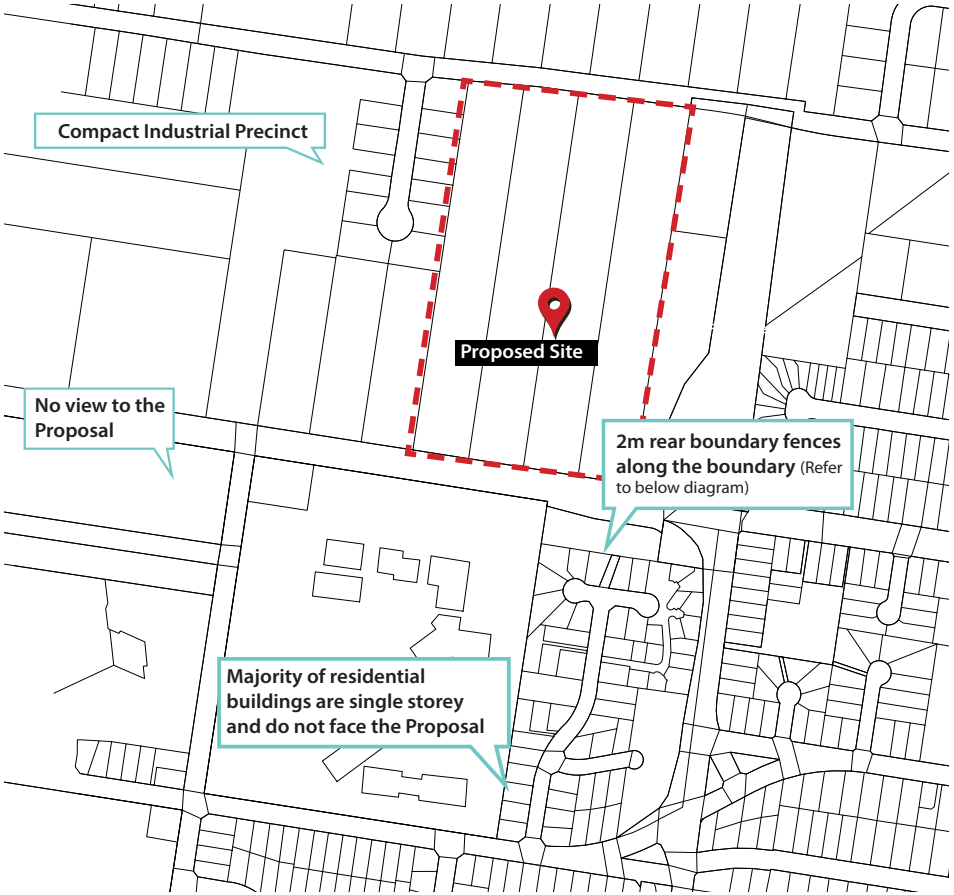
1. Public view from Rosford Street Reserve
2. Public view from 295 Victoria Street
3. Public view from Wetherill Park Nature Reserve
4. Public view from 31 Haywood Cl
5. Public view from 131 Wetherill Street
6. Public view from 44 Chifley Street

SOUTHERN BOUNDARY

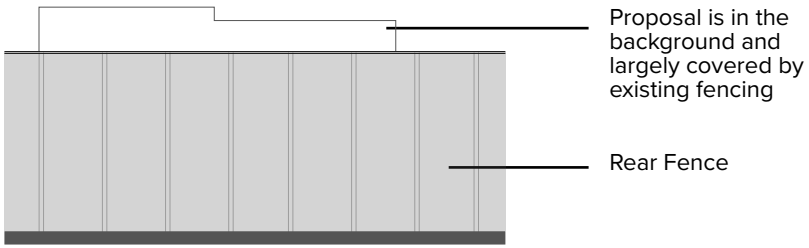
The closest residential properties are located south of the proposal. In general, the areas south of the site are more likely to be visually impacted by the future development.

The visibility of the proposal to the adjacent residential properties factors the following:

- Orientation and proximity of residential blocks
- Land elevation
- Road layout
- Existing vegetation/ trees



Residential properties south of the proposal



View from Residential properties backyard to the proposal (indicative)


Proposed Site
1
2
3
4
5
6
NTS
N

VIEW ANALYSIS

VIEW POINT 1 - ROSFORD STREET RESERVE

NTS N Google Earth Coordinate: 33°50'35.2"S 150°55'28.9"E

Proposal is completely screened by the existing vegetation and structure.

Proposed

Existing

VIEW POINT 2 - 295 VICTORIA ST, WETHERILL PARK

NTS N Google Earth Coordinate: 33°50'51.2"S 150°54'47.7"E

Proposal is almost completely screened by the proposed landscaping along the street (mature size) and existing vegetation/ structures.

Proposed

Existing

VIEW POINT 3 - WETHERILL PARK NATURE RESERVE

NTS N Google Earth Coordinate: 33°50'52.1"S 150°54'41.9"E

Proposal is completely screened by the existing dense vegetation.

Proposed

Existing

VIEW POINT 4 - 31 HAYWOOD CL

NTS N Google Earth Coordinate: 33°50'58.0"S 150°55'01.3"E

Mitigation measures including proper landscaping along the main frontage, facade articulation and breaks as well as a careful selection of colours/materials reduce the visual impact on the adjacent residential area.

Proposed

Existing

VIEW POINT 5 - 131 WETHERILL ST, WETHERILL PARK

NTS N Google Earth Coordinate: 33°50'54.9"S 150°55'06.7"E

Landscaping along the street and a graded change in height for a more compatible streetscape reduce the visual impact on the surrounding areas.

Proposed

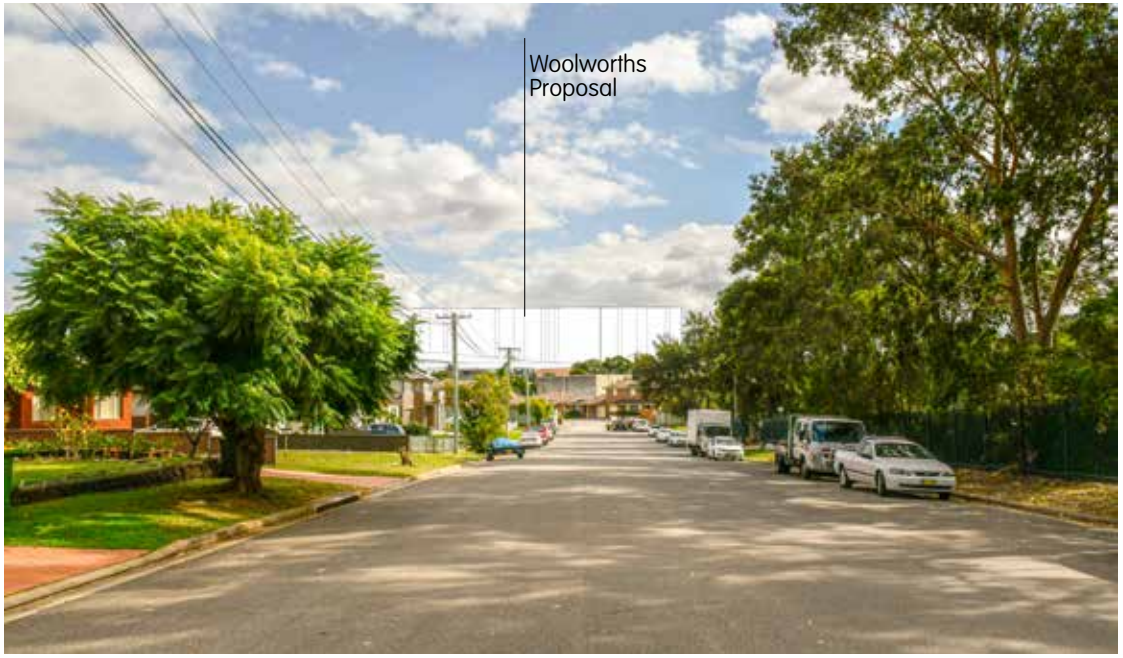
Existing

VIEW POINT 6 - 44 CHIFLEY ST, WETHERILL PARK

NTS N

Google Earth Coordinate: 33°50'48.0"S 150°55'18.3"E

The view corridor terminates at existing industrial buildings. Vertical facade treatment reduces the height and visual impact on currently industrial character of the view.



Proposed

Existing

Perth
Level Two, 442 Murray Street
Perth WA Australia 6000
T. +61 8 9213 7300

Sydney
Level Four, 17 Randle Street
Surry Hills NSW Australia 2010
T. +61 2 8202 8000

Melbourne
33 Chessell Street
South Melbourne, VIC Australia 3205
T.+61 3 9645 0788

Brisbane
4 Nerang Street,
Nerang QLD Australia 4217

HATCH | RobertsDay

APPENDIX 4 – Aboriginal Cultural Heritage Due Diligence Assessment

15 December 2020

Andrew Hollander
Assistant Development Manager
Corporate Property
Woolworths Group Limited
1 Woolworths Way, Bella Vista NSW, 2153, Australia

Dear Andrew,

Re: 250-266 Victoria St, Wetherill Park: Aboriginal Heritage Due Diligence Assessment

Woolworths Group limited (Woolworths) propose to develop a new distribution centre at 250-266 Victoria St, Wetherill Park. Construction of the facility will require the demolition of the current buildings as well as leveling and bulk earthworks across the study area. This distribution centre will accommodate above and below ground fresh and cold produce storage as well as medium and heavy vehicle on and off-loading facilities.

Artefact Heritage (Artefact) have been engaged by Woolworths to prepare an Aboriginal heritage due diligence assessment in accordance with the 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales' (the Due Diligence Code of Practice) (Department of Environment, Climate Change and Water [DECCW] 2010). The due diligence assessment has been developed to support a development application to Fairfield Council.

Study area

The study area is located at 250-266 Victoria Street, Wetherill Park (Lot 1/ DP 832281 and Lot 7/ DP 1015294), approximately 37 kilometres west of the Sydney CBD and 11 kilometres southwest of Parramatta. The study area is situated between Redfern Street to the north, and Victoria Street to the south. Land to the east and west of the study area contains existing industrial facilities. The study area is shown in Figure 1.

The study area is currently used as a laydown area for a heavy vehicle transportation group (Lot 7 DP/ 1015294) and as an Austral bricks warehouse and storage facility (Lot 1/ DP 832281).

The study area is located within the City of Fairfield Local Government Area (LGA), the County of Cumberland and is within the boundaries of the Gandangara Local Aboriginal Land Council (LALC).

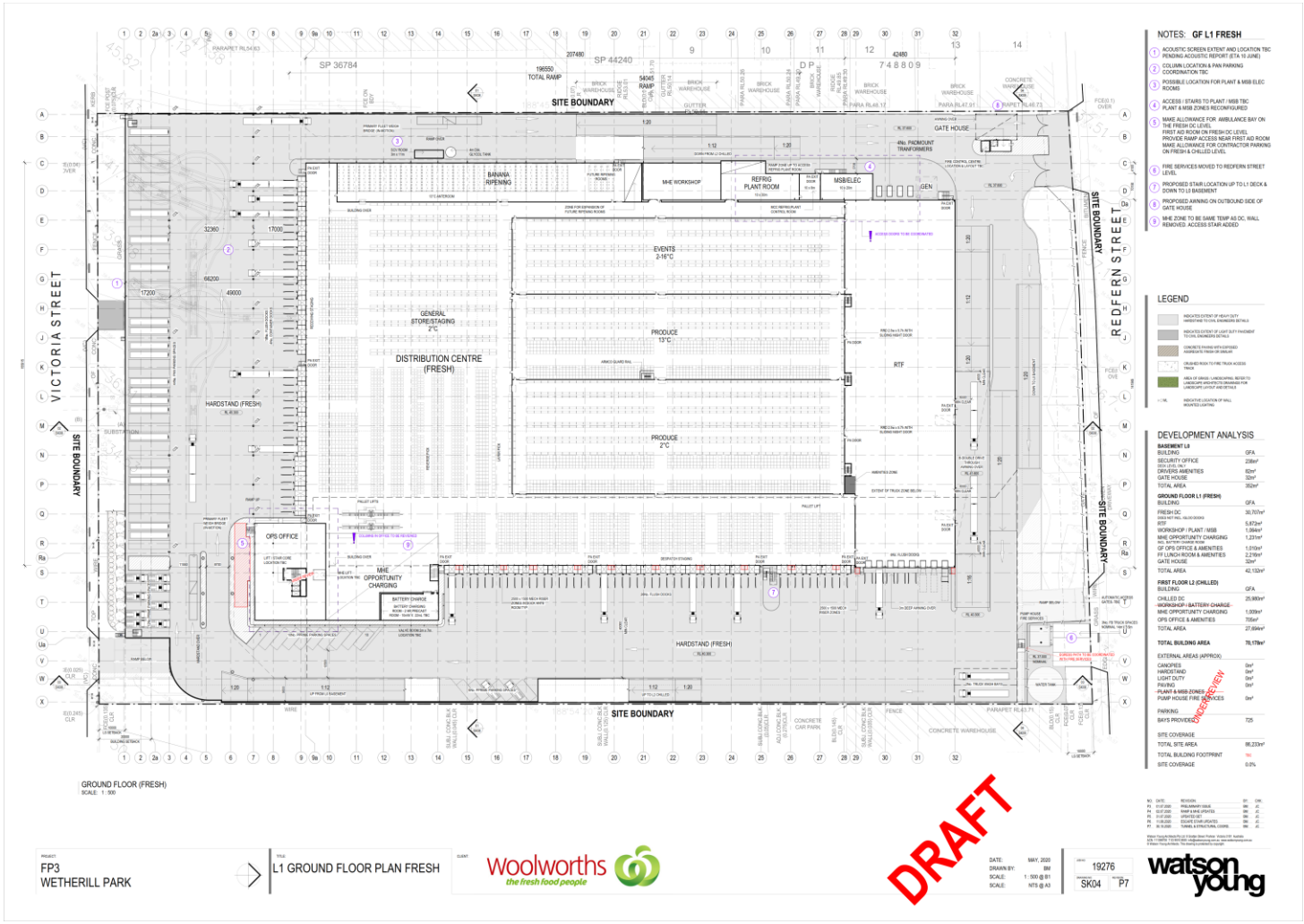
Proposal

Woolworths is proposing to develop a new and efficient food and produce distribution centre. This will require the demolition of current buildings and the leveling of the site. The new distribution centre will physically cover approximately 70,178m^2 and entail a basement, ground floor and first floor. Construction will include demolition and bulk earthworks across the entire study area (see Figure 2).

Figure 1: Study area

Document Path: D:\GIS\GIS_Mapping\20254_250_Victoria_Street_Wetherill_Park\MXD\Study_area.mxd

Figure 2: Proposal



Legislative context

National Parks and Wildlife Act 1974

The National Parks & Wildlife Act 1974 (the NPW Act) provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community). A Section 90 Aboriginal Heritage Impact Permit (AHIP) is the only permit available to impact identified Aboriginal objects and/or an identified Aboriginal place. An AHIP can only be issued by Heritage NSW.

The aim of the due diligence guidelines is to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an AHIP.

A due diligence assessment should take reasonable and practicable steps to ascertain whether there is a likelihood that Aboriginal sites will be disturbed or impacted during the proposed activity. If it is assessed that sites exist or have a likelihood of existing within the activity area and may be impacted by the proposed activity, further archaeological investigations may be required along with an AHIP. If it is found to be unlikely that Aboriginal sites exist within the investigation area and the due diligence assessment has been conducted according to the due diligence guidelines, work may proceed with caution and without an AHIP.

Background Context

Historical Context

Non-Aboriginal exploration in the region began shortly after the landing of the first fleet in 1788, with Governor Philip leading a party up Prospect Hill in April that year. Prospect Hill became a significant landmark for settlers and a reference point for early exploratory parties including Watkin Tench in his journey west in 1789.

In 1791, Governor Philip made various land grants on the southern and eastern slopes of Prospect Hill. The study area was originally part of a12,300 acre grant to the Orphan Institution by Governor King in 1803. In 1827 2,118 acres of this land near Prospect Creek was purchased by James Chisholm.

By the 1850s with the construction of the Southern Railway line, land within the Fairfield LGA had developed with small towns, timber operations, market gardens, vineyards and orchards. Settlement within this area was also encouraged with the development and construction of the Prospect Reservoir (MDCA 2017).

Aerial photography from 1965 shows that at this time the study area was utilised for market gardening and had been completely cleared of native vegetation. At this time, a small first order tributary of Prospect Creek was located directly east of the study area.

By 1975 further development had occurred in the land surrounding the study area including additional land clearance and the canalisation of the watercourse to the east (Figure 3). By 1978, the study area had transitioned into an industrial hard stand/ storage area (Figure 4).

Figure 3: 1965 historical aerial, study area approximated in red

Figure 4: 1975 historical aerial, study area approximated in red

Figure 5: 1978 historical aerial, study area approximated in red

Environmental Context

The study area is located within the Cumberland Plain, a large low-lying and gently undulating landform in the Sydney Basin. The formation of the basin began between 300 to 250 million years ago when river deltas gradually replaced the ocean that had extended as far west as Lithgow (Pickett & Alder 1997).

The geology of the study area is characterised by the Triassic Wianamatta Liverpool Sub-Group. The Liverpool Sub-Group comprises Bringelly Shale over Minchinbury Sandstone and Ashfield Shale and consists of shale and some sandstone beds and outcrops. Local relief is between ten and fifty metres with undulating slopes to below ten per cent (Bryan 1966).

The soils in the study area are within the Blacktown soil landscape, which typically consists of a shallow duplex soil atop a clay base. The biomantle is characterised by a textured soil that is usually less than thirty centimetres deep (Espade 2020a).

Localised soil investigation has identified that land within the vicinity of the study area has been subject to substantial industrial disturbance with artefact bearing A horizon soils identified as heavily truncated or completely removed (Espade 2020b, 2020c).

The closest current watercourse to the study area is Prospect Creek located approximately 650m to the southwest. Historical aerials indicate that a first order tributary was formerly located immediately east of the study area.

Previous documentary and archaeological research indicate that archaeological evidence is likely to be found within certain landform contexts, largely as a result of the resources that were to be found within certain landform contexts, largely as a result of the resources that were associated with these landforms, or their suitability for long-term and/or repeated occupation. The due diligence guidelines list five such landforms:

- Within 200m of waters.

- Within a sand dune system.
- On a ridge top. Ridge line, or headland.
- Within 200m below or above a cliff face.
- Within 20m of or in a cave, rock shelter, or a cave mouth.

Historically the study area was located immediately west of the first order tributary of Prospect Creek.

Ethnohistorical Background

Prior to the appropriation of their land, the study area was the lands of the Cabrogal people (MDCA 2017). It is suggested that the Cabrogal people lands extended south to the Georges River and north to the greater Prospect area (MDCA 2017). Colonisation of the Fairfield and Liverpool areas resulted in the spreading of diseases, namely smallpox, which devastated not only the Cabrogal, but most Aboriginal populations across greater Sydney.

The Cabrogal people, linguistically spoke Darug, which is the predominate Cumberland Plains language group. Given their territory extended to the Georges River, it is likely that the Gabrogal would have also they would have also spoke the Dharawal language (MDCA 2017).

Early historical accounts of Aboriginal people are inevitably subject to the writer's bias; however, they do provide valuable observations of Aboriginal customs and life during the early period of European occupation. Language dialects varied across the Cumberland Plain, although early Europeans recorded observations of interaction and mutual intelligibility between Darug speakers from different regions. Captain Watkin Tench detailed an interaction between two Aboriginal men, one from the coast and one from inland, and noted the range of variability between dialects. Tench observed that though the men conversed on par and understood each other perfectly, many words for common things bore no similarities, yet other words were only slightly different (Tench 1793:122).

The existing archaeological record is limited to certain materials and objects that are able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts, followed by bone and shell. The investigation area is located within an area rich with resources.

Archaeological Context

Limited archaeological investigation has been undertaken within the vicinity of the study area. Accessible reports within the vicinity of the study area are largely related to proposed industrial development within the Wetherill Park and Prospect area. Four reports within proximity to the study area are summarised in Table 1.

Table 1: Summary of previous archaeological assessments

Report	Assessment Type	Key Outcomes
Artefact for GHD (2020)	Aboriginal Heritage Due Diligence Assessment	• Artefact completed a due diligence assessment of the southern portion of Prospect Reservoir approximately 3.1 kilometres east of the study area. • The assessment noted while the assessment area was in close proximity to a permanent water source that the damming of Prospect Reservoir in the 1880's had significantly altered to landscape and current shoreline. • The assessment further noted that significant ground disturbance had reduced the archaeological sensitivity of the assessment area. • The assessment area was noted to be located to be largely located on mid to lower slope landforms. One Aboriginal site was identified as being in close proximity to the study area on a crest landform.
Artefact for Aliro Group (2020)	Aboriginal Cultural Heritage Assessment	• Artefact completed an assessment of existing industrial land immediately north of Prospect Hill approximately 3.3 kilometres north of the study area. • The assessment predicted that Aboriginal occupation in region was likely to be associated with larger watercourses such as Prospect Creek. • The assessment area was identified to have been heavily modified by former industrial use of the site which was considered likely to have removed by terracing across the site. • A portion of Prospect Hill was located within the study area which was identified as containing Aboriginal cultural heritage values.
Biosis for Charter Hall (2020).	Aboriginal archaeological advice	• Biosis provided an Aboriginal archaeological advice letter for several properties located on Cowpasture Road located 3.3 kilometres to the west of the study area. • Biosis identified that Aboriginal sites within the region would be focused in close proximity to water, within natural rises in the landscape or in close proximity to resource gathering areas. • Biosis identified that the distance of the site from a permanent watercourse would have made the study area unsuitable for long term occupation. Shallow top soils located within crest landforms which had been subject to further disturbance were unlikely to preserve Aboriginal sites.

Report	Assessment Type	Key Outcomes
MDCA for Fairfield City Council (2017)	Aboriginal Heritage Study	• MDCA completed an Aboriginal heritage study of the Fairfield LGA. The assessment focused on the identification, assessment and recording of culturally significant places to Aboriginal people. • This report collated known records from the AHIMS register, Australian Business Museum and other archaeological heritage reports. • The majority of these sites within the LGA were identified as being located within the Western Sydney Parklands or the Sydney Water lands. This was largely associated with limited development in these regions and the proximity to watercourses. • The study area was not identified as having archaeological potential. • The assessment noted that substantial disturbance had occurred within the LGA at a time when Aboriginal sites were not recorded. • The assessment noted that many Aboriginal archaeological sites as well as cultural associations to Aboriginal places have been lost within the Fairfield LGA.

Aboriginal Heritage Information Management System

Heritage NSW maintains the Aboriginal Heritage Information Management System (AHIMS) database, a register of Aboriginal sites that have been recorded in New South Wales. A search of the AHIMS database was undertaken on the 07 December 2020 for sites registered within the following coordinates:

GDA 1994 MGA 56	305136 – 309310E 6250738 – 6255082N
Buffer	0 metres
Number of sites	22
AHIMS Search ID	555614

No recorded AHIMS sites are located within 200m of the study area. The majority of recorded sites within the AHIMS search area are comprised of artefacts (n=21, 95.4%) with one Potential Archaeological Deposit (PAD) (n=1, 4.5%) also recorded. AHIMS sites within the search area are focused along existing waterways including Prospect Creek and Orphan School Creek (Figure 6 and Figure 7).

Figure 6: Extensive AHIMS search

Figure 7: AHIMS sites within the vicinity of the study area

Site inspection results

A site inspection was undertaken on foot by Alyce Haast (Senior Heritage Consultant, Artefact Heritage) and Brye Marshall (Graduate Heritage Consultant, Artefact Heritage) on Tuesday 08 December 2020. A large proportion of the ground surface was obscured by existing development, which includes areas of concrete hardstand or open exposed compacted gravel and/or sandstone fill. The site inspection focused on understanding the extent of landform modification across the study area.

Lot 1/DP 83228 was located in the eastern portion of the study area and was comprised of a distribution centre for the loading and unloading of concrete blocks and steel framing. The landform within Lot 1 was comprised of modified flat and slope landforms which included multiple artificial terrace layers across the lot. Visibility was low within Lot 1 with a large proportion of the lot obscured by concrete and bitumen.

Lot 7/ DP 1015294 was located in the western portion of the study area and was largely utilised as a parking and laydown area for heavy vehicles. Lot 7/ DP 1015294 has been subject to a lower level of modification then Lot 1 with the majority of the terrace landform comprised of a gentle slope reminiscent of the former landform across the study area. As seen with Lot 1, Lot 7 has been subject to substantial modification associated with landform modification, concrete driveways and the presence of imported fills across the study area.

Surface visibility across both lots of the study area was less than 10%.

Vegetation was largely limited to the boundaries which were comprised of a combination of recent planting including exotic and native species. No old growth trees were observed.

No Aboriginal artefacts were observed during the site inspection. No areas of archaeological sensitivity were identified within the study area.

Figure 8: Gradient of unsealed carpark within Lot 7

Figure 9: Erosion and exposure of clay soil within Lot 7

Figure 10: Surface exposure showing area is prone to flooding underlying crushed limestone, concrete, glass within Lot 7

Figure 11: Northern aspect of Lot 1, showing extent of modification of landform

Figure 12: Redfern St carpark access, showing existing hardstand within Lot 1

Figure 13: Victoria street carpark within Lot 1

Discussion

Archaeological sensitivity is closely related to levels of ground disturbance within a given area. However, other factors are also considered when assessing archaeological sensitivity, such as whether artefacts are located on the surface, and whether the area is within a sensitive landform context.

Although the study area was once located within 200m of a watercourse, this watercourse is comprised of a low order tributary of Prospect Creek which is unlikely to have formed a focus of Aboriginal occupation when compared to higher order watercourses in close proximity to the study area. Prior to historic landform modification the study area would have been comprised of a moderately sloped landform which is not identified as a sensitive landform in accordance with the Due Diligence Code of Practice.

Background research and the results of the site survey have indicated that the study area has been subject to substantial landform modification associated with the terracing of the study area for industrial use. Exposed soil profiles within the study area indicated that the majority of the study area had been truncated to the underlying clay B horizon. Based on this it is considered that landform modification would have removed any Aboriginal archaeological deposits which may have otherwise been present within the study area.

The study area has been assessed to have nil- low Aboriginal archaeological potential.

Recommendations

The following recommendations regarding Aboriginal heritage are based on consideration of:

- Statutory requirements under the *National Parks and Wildlife Act 1974.*
- The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010).
- The results of background research, site survey and assessment.
- The likely impacts of the proposed development.

It was found that:

- No previously recorded Aboriginal sites are located within the study area.
- No previously unrecorded Aboriginal sites or areas of archaeological sensitivity were identified within the study area during the site inspection.
- The study area have nil-low Aboriginal archaeological potential.

The following recommendations are made:

- In accordance with the due diligence guidelines, no Aboriginal heritage constraints have been identified for the proposed works and works may proceed with caution.
- If unforeseen Aboriginal objects are uncovered during construction, work should cease, and an archaeologist, Heritage NSW and Gandangara LALC should be contacted to advise on the find.
- If changes are made to the project that may result in impacts to areas not assessed in this report, additional assessment may be required.

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