

Department of Planning and Environment

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Our ref: DOC23/884959
Your ref: SSD-36138263

6 November 2023

Subject: EIS - Augusta Street Warehouse and Distribution Centre (SSD-36138263) (Blacktown)

Dear Shaun,

Thank you for your email dated 6 October 2023 seeking comments from the Environment and Heritage Group (EHG) on the Environmental Impact Statement (EIS) for the Warehouse and Distribution Centre at Augusta Street. EHG has reviewed the Environmental Impact Statement (prepared by Urbis, 12 September 2023) and accompanying reports and provides the following comments.

Biodiversity

EHG has reviewed the Biodiversity Development Assessment Report (BDAR) (prepared by Anne Clements & Associates, 2023) and provides the following comments:

- Figure 7b-2 of the BDAR shows the development footprint. It is assumed all vegetation mapped outside the footprint has been included in the calculation of the vegetation to be 'retained'. However, the proposed Bioretention basin occurs in an area mapped as retained. It is unlikely that the structure and floristics of PCT 3319 could be maintained in the long term if this is to be a Bioretention basin. If vegetation in this area is to be impacted, either directly or indirectly, it should be included in the calculation of areas to be cleared.
- Section C12.0 of the BDAR recommends that in preference to credit purchase, that conservation works on adjoining lands should occur. This is not in accordance with the Biodiversity Offset Scheme (BOS), which requires conservation works on lands to be secured through a Biodiversity Stewardship Agreement. Also, the BDAR refers to Section 7.13(4) of the *Biodiversity Conservation Act 2016* to justify this recommendation. However, as acknowledged by the BDAR, Section 7.13(4) relates to development 'other than' State Significant Developments, so it is unclear why this was included.
- Section A3.2.2 discusses the triggers for the BOS being the Biodiversity Values Map and the area threshold, however these aren't relevant to this project as it is an SSD. A BDAR must be prepared for all SSDs, unless a waiver is granted.
- The BDAR states that *Grevillea robusta* should not be considered a native tree species for the purposes of the BDAR. However, as this species is native to NSW it must be considered as native vegetation. Despite this, it can be considered in the BDAR as a planted native species.
- The BDAR is missing some mapped landscape features, as required by BAM 3.1.3. These include:
 - Figure 1a-1 shows mapped watercourses, but the BAM requires mapping of stream order.
 - There is no mapping of habitat connectivity.

- The maps of vegetation zones should include planted vegetation, as all areas of native vegetation must be mapped, including areas of planted native vegetation.
- From page 61 onwards the site address in the header is listed as '8 Augusta Place, Mollymook' instead of 'Augusta Street, Huntingwood'.
- According to the areas mapped in Figure 1a-3, the percent native vegetation cover has not included areas of planted veg (see BAM definition of native vegetation cover).
- Section B4.3 of the BDAR states that from using the Plot to PCT tool, three plots (2, 4 and 7) met the floristic match threshold for PCT 3319, but that one of these plots (plot 2) also met the threshold for PCT 3320, so all vegetation on site was mapped as PCT 3319. It is noted that from the data, it appears that the vegetation in Plot 2 more closely aligns with PCT 3320 than PCT 3319, as the figure for the distance to centroid is lower. In addition, Plot 2 is located at the edge of the site (i.e., it is not physically located between Plots 4 and 7). Therefore, it is not clear why this patch of vegetation in the east of the site was not mapped as PCT 3320.
- According to Table 1, some native species were identified in most of the quadrats mapped as exotic vegetation zone. The BDAR should include some description of this zone. The BDAR states these zones were 'predominantly exotic' but it is not clear what percentage of exotics would need to be present to class these areas as exotic. The BDAR should also justify why they were classed as exotic instead of derived native grassland. Section B4.2.2 describes the percent of exotics but these data are percent of total numbers of species, not percent cover.
- The BDAR should include a map of the 'patch' that was used to assess the patch size.
- The BDAR refers to Appendix 7 as an 'expert report' but it is not an expert report as the expert has not been authorised as such by DPE. Therefore, the entries in the BAM-C which state that the species was excluded because of the expert report, are incorrect.
- Appendix 7 states that a habitat suitability assessment was undertaken for Southern Myotis, which is not in accordance with the "Species credit' threatened bats and their habitats" survey guide, which requires use of harp traps and mist nets.
- The BDAR states that the Southern Myotis is moderately likely to use roosting habitat on site. Therefore, in accordance with BAM section 5.2.4.3, a species polygon should be prepared.
- There is little information on the targeted surveys that were undertaken. Section B2.3.2 states that the site was 'carefully walked over' but there is no detail on location or effort, or whether the survey was undertaken in accordance with the "Surveying threatened plants and their habitats" guidance.
- In accordance with BioNet, the survey requirements for *Pimelea spicata* are that surveys should occur four weeks after at least a 30mm rainfall event. There is no reference to this requirement or information on whether this was done.
- There is no discussion of limitations of the survey.
- Appendix 6 concludes that breeding habitat for Eastern Bent-wing Bat and Little Bent-wing Bat is unlikely to be on site as the 2020 surveys did not record an adequate number of individuals, but it is not clear from the information provided that the surveys in 2020 were undertaken in accordance with the "Species credit' threatened bats and their habitats" survey guide.
- There is no information on the sensitivity class of species.
- The discussion of prescribed impacts should have included consideration of the use of planted and non-native vegetation as foraging and roosting habitat.

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- The consideration of serious and irreversible impacts has not addressed the required criteria in section 9.1.1 of the BAM.
- The BDAR includes information on the credit requirement, but according to section C10.1.1, the calculated number of credits for the revised proposal is an estimate only, which has been calculated as a proportion of the number of credits required for the submitted proposal. This does not meet BAM requirements. The data for the revised proposal must be entered into the BAM-C, and the BDAR should state the number of credits that the BAM-C calculates.
- The BDAR has been reviewed without access to the case in the BAM-C. To allow EHG to view the case, the assessor must add EHG as a case party (consent authority member) in the parent case and then 'submit to consent authority'. In this matter, the relevant EHG team is 'Greater Sydney – Compliance and Regulation'.
- The BDAR has also been reviewed without access to the spatial data. The spatial data should be saved in the parent case in the BAM-C.

To allow EHG to finalise its review of the BDAR, the assessor must address all the matters raised by EHG prior to determination.

Flooding

The Civil Engineering Report (prepared by CRC, September 2023) provides adequate flood information for a range of flood events including 5% AEP, 1%AEP, 0.5% AEP, 0.2% AEP and the probable maximum flood (PMF).

EHG notes the following:

- Most of the site in the post-development scenario is not impacted by flooding, except Building 1 which is partially impacted by shallow depth in the PMF event.
- Access to warehouse 5 is available through Prospect Highway for all events.
- Access to warehouses 1 to 4 is available through the Great Western Highway, Flushcombe Road and Augusta Street for all events except in the PMF. In this extreme event, high hazard condition at the intersection of the Great Western Highway and Flushcombe Road would cut the access for a very short duration (less than an hour).

EHG recommends consultation with the State Emergency Service. EHG has no further flooding comments to make on this SSD.

If you have any queries please contact Liz Peterson, Senior Conservation Planning Officer via elizabeth.peterson@environment.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink that reads 'S. Harrison'.

Susan Harrison
Senior Team Leader
Greater Sydney Branch
Biodiversity and Conservation