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DOLTONE HOUSE GROUP

Redevelopment of the Deepwater Motor Boat Club Site and Upgrade of Webster Street, Milperra

Addendum to Statement of Environmental Effects



Issue No. 2

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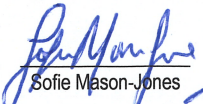
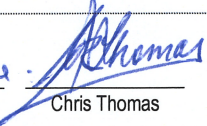
REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

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Project 301015-02379 - REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA

REV	DESCRIPTION	AUTHOR	REVIEWER	WORLEY- PARSONS APPROVAL	DATE
1	Draft Report for Internal Review	<hr/> Claire Jones	<hr/> Sofie Mason-Jones	<hr/> Chris Thomas	28-08-2014
2	Final Report	 <hr/> CJ / SMJ	 <hr/> Sofie Mason-Jones	 <hr/> Chris Thomas	2-09-2014



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

CONTENTS

EXECUTIVE SUMMARY.....	1
1 INTRODUCTION	1
2 SITE DESCRIPTION	3
2.1 Location and Existing Development	3
2.2 Surrounding Development	6
3 THE PROPOSED DEVELOPMENT	7
4 STATUTORY CONSIDERATIONS.....	10
4.1 Commonwealth Environment Protection Biodiversity Conservation Act 1999	10
4.2 Environmental Planning and Assessment Act 1979.....	11
4.3 State Environmental Planning Policy No 19 – Bushland in Urban Areas (SEPP 19)	11
4.4 Deemed SEPP Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (GMREP)	13
4.5 Bankstown Local Environmental Plan 2001	15
4.5.1 Zoning and Permissibility	15
4.5.2 Assessment of BLEP 2001 Compliance	17
4.6 Draft Bankstown Local Environmental Plan 2012.....	19
4.7 Provisions of the Regulations	20
5 NON-STATUTORY CONSIDERATIONS	21
5.1 Bankstown Development Control Plan 2005	21
5.1.1 E2 Tree Preservation Order.....	21
5.1.2 E3 Flood Risk Management.....	21
5.2 Draft Bankstown Development Control Plan 2012.....	22
5.3 Georges River Community Open Space Corridor Plan of Management 2001	22
5.4 Bushland Plan of Management Deepwater Reserve 2002.....	23
5.5 Bankstown Development Engineering Standards 2009	23
6 ENVIRONMENTAL ASSESSMENT	24
6.1 Provisions of any environmental planning instrument (s79C (1)(a)(i)	24



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6.2	Provisions of any draft environmental planning instrument (s79C (1) (a)(ii))	24
6.3	Provisions of any development control plan (s79C (1) (a)(iii))	24
6.4	Any planning agreements entered into under Section 93F (s79C (1) (a) (iia))	24
6.5	Provisions of the Regulations (s79C (1) (a)(iv))	24
6.6	Provisions of any coastal zone management plan (s79c (1) (a) (v)).....	24
6.7	The likely impacts of the development (s79C (1) (b))	24
6.7.1	Context and Setting	24
6.7.2	Flora	25
6.7.3	Fauna	26
6.7.4	Traffic and Parking	29
6.7.5	Contamination	30
6.7.6	Acid Sulfate Soils	30
6.7.7	Flooding	30
6.7.8	Stormwater and Drainage	31
6.7.9	Erosion and Sediment Control	32
6.7.10	Air Quality.....	33
6.7.11	Noise	33
6.7.12	Visual and Amenity	34
6.7.13	Site Services	34
6.7.14	Social and Economic Impacts	34
6.8	Suitability of the Site (Section 79C(1)(c)).....	35
6.9	Any Submissions Made in Accordance with the Act or the Regulations (s79C(1)(d)).....	35
6.10	The Public Interest (s79C (1) (e))	35
7	SUMMARY OF MITIGATION MEASURES	36
8	CONCLUSIONS	40
8.1	Potential Impacts	40
8.1.1	Tree Removal and Biodiversity Impacts	40
8.1.2	Water Quality Impacts.....	41
8.1.3	Earthworks	41
8.1.4	Services Relocation	41
8.1.5	Repositioned Public Car Parking within Deepwater Reserve	41
8.2	CONCLUSION	42
9	APPENDICES.....	43



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA
ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Appendix 1	Revised Site Plan, Site Context Plan and Emergency Evacuation Route and Site Analysis Plan
Appendix 2	Flood Impact Assessment & Flood Emergency Response Plan (Webster Street Upgrade Alternative)
Appendix 3	Flora Assessment – Assessment of Significance (Webster Street Upgrade)
Appendix 4	Revised Traffic Concept Plan and Road Safety Audit



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

EXECUTIVE SUMMARY

BACKGROUND

On 19 March 2014, Doltone House Group (the applicant) lodged with Bankstown City Council (Council) a **staged Development Application (DA)** under **Section 83B** of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the redevelopment of the Deepwater Motor Boat Club site at Webster Street Milperra (the Site). The DA was accompanied by a Statement of Environmental Effects (SEE) dated 18 March 2014 and 15 technical appendices.

On 23 June 2014, Council issued a letter to the applicant requesting additional information on a number of items. The key items raised related to flooding, evacuation and biodiversity impacts. A draft response to the matters raised is detailed in a letter to Council dated 8th August 2014.

On 11th August 2014, the applicant met with the Council to discuss a range of issues including the proposed mechanisms for providing flood evacuation from the Site. The submitted DA proposed the upgrade and use of nearby Maxwell Avenue as the flood evacuation route. The SEE outlined that evacuation would be afforded as follows:

- *Construction of a new road connection extending from that part of the site known as Lot A DP 405225 across Lot B DP 405225 to the unpaved section of Maxwell Avenue.*
- *Raising the existing Maxwell Avenue road pavement as required to allow the roadway to serve as a flood evacuation route during the onset of flooding of the Georges River.*
- *The use of the total length of Maxwell Avenue as a designated flood emergency evacuation route for the operation of the proposed development, with access to be controlled by a gate to restrict vehicular traffic outside of emergencies.*

A previous development application for the site adopted Webster Street as the preferred route for flood evacuation.

At the August meeting, discussion of alternative evacuation routes was undertaken with representatives from the Council and the proponent. The discussions considered the capital works costs associated with upgrading of both Maxwell Avenue and Webster Street and the potential ecological impacts associated with each. As an outcome of these discussions, it was determined that if Webster Street was realigned slightly to the south it could be upgraded to function as the evacuation route for the site at a lesser cost and with a lesser ecological impact. It was agreed that amended environmental assessment documentation could be submitted in support of Webster Street functioning as the evacuation route.

Accordingly, this **Addendum** to the original SEE has been prepared to specifically address the inclusion of Webster Street as the nominated flood evacuation route by providing:

- a revised description of the land the subject of the DA;



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- a revised description of the proposed development;
- an assessment of relevant statutory and non-statutory considerations;
- an assessment of environmental impacts; and,
- additional mitigation measures, if required.

The previously proposed construction of a new road through Deepwater Reserve connecting with the unpaved section of Maxwell Avenue, as well as the raising of the existing Maxwell Avenue to function as a designated flood emergency evacuation route for the site is no longer proposed.

THE SITE AND LAND THE SUBJECT OF THE DA

The Site is located within the Bankstown Local Government Area (LGA), and is known as 30 Webster Street, Milperra. The Site comprises Lot A in Deposited Plan (DP) 405225 and Lot D in DP 391154 and has an area of approximately 4.08 ha.

Current development onsite comprises the Deepwater Motor Boat Club (an existing two storey club building), an outdoor swimming pool with associated outbuilding, a car parking area, internal access road, two boat ramps and associated hardstand and parking areas and a pedestrian footpath along the foreshore of the Georges River.

Additional land the subject of the DA includes:

- The Webster Street road reserve and intersection of Webster Street and Henry Lawson Drive; and
- Deepwater Reserve (Lots B and C in DP 405225, Lots 1, 2, 25 and 26 in DP 361310 and Lots 57-65 in DP 9892).

Webster Street and Deepwater Reserve are owned by the Council. Henry Lawson Drive is a classified road owned by Roads and Maritime Services.

Pursuant to the *Bankstown Local Environmental Plan 2001* (BLEP 2001), the Site is zoned **6(b) Private Recreation**, Webster Street and the intersection of Henry Lawson Drive is **unzoned land** and Deepwater Reserve is zoned **6(a) Open Space**.

THE PROPOSED DEVELOPMENT – REVISED DESCRIPTION

A revised Site Plan, Site Analysis Plan, Site Context Plan and Emergency Evacuation Route have been prepared which reflects all amendments to the proposed development. Key areas of amendments are marked with a red cloud.

A revised Intersection Upgrade Concept Plan as well as swept path assessments for the Webster Street and Henry Lawson Drive intersection have been prepared to respond to the comments raised by RMS in letter dated 20 August 2014. As requested by RMS, a Design Road Safety Audit has also been carried out. The key findings of the audit relates to existing objects in the clear zone including a mature tree, log fence and a culvert. The recommendations of the audit were that all issues can be addressed in the detail design phase of the intersection.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

The proposed development remains a staged DA that sets out a concept proposal for development of the whole of the site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs.

Notwithstanding the above, this DA also includes a detailed proposal for the first stage of the development as permitted under Section 83B of the EP&A Act. That is, it is requested that the proposed development be treated as a staged DA with the requisite details of the development for Stage 1 provided to enable development for Stage 1 to proceed without the need for further consent.

It is noted that for Stage 2, the proposal to install a '*small craft launching facility*' was deleted by the applicant, in a letter submitted to Council and dated 14 May 2014.

The development falls within the definition of '*integrated development*' under the provisions of Section 91 of the EP&A Act. This is because the proposed development involves works to a public road (Section 138 of the *Roads Act 1993*) and will involve earthworks within 40 metres of a watercourse, namely the Georges River (Section 91 of the *Water Management Act 2000*).

The revised description of the proposed staged DA is as follows:

STAGE 1

Concept proposal for:

- Continued and expanded use of the Deepwater Motor Boat Club, a new function centre, new restaurant, new boat shed, formal and informal car parking areas, internal service roads, landscaping, emergency evacuation route, repositioned public car parking and infrastructure services.

Detailed Proposal for proposed works on the Site including:

- Alterations and additions to the existing Deepwater Motor Boat Club facility including continued and expanded use of part of the ground floor for administration and boat storage purposes by the Deepwater Motor Boat Club as well as pre-function and back of house areas associated with the new first floor 800 seat function centre.
- Conversion of the existing pool and associated outbuilding into a new 112 seat restaurant and organic garden.
- Site-wide landscaping, formal car parking and spill over car parking business identification signage and infrastructure services.
- Demolition and tree removal as noted on the architectural and landscape plans.

Detailed Proposal for works on the Council owned Deepwater Reserve and Webster Street including:

- To facilitate flood evacuation, Webster Street will be raised to provide an upwardly grading egress from the site, beginning at an elevation of 2.4 mAHD at the eastern end of function centre carpark near the site entry to a nominal crest elevation of 2.7 mAHD. This will involve the following:



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- Relocation of the centreline of the road formation to the south by up to 3 metres so as to minimise the impact on vegetation located along the northern edge of the existing roadway.
- Construction of an earth roadway formation involving filling up to 1.2 metres with batters at 1(V) in 3(H) with the raised section of the road built over the southern part of the Webster Street road reserve such that the flora on areas to the north is not impacted.
- Construction of repositioned 90 degree public car parking along the southern side of Webster Street with the southern edge battered down into the adjoining parkland at 1(V) in 3(H).
- Use of the existing table drain located along the northern edge of Webster Street to capture road runoff and direct it toward the box culvert that crosses Webster Street at Chainage 120 (approx.) and which connects Deepwater Lagoon to the Georges River.
- Provision of drainage infrastructure along the southern side of the upgraded Webster Street to direct road surface runoff to the low point at the box culvert that crosses Webster Street at Chainage 120 (approx.).
- Removal of approximately 10 trees from Deepwater Reserve.
- Relocation of infrastructure services (*such as electricity*) along Webster Street.
- Upgrade infrastructure services (*such as water, sewer and gas*) within the Deepwater Reserve and Webster Street road reserve (*specific route alignment to be confirmed in consultation with Council*).
- Upgrade of the intersection of Webster Street and Henry Lawson Drive including provision of a right turn bay on Henry Lawson Drive for right turn movement into Webster Street and provision of a 3 metre wide shoulder on Henry Lawson Drive for vehicles turning left into Webster Street.

STAGE 2

The specific detail for Stage 2 (new boat shed) remains the subject of a separate DA and plan of management.

ZONING AND PERMISSIBILITY

The zoning and permissibility of the proposed works on the Site including '*recreation facilities*', '*registered club*', '*function centre*' and '*restaurant*' have previously been addressed in the SEE dated 18 March 2014.

In relation to proposed works within the unzoned Webster Street road reserve, best described as 'road realignment associated with flood mitigation works' and relocation of 'car parking' and 'infrastructure services', these works are permissible with development consent under Clause 15(2) of the BLEP 2001.

In relation to works within part of Deepwater Reserve being land zoned 6(a) Open Space, the repositioned 'car parking' is permissible with development consent under Clause 11 of the BLEP 2001.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

ENVIRONMENTAL ASSESSMENT CONCLUSIONS – WEBSTER STREET FLOOD EVACUATION ROUTE

The SEE dated 18 March 2014 provides an assessment of the proposed development in relation to the applicable statutory and non-statutory planning controls, guidelines and strategies as well as any potential environmental impacts that it may have on the environment. It also incorporates measures to mitigate identified environmental impacts.

This assessment focuses only on the proposed amendments to the development proposal described in the SEE dated 18 March 2014 and in particular, focuses on works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route.

Key impacts anticipated from the proposed amendments (during construction and operation) are limited to tree removal, water quality, earthworks (increase in filling), services relocation and alterations to Deepwater Reserve to accommodate repositioned public car parking.

Tree Removal and Biodiversity

Whilst the proposed realignment of Webster Street is able to be achieved within the existing road reserve, works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route and the repositioned car parking spaces will require removal of approximately 10 trees.

A Flora Assessment – Assessment of Significance (Webster Street Upgrade) has been carried out for the vegetation along Webster Street and area of Deepwater Park immediately adjoining the road reserve.

The Assessment found that the proposed Webster Street road upgrade and repositioned car parking:

- is not likely to result in a significant impact on the Cooks River Castlereagh Ironbark intergrade with Shale Gravel Transition north and south of Webster Street in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to result in a significant impact on the Swamp Oak Floodplain Forest in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to be a significant impact on *Acacia pubescens*. A Species Impact Statement and Referral to the Commonwealth are not required for *Acacia pubescens*.

In conclusion, the amended development will not impact on any Endangered ecological communities under the NSW Threatened Species Conservation Act 1995 or listed vulnerable species.

In relation to the area proposed for repositioned car parking, the Assessment recommends that the trees close to the existing road or in the existing carparks be retained in the proposed carparking bay, where practicable, especially:

- the two *Eucalyptus moluccana* approximately 20 m tall, located 2 m south of existing carparking bays at approximately Chainage 270 m;
- the three *Eucalyptus moluccana* approximately 20 m tall, located 5 m south of existing carparking bays at approximately Chainage 290-300 m; and
- the one *Casuarina glauca* approximately 18 m tall, located at Chainage 375 within the existing carparking bay, depending on soil level changes.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Water Quality

The concept design for the proposed upgrade to Webster Street includes provision for the capture of runoff from the road surface and the direction of that runoff to the existing cross-drainage structure that drains to the Georges River. This will be achieved via the existing table drain located along the northern edge of the existing roadway formation, which will be upgraded to increase bioretention capacity and facilitate improved runoff water quality.

Earthworks

A concept cut and fill plan has been prepared for areas of the Site where filling is proposed. This plan indicates that the proposed regrading of the car parking area will increase the general elevation of the car parking area and that a net volume of 4,500 m³ of fill will need to be imported to the site to achieve the design surface.

Works associated with the proposal to upgrade Webster Street to serve as a flood evacuation route will require the existing road pavement to be raised. The associated filling will involve the importation of an additional 3,500 m³ of fill.

Services Relocation

Existing infrastructure services along Webster Street will be relocated. Where possible and to minimise impacts, the existing service will be relocated within the road reserve and will be confirmed in consultation with Council.

Repositioned Public Car Parking in Deepwater Reserve

The existing 90 degree car parking area in Deepwater Reserve, which adjoins the southern side of Webster Street will be repositioned approximately 3-4metres to the south and battered down into the adjoining parkland at 1(V) in 3(H). The location and design minimises impacts on the amenity of the recreational area.

CONCLUSION

The Addendum comprehensively addresses potential environmental impacts. There will be no significant impacts occurring as a result of the amended development proposal in relation to flora, fauna, traffic and parking, flooding, bushfire, contamination, social and economic matters.

The Addendum also addresses identified environmental hazards including flooding, stormwater quality and acid sulfate soils. Recommended measures have been provided to significantly improve the existing situation on the Site as well as the adjoining Council owned land.

All impacts can be managed in accordance with the mitigation measures described in this Addendum. A Construction Environmental Management Plan is proposed to be developed by the Contractor prior to commencement of any demolition and construction activities.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

The conclusions of this assessment are that the proposed works:

- will facilitate the continuity of the recreational use of the site by the Deepwater Motor Boat Club as well as provide for the revitalisation of the two existing buildings on the site.
- has been assessed against and is considered to be consistent with the relevant statutory planning controls applying to the site including the:
 - Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (Deemed SEPP)
 - State Environmental Planning Policy No. 19 – Bushland in Urban Areas
 - Bankstown Local Environmental Plan 2001
- has been assessed against and is considered to be consistent with the intent of the:
 - Bankstown Development Control Plan 2005
 - NSW Floodplain Development Manual 2005
- will maintain the amenity of Deepwater Reserve for existing and future users through the repositioning of the existing public car parking.

It is recommended that the DA be approved.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

1 INTRODUCTION

On 19 March 2014, Doltone House Group (the applicant) lodged with Bankstown City Council (Council) a **staged Development Application (DA)** under **Section 83B** of the *Environmental Planning and Assessment Act 1979* (EP&A Act). A **Statement of Environmental Effects (SEE)**, dated 18 March 2014 was prepared by WorleyParsons Services Pty Ltd (WorleyParsons) on behalf of the applicant. It was accompanied by fifteen (15) appendices.

On 23rd June 2014, Council issued a letter to the applicant requesting additional information on a number of items. The key items raised related to flooding, evacuation and biodiversity impacts. A draft response to the matters raised is detailed in a letter to Council dated 8th August 2014.

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- *Construction of a new road connection extending from that part of the site known as Lot A DP 405225 across Lot B DP 405225 to the unpaved section of Maxwell Avenue.*
- *Raising the existing Maxwell Avenue road pavement as required to allow the roadway to serve as a flood evacuation route during the onset of flooding of the Georges River.*
- *The use of the total length of Maxwell Avenue as a designated flood emergency evacuation route for the operation of the proposed development, with access to be controlled by a gate to restrict vehicular traffic outside of emergencies.*

A previous development application for the site adopted Webster Street as the preferred route for flood evacuation.

At the August meeting, discussion of alternative evacuation routes was undertaken with representatives from the Council and the proponent. The discussions considered the capital works costs associated with upgrading of both Maxwell Avenue and Webster Street and the potential ecological impacts associated with each. As an outcome of these discussions, it was determined that if Webster Street was realigned slightly to the south it could be upgraded to function as the evacuation route for the site at a lesser cost and with a lesser ecological impact. It was agreed that amended environmental assessment documentation could be submitted in support of Webster Street functioning as the evacuation route.

Accordingly, this **Addendum** to the original SEE has been prepared to specifically address the inclusion of Webster Street as the nominated flood evacuation route by providing:

- a revised description of the land the subject of the DA ;
- a revised description of the proposed development;
- an assessment of relevant statutory and non-statutory considerations;



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- an assessment of environmental impacts; and,
- additional mitigation measures, if required.

The previously proposed construction of a new road through Deepwater Reserve connecting with the unpaved section of Maxwell Avenue, as well as the raising of the existing Maxwell Avenue to function as a designated flood emergency evacuation route for the site, is no longer proposed.

The Addendum is accompanied by:

Appendix 1	Revised Site Plan, Site Context Plan and Emergency Evacuation Route and Site Analysis Plan	Axil Architects, September 2014
Appendix 2	Flood Impact Assessment & Flood Emergency Response Plan (Webster Street Upgrade Alternative)	WorleyParsons, September 2014
Appendix 3	Flora Assessment – Assessment of Significance (Webster Street upgrade)	Anne Clements and Associates, September 2014
Appendix 4	Revised Traffic Concept Plan and Road Safety Audit	GTA Consultants, August 2014 and September 2014



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

2 SITE DESCRIPTION

2.1 Location and Existing Development

The Site is located at 30 Webster Street, Milperra on the foreshores of the Georges River, within the Bankstown Local Government Area (LGA). The legal description of the land is Lot D in DP 391154 and Lot A in DP 405225 (**Figure 2-1**). The site is 4.08 ha in size and is owned by Doltone House Deepwater Estate Pty Ltd. The site is accessed from Webster Street which connects directly to Henry Lawson Drive.



Figure 2-1 Site location and vehicle access

Source: Spatial Information Exchange (2013)



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Current development on-site comprises the Deepwater Motor Boat Club (*an existing two storey club building*), an outdoor swimming pool with associated outbuilding, a car parking area, internal access road, two boat ramps and associated hardstand and parking areas and a pedestrian footpath along the foreshore of the Georges River.

Additional land the subject of the DA includes:

- The Webster Street road reserve (**Figures 2-2 to 2-4**) and the intersection of Webster Street and Henry Lawson Drive; and
- Deepwater Reserve (*Lot B and C in DP 405225, Lots 1, 2, 25 and 26 in DP 361310 and Lots 57-65 in DP 9892*).

Webster Street and Deepwater Reserve are owned by Council. Henry Lawson Drive is a classified road owned by Roads and Maritime Services.

Pursuant to the *Bankstown Local Environmental Plan 2001 (BLEP 2001)*, the Site is zoned **6(b) Private Recreation**, Webster Street and the intersection of Henry Lawson Drive is **unzoned land** and Deepwater Reserve is zoned **6(a) Open Space**.



**Figure 2-2 View looking west along Webster Street toward the Site
(from approx. Chainage 100)**



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS



**Figure 2-3 View looking west along Webster Street toward the site
(from approx. Chainage 270)**



Figure 2-4 View looking east along Webster Street from the site entrance



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2.2 Surrounding Development

The Site is surrounded by bushland and wetlands to the north and east in Deepwater Reserve (*also known as Deepwater Park*) and the Georges River to the west and south (**Figure 2-1**).

Public recreation facilities including play equipment, barbeques, picnic tables, amenities and car parking facilities are located in Deepwater Park, accessed from Webster Street (**Figure 2-5**).



Figure 2-5 Deepwater Park recreation facilities and car parking located at Webster Street

The nearest residential properties and approximate distances from the site are:

- Milperra – 650m to the north on the opposite side of the M5
- Hammondville – 1km to the west
- Voyager Point – 1km to the south
- East Hills – 1km to the east

The Site is not visible from any public space with exception only to the existing infrequently used Lieutenant Cantello Reserve and environmental conservation area on the opposite side of the Georges River and the Georges River itself. The site is therefore very isolated in relation to other urban uses. A temporary works compound for the M5 widening project is accessed off the end of Maxwell Avenue. A Paintball facility is also located on the northern side of Maxwell Avenue.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

3 THE PROPOSED DEVELOPMENT

A revised Site Plan, Site Context Plan and Emergency Evacuation Route and Site Analysis Plan has been prepared by Axil Architects (refer **Appendix 1**) which reflects all amendments to the proposed development. Key areas of amendments are marked with a red cloud.

An updated Flood Impact Assessment and Flood Emergency Response Plan Report has also been prepared by WorleyParsons and documents the alternative option of upgrading Webster Street so that it can serve as the flood evacuation route for the Site. A copy of this report is enclosed as **Appendix 2**.

A revised Intersection Upgrade Concept Plan as well as swept path assessments for the Webster Street and Henry Lawson Drive intersection have been prepared by GTA Consultants (refer **Appendix 4**). The plans address the comments raised by RMS in its letter dated 20th August 2014.

The proposed development remains a staged DA that sets out a concept proposal for development of the whole of the site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs.

Notwithstanding the above, this DA also includes a detailed proposal for the first stage of the development as permitted under Section 83B of the EP&A Act. That is, it is requested that the proposed development be treated as a staged DA with the requisite details of the development for Stage 1 provided to enable development for Stage 1 to proceed without the need for further consent.

The development falls within the definition of *'integrated development'* under the provisions of Section 91 of the EP&A Act. This is because the proposed development involves works to a public road (Section 138 of the *Roads Act 1993*) and will involve earthworks within 40 metres of a watercourse, namely the Georges River (Section 91 of the *Water Management Act 2000*).

The revised description of the proposed staged DA is as follows:

STAGE 1

Concept Proposal for:

- Continued and expanded use of the Deepwater Motor Boat Club, a new function centre, new restaurant, new boat shed, formal and informal car parking areas, internal service roads, landscaping, emergency evacuation route, repositioned public car parking and infrastructure services.

Detailed Proposal for proposed works on the Site including:

- Alterations and additions to the existing Deepwater Motor Boat Club facility including continued and expanded use of part of the ground floor for administration and boat storage purposes by the Deepwater Motor Boat Club as well as pre-function and back of house areas associated with the new first floor 800 seat function centre.
- Conversion of the existing pool and associated outbuilding into a new 112 seat restaurant and organic garden.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- Site-wide landscaping, formal car parking and spill over car parking business identification signage and infrastructure services.
- Demolition and tree removal as noted on the architectural and landscape plans.

Detailed Proposal for works on the Council owned Deepwater Reserve and Webster Street including:

- Raising the most westerly 350 m of Webster Street to allow it to function as the flood evacuation route for the site. This will involve the following:
 - Relocation of the centreline of the road formation to the south by up to 3 metres so as to minimise the impact on vegetation located along the northern edge of the existing roadway.
 - Construction of an earth roadway formation with batters at 1(V) in 3(H) with the raised section of the road built over the southern part of the Webster Street road reserve such that the flora on areas to the north is not impacted.
 - Raising the roadway formation to a crest elevation of 2.4 mAHD at the function centre carpark entry and grading upwards over 350 metres in an easterly direction along Webster Street to match the existing road surface elevation of 3.4 mAHD at Chainage 205 (*refer Figure 4 of Flood Impact Assessment Report*).
 - Construction of repositioned 90 degree public car parking along the southern side of Webster Street with the southern edge battered down into the adjoining parkland at 1(V) in 3(H).
 - Use of the existing table drain located along the northern edge of Webster Street to capture road runoff and direct it toward the box culvert that crosses Webster Street at Chainage 410 (*refer Figure 5 of Flood Impact Assessment Report*) and which connects Deepwater Lagoon to the Georges River.
 - Provision of drainage infrastructure along the southern side of the upgraded Webster Street to direct road surface runoff to the low point at the box culvert that crosses Webster Street at Chainage 410 (*refer Figure 5 of Flood Impact Assessment Report*).
 - Removal of approximately 10 trees from Deepwater Reserve.
 - Relocation of infrastructure services (*such as electricity*) along Webster Street.
- Upgrade infrastructure services (*such as water, sewer and gas*) within the Deepwater Reserve and Webster Street road reserve (*specific route alignment to be confirmed in consultation with Council*).
- Upgrade of the intersection of Webster Street and Henry Lawson Drive including provision of a right turn bay on Henry Lawson Drive for right turn movement into Webster Street and provision of a 3 metre wide shoulder on Henry Lawson Drive for vehicles turning left into Webster Street.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA
ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

STAGE 2

The specific detail for Stage 2 (new boat shed) remains the subject of a separate DA and plan of management.

It is noted that for Stage 2, the proposal to install a '*small craft launching facility*' was deleted by the applicant, in a letter submitted to Council and dated 14 May 2014.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

4 STATUTORY CONSIDERATIONS

4.1 Commonwealth Environment Protection Biodiversity Conservation Act 1999

An *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) Protected Matters Report was generated for the Site on 4 February 2014 using the Protected Matters Search Tool and accompanied the SEE dated 18 March 2014. This broad search identified that there are two listed threatened ecological communities that may occur in the vicinity of the Site and 50 listed threatened species and 32 listed migratory species which may have species that are known or likely to occur in the area. There are no World Heritage Properties, National Heritage Places or Commonwealth Marine Areas that exist on the Site or in the area surrounding the Site.

The Fauna Survey and Assessment, dated 27 July 2011 concluded that “*no threatened fauna species were detected in these areas during the present study*”. However, the following EPBC Act listed threatened species were identified as having potential habitat in the area:

- Green and Golden Bell Frog (*Litoria aurea*);
- Square-tailed Kite (*Lophoictinia isura*);
- Swift Parrot (*Lathamus discolor*);
- Regent Honeyeater (*Xanthomyza phrygia*); and
- Grey-headed Flying-fox (*Pteropus poliocephalus*).

In relation to listed migratory species, the Fauna Survey and Assessment identified:

“The Black-faced Monarch (Monarcha melanopsis), Satin Flycatcher (Myiagra cyanoleuca), Rufous Fantail (Rhipidura rufifrons) and Regent Honeyeater, may occasionally forage within the canopy in forested areas of the subject site. The Swift Parrot (Lathamus discolor) may occasionally forage within the canopy in woodland areas of the subject site, but this species is likely to be, at best, occasional vagrants to the site. Latham’s Snipe (Gallinago hardwicki), Cattle Egrets (Ardea ibis) and Great Egrets (Ardea alba) may occasionally forage in the disturbed, cleared areas of the subject site. Fork-tailed Swifts (Apus pacificus) and Whitethroated Needletails (Hirundapus caudacutus) may occasionally fly high over the subject site. The areas of habitat on the subject site are negligible amounts available to these species.”

In relation to the amended development proposal, the additional Flora Assessment (**Appendix 3**), dated 27 August 2014 concludes that there is:

“not likely to be a significant impact on Acacia pubescens from the proposed upgrade of Webster Street. A Species Impact Statement and Referral to the Commonwealth are not required for Acacia pubescens.”

No matters of national environmental significance are expected to be significantly impacted upon. Therefore, a referral under the EPBC Act is not required for the proposed development.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

4.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the principal planning and environmental assessment legislation in New South Wales. The proposed development is a staged DA under Section 83B that sets out a concept proposal for development of the whole of the site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs.

Notwithstanding the above, this DA also includes a detailed proposal for the first stage of the development as permitted under Section 83B of the EP&A Act.

The amended development proposal is consistent with the objects of the EP&A Act including the orderly and economic development of land. It will enable Webster Street to function as the flood evacuation route for the site and will permit the orderly restoration of the recreational use of the site, for waterfront functions and dining. The proposal will provide a landmark venue for private and public recreation to the benefit of the broader local community and economy.

The amended development proposal is considered to be in the public interest as it will assist to facilitate a reactivation of the surrounding public open space network in Deepwater Reserve, which has declined in use over the last 10 to 20 years. The realignment of Webster Street requires the repositioning of the public car parking area along the southern edge of Webster Street. Repositioning of the public car parking is included in the amended development proposal and will maintain public access to recreation facilities.

The concept for the Webster Street upgrade has identified the potential environmental risks, hazards and impacts associated with the upgrade and has been designed sensitively to ensure the long term viable use and sustainable development of the Site, Webster Street and Deepwater Reserve.

The amended development falls within the definition of '*integrated development*' under the provisions of **Section 91** of the EP&A Act. This is because the proposed development involves works to a public road (Section 138 of the *Roads Act 1993*).

The development remains '*integrated development*' under the Water Management Act 2000 and Rural Fires Act 1997. It is noted that new integrated referrals to the NSW Office of Water and NSW Rural Fire Service will be required, given that the proposed works will be re-exhibited to the public.

4.3 State Environmental Planning Policy No 19 – Bushland in Urban Areas (SEPP 19)

Clause 6 of SEPP 19 requires that consent is required where it is proposed to "*disturb bushland zoned or reserved for public open space purposes*". In particular Clause 6(4) requires that:

- (4) A consent authority shall not consent to the carrying out of development referred to in subclause (1) unless:
 - (a) it has made an assessment of the need to protect and preserve the bushland having regard to the aims of this Policy,
 - (b) it is satisfied that the disturbance of the bushland is essential for a purpose in the public interest and no reasonable alternative is available to the disturbance of that bushland, and



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

(c) *it is satisfied that the amount of bushland proposed to be disturbed is as little as possible and, where bushland is disturbed to allow construction work to be carried out, the bushland will be reinstated upon completion of that work as far as is possible.*

Whilst the proposed realignment of Webster Street is able to be achieved within the existing road reserve, works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route and the repositioned car parking spaces will require removal of approximately 10 trees.

A Flora Assessment – Assessment of Significance (Webster Street Upgrade) has been carried out by Anne Clements & Associates (*September 2014*) for the vegetation along Webster Street and area of Deepwater Park immediately adjoining the road reserve. The associated report is enclosed as **Appendix 3** and documents the significance of the impact of the proposed works on listed conservationally significant local native vegetation.

Surveys of vegetation along the section of Webster Street from Chainage 220 to the site entrance at Chainage 540, revealed the following:

- North and South of Webster Street from the intersection with Henry Lawson Drive to approximate Chainage 220 m is relatively intact, bush-regenerated, native bushland.
- Along the remainder of Webster Street, west from Chainage 220 m, the vegetation consisted of:
 - south of the existing road - generally scattered trees with a mown understorey; and
 - north of the existing road - a mosaic of disturbed vegetation including Swamp Oak Floodplain Forest on the areas of original soil, and low lying areas colonised by *Phragmites australis* and tidal channels colonised by Mangroves.
- On the southern side adjoining Webster Street from Chainage 220 m (Observation Point 12) to the Clubhouse entrance at Chainage 540 m, there was no intact native vegetation. The vegetation consisted of mown grassy understorey with scattered native trees and patches of native trees. Two patches with native canopy species were sampled (Quadrats 24, 25). In these quadrats there was mown and unmown grass, mainly the exotic lawn grass *Pennisetum clandestinum* (Kikuyu Grass).

The number of trees potentially impacted by the proposed road upgrade and repositioned car parking area is assessed by overlaying the proposed road on the survey plan and from observations of trees along Webster Street on 1 September 2014 namely

Chainage	Observed on 1 September 2014
0 to 220 m	None potentially impacted
230 to 380 m	Chainage 270 - 2x <i>Eucalyptus moluccana</i> 2 m south of existing carparking bays Chainage 290-300 - 1x <i>Melaleuca styphelioides</i> (7 m), 2x <i>Casuarina glauca</i> (5 m), 5 m further south 3x <i>Eucalyptus moluccana</i> (20m). Chainage 375 - 1x <i>Casuarina glauca</i> (18 m) within the carparking bays
390 to 540 m	Chainage 460 - 1x <i>Melaleuca styphelioides</i> (4 m tall) on south side of existing road, 1x <i>Melaleuca decora</i> (6 m tall) 5m south of bitumen



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

The Assessment found that the proposed Webster Street road upgrade and repositioned car parking:

- is not likely to result in a significant impact on the Cooks River Castlereagh Ironbark intergrade with Shale Gravel Transition north and south of Webster Street in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to result in a significant impact on the Swamp Oak Floodplain Forest in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to be a significant impact on *Acacia pubescens*. A Species Impact Statement and Referral to the Commonwealth are not required for *Acacia pubescens*.

In conclusion, the amended development will not impact on any Endangered ecological communities under the NSW Threatened Species Conservation Act 1995 or listed vulnerable species.

In relation to the area proposed for repositioned car parking, the Assessment recommends that the trees close to the existing road or in the existing carparks be retained in the proposed carparking bay, where practicable, especially:

- the two *Eucalyptus moluccana* approximately 20 m tall, located 2 m south of existing carparking bays at approximately Chainage 270 m;
- the three *Eucalyptus moluccana* approximately 20 m tall, located 5 m south of existing carparking bays at approximately Chainage 290-300 m; and
- the one *Casuarina glauca* approximately 18 m tall, located at Chainage 375 within the existing carparking bay, depending on soil level changes.

Whilst some disturbance of bushland is essential to accommodate the repositioned public car parking spaces, the road realignment occurs within the existing road reservation and the repositioned car parking spaces has sought to limit the amount of bushland to be disturbed. During the detailed design of the car parking area, where practicable, the recommendations from the Flora Assessment – Assessment of Significance will be implemented.

It is therefore considered that the proposed works satisfy the provisions of SEPP 19.

4.4 Deemed SEPP Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (GMREP)

Pursuant to Clause 120 of Schedule 6 of the EP&A Act, the GMREP is a deemed SEPP. Broadly, the GMREP aims to protect the water quality and ecological values of the Georges River catchment. A detailed assessment of compliance against the relevant provisions of the GMREP was provided in the original SEE and draft response to Council dated 8 August 2014.

An additional assessment of the relevant provisions relating to the proposed works is provided in the following.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Clause 5 – Aims and Objectives

The amended development proposal is consistent with the aims and objectives of the GMREP as it will:

- maintain the water and environmental quality of the Georges River catchment through the provision of a stormwater treatment to the re-aligned Webster Street and relocated car parking;
- not impact groundwater levels;
- assist in the protection and rehabilitation of regionally significant natural environments that surround the site including Deepwater Reserve; and
- not have an adverse impact on water quality and river flows.

Clause 8 – General Principles

The amended development proposal is consistent with the aims and objectives of the plan, the relevant specific planning principles, which are addressed in Clause 9 below, and relevant local and State planning policies and guidelines. In particular the local and cumulative impacts of the proposed works in relation to matters such as stormwater, flooding, acid sulfate soils and sediment and erosion have been fully considered, assessed and proposed to be mitigated as part of this DA.

Clause 9 – Specific Planning Principles

(1) Acid sulfate soils – The Council's Acid Sulfate Soils Planning Map identifies Webster Street mainly as Class 3 and the adjoining Deepwater Reserve as Class 2. The submitted Acid Sulfate Soils Management Plan (ASSMP) provides the mandatory requirements that need to be employed on site and to manage site constraints and to ensure that potential impacts are suitably managed. There are not expected to be any cumulative environmental impacts in relation to acid sulfate soils.

(2) Bank disturbance – The amended development proposal will not involve disturbance to the banks or foreshore of the Georges River. Disturbance to Deepwater Reserve has been minimised through the selection of an appropriate site for the relocated car parking.

(3) Flooding – The amended development proposal requires raising the westerly most 350 m of the Webster Street road formation by up to 1.2 metres to allow it to function as a flood evacuation route for the Site. It will also involve filling across the existing car parking area to allow it to be linked to the evacuation route and to facilitate drainage of the paved surface. Notwithstanding, the proposed filling will only result in a 1.5% reduction in the flood storage afforded by the Site and Deepwater Reserve in floods up to the 1% AEP event.

In addition, the culvert crossing of Webster Street that forms the tidal connection between Deepwater Lagoon and the Georges River will be retained. Hence, the benefits of periodic flooding of the wetland areas within Deepwater Reserve will be retained.

(4) Industrial – There will no discharging of industrial waste into the Georges River from the proposed development.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

(5) Land degradation – Erosion and sediment controls measures have been proposed to ensure there is no adverse impact on water quality of the Georges River and its tributaries during construction. The removal of significant vegetation has been minimised. There will be no adverse effects on habitats and sensitive natural environments.

(6) On-site sewage management – This clause is not applicable to the amended development proposal.

(7) River-related uses – The amended development proposal includes the upgrade of an existing public road and alteration to the car parking associated with the Deepwater Reserve recreational facilities. Public access will be maintained to the foreshore.

(8) Sewer overflows – This clause is not applicable to the proposed works.

(9) Urban/stormwater runoff – The concept design for the proposed upgrade to Webster Street includes provision for the capture of runoff from the road surface and the direction of that runoff to the existing cross-drainage structure that drains to the Georges River. This is achieved via the existing table drain located along the northern edge of the existing roadway formation, which will be upgraded to incorporate bioretention and thereby facilitate improved runoff water quality.

(10) Urban development areas – This clause is not applicable to the proposed works.

(11) Vegetated buffer areas – The Flora Assessment - Assessment of Significance (Webster Street Upgrade) has assessed the impacts the proposed removal of native vegetation from the adjoining Deepwater Reserve. The loss of trees has been minimised where possible to maintain vegetation coverage to the open space area.

(12) Water quality and river flows – As discussed above under (9), the amended development proposal will maintain and/or improve water quality and river flows.

(13) Wetlands – It is proposed to relocate the centreline of the road formation to the south by up to 3 metres so as to avoid any impact on vegetation located along the northern edge of the existing roadway and the nearby wetlands. Further, construction of an earth roadway formation with batters at 1(V) in 3(H) with the raised section of the road built over the southern part of Webster Street means that the flora on areas to the north will not be impacted.

4.5 Bankstown Local Environmental Plan 2001

4.5.1 Zoning and Permissibility

Bankstown Local Environmental Plan 2001 (BLEP 2001) is the principal statutory planning instrument applying to the Site. The Deepwater Motor Boat Club site is zoned **6(b) Private Recreation**. The proposed works within the Webster Street road reserve will be undertaken on **unzoned land**. The works within Deepwater Reserve will be located on land zoned **6(a) Open Space**. Refer to **Figure 4-1**.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

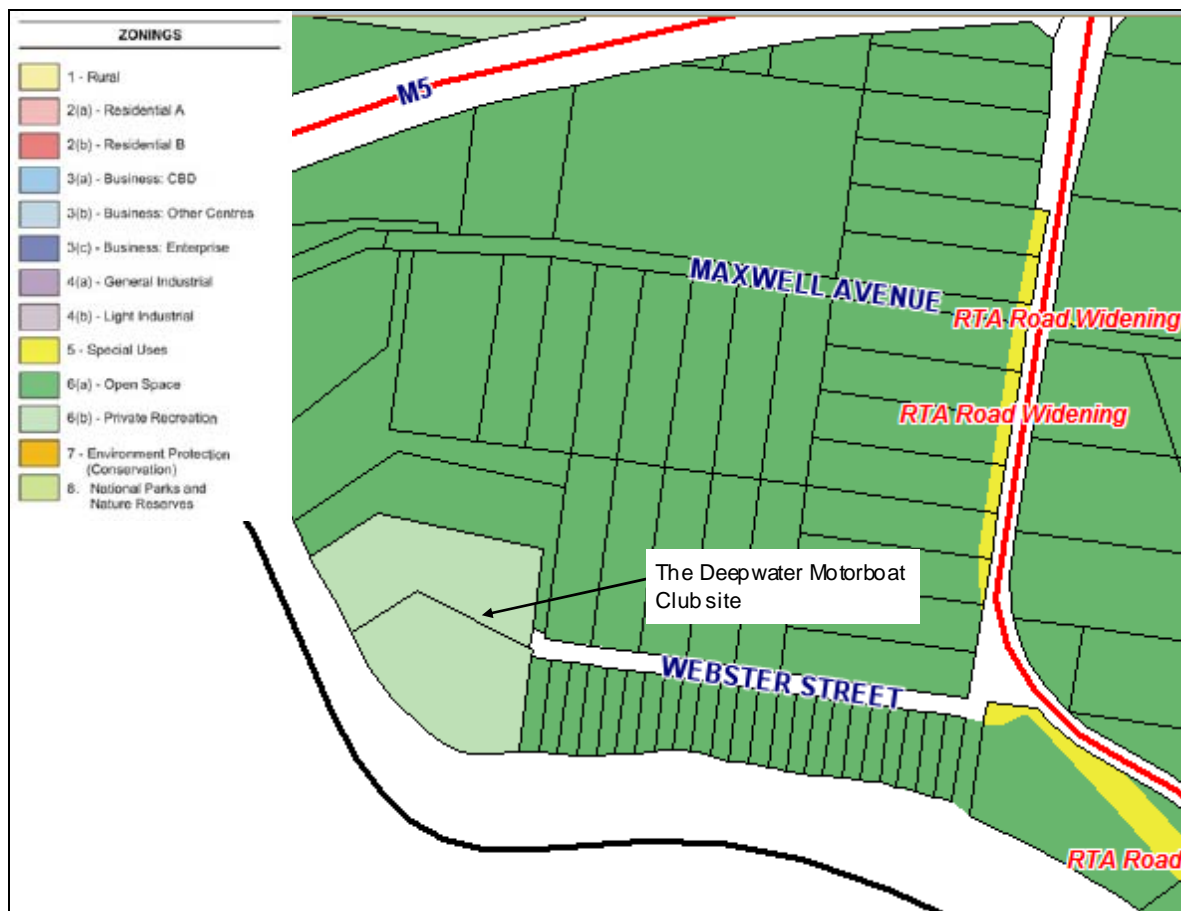


Figure 4-1 Extract of the Zoning Map for the BLEP 2001 (Source: Bankstown City Council, 2013)

The zoning and permissibility of the proposed works on the Site (zoned **6(b) Private Recreation**) including 'recreation facilities', 'registered club', 'function centre' and 'restaurant' have previously been addressed in the SEE dated 18 March 2014.

The amended development proposal now includes development of unzoned land under BLEP 2001 being the realigned road and infrastructure services relocation within the existing Webster Street road reservation.

Clause 13(4) states in relation to development of unzoned land:

Development on land not included in a zone on the map may be carried out only with consent. Consent may be granted only for the carrying out of development that may be carried out in a zone adjoining the land concerned.

The land adjoining Webster Street is zoned 6(a) Open Space. 'Car parking' is permissible with consent under the provisions of Clause 11, however 'roads' is not a use which is defined in the Table to Clause 11.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Notwithstanding the above, Clause 15(1) and (2) states the following:

- (1) Development by the Council for the purpose of roads, drainage, open space, landscaping, gardening, bushfire hazard reduction, flood mitigation, car parking, pollution control devices or cycleways, including ordinarily ancillary or incidental development, may be carried out on any land (other than land within Zone 7) without development consent.*
- (2) Development referred to in subclause (1) by a person other than the Council or on land within Zone 7 requires development consent, unless it is exempt development.*

Having regard to the provisions of Clause 15(2), development for the purpose of 'roads' can be carried out with development consent.

4.5.2 Assessment of BLEP 2001 Compliance

A detailed assessment of the proposed development's compliance against the relevant provisions of the BLEP 2001 was provided in the original SEE. An additional assessment of the relevant provisions relating to the amended development proposal is provided below.

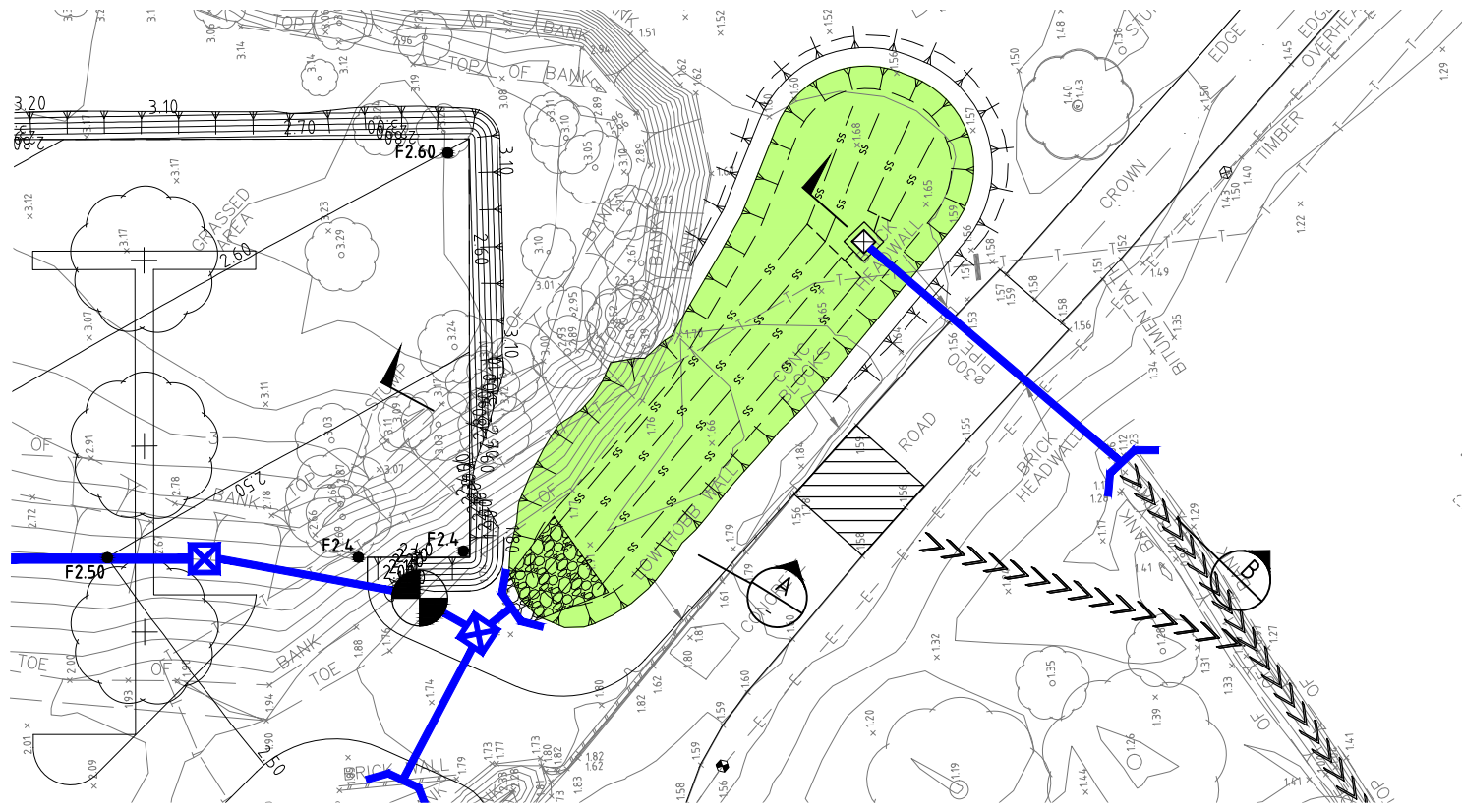
Clause 16 – General objectives of these special provisions

The amended development proposal complies with the general objectives in the following ways:

- The repositioned car parking has been located so as to minimise the significance and number of trees requiring removal from Deepwater Reserve.
- Appropriate risk management controls are proposed to ensure there is no adverse impact to people and property in the event of flood or fire.
- The amended development proposal includes stormwater management measures which enhance the water quality of the Georges River Catchment. In that regard, the stormwater management concept that was included within the original DA for treatment of runoff from the carparking area and surrounds, has been updated and is included overleaf as **Figure 1**. It should be noted that the area of the bioretention basin located near the Site Entry has been increased and the bed elevation raised.
- No significant increase to stormwater run-off is expected from the re-aligned and raised road pavement and replacement car parking area.

Clause 17 – General environmental considerations

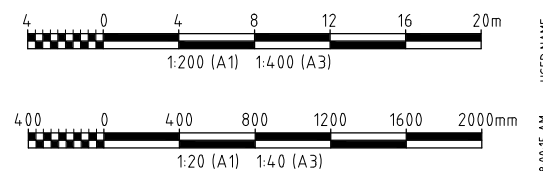
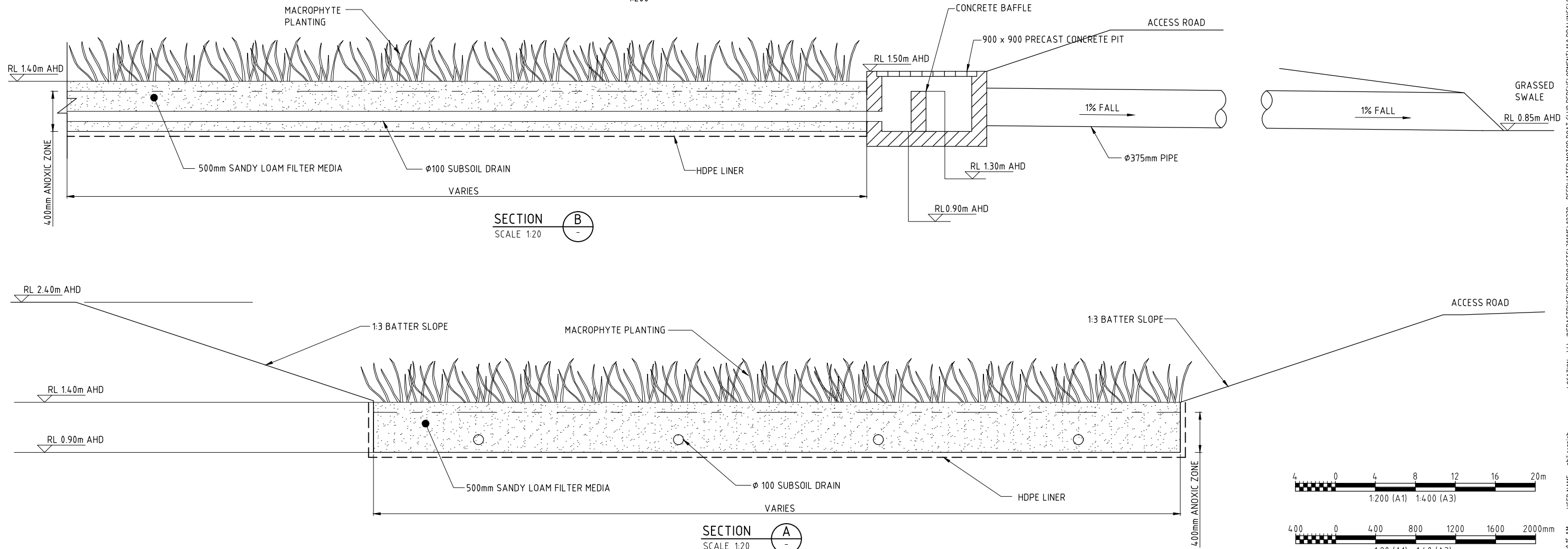
The amended development proposal is considered to not result in a 'significant' impact by virtue of clearing of vegetation, alteration of the natural land form or the potential for air, water or ground pollution. It is noted that the proposed upgrade to the carparking area and the raising of Webster Street will result in a net loss of flood storage of about 8,000 m³. However, this constitutes less than 1.5% of the total flood storage currently afforded by the Site and Deepwater Reserve in a 1% AEP flood. This is a relatively minor reduction in flood storage and will have no impact on floodwater conveyance or upstream flood levels. Accordingly, this clause does not apply to the proposed works.



BIO RETENTION BASIN PLAN
1:200

LEGEND

- GRASSED SWALE
- PIPE DRAINAGE LINE
- SUBSOIL DRAINAGE LINE
- CONCRETE CAUSEWAY



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OneWay
to zero harm

ISSUE	DATE	ISSUE DESCRIPTION
B	03.09.14	ISSUED FOR WEBSTER ST ALTERNATIVE
A	28.02.14	ISSUED TO CLIENT



**DOLTONE HOUSE DEEPWATER
BIO RETENTION BASIN DETAILS**

FIGURE 05



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Clause 19 – Ecologically sustainable development

The amended development proposal avoids significant adverse impacts on the natural environment, particularly areas of remnant vegetation, watercourses and native flora and fauna.

Clause 20 – Trees

The proposed repositioned car parking will be located primarily on mown parkland with scattered trees. The proposal involves the removal of approximately 10 trees from the Webster Street road reserve and Deepwater Reserve. The requirements of SEPP 19 have been addressed in detail in **Section 4.3** and Part E2 of the BDCP (Tree Preservation Order) in **Section 5.1.2**.

Clause 21 – Development adjacent to water bodies

The Site is not the subject of a foreshore building line; however the repositioned car parking area is located approximately 50m from Georges River. The proposed works will have no significant impacts in relation to water quality; bank stability; quantity and quality of water flows; aquatic biota, and riparian vegetation.

Clause 22 – Acid sulfate soils

The Council's Acid Sulfate Soils Planning Map identifies Webster Street mainly as Class 3 and the adjoining Deepwater Reserve as Class 2. The submitted ASSMP has been prepared in accordance with Clause 22(4) which details the mandatory requirements that need to be employed on site and to manage site constraints that exist.

Clause 26 – Flood liable land

The amended development proposal will have no adverse impacts on local flood characteristics and will not lead to any increase in off-site flood levels.

A Flood Emergency Response Management Plan has been prepared for the amended development proposal which incorporates a Draft Flood Evacuation Plan which if implemented, will ensure that patrons of both the function centre and the restaurant can safely evacuate from the Site along Webster Street, during the onset of major flooding of the Georges River.

Clause 57 – Objectives of the Open Space zones

Clause 57(1) states that the objectives of Zone 6(a) are:

- (a) to ensure that there is a sufficient and equitable distribution of open space to meet the recreational needs of residents and to enhance the environment of Bankstown City, and*
- (b) to ensure preservation of significant landscape elements.*

The amended development proposal is consistent with the objectives of the 6(a) Open Space zone as it will maintain a significant recreational asset (Deepwater Reserve) on the Georges River.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

4.6 Draft Bankstown Local Environmental Plan 2012

The *Draft Bankstown Local Environmental 2012* (Draft LEP) was on public exhibition until 16 August 2013. Therefore, as a Draft LEP that has been exhibited, its provisions insofar as they relate to the Site and the DA, are required to be taken into consideration. The Draft LEP proposes a zoning of **RE2 Private Recreation** to the Deepwater Motor Boat Club site and a zoning of **RE1 Public Recreation** to Webster Street and Deepwater Reserve (Figure 4-2).

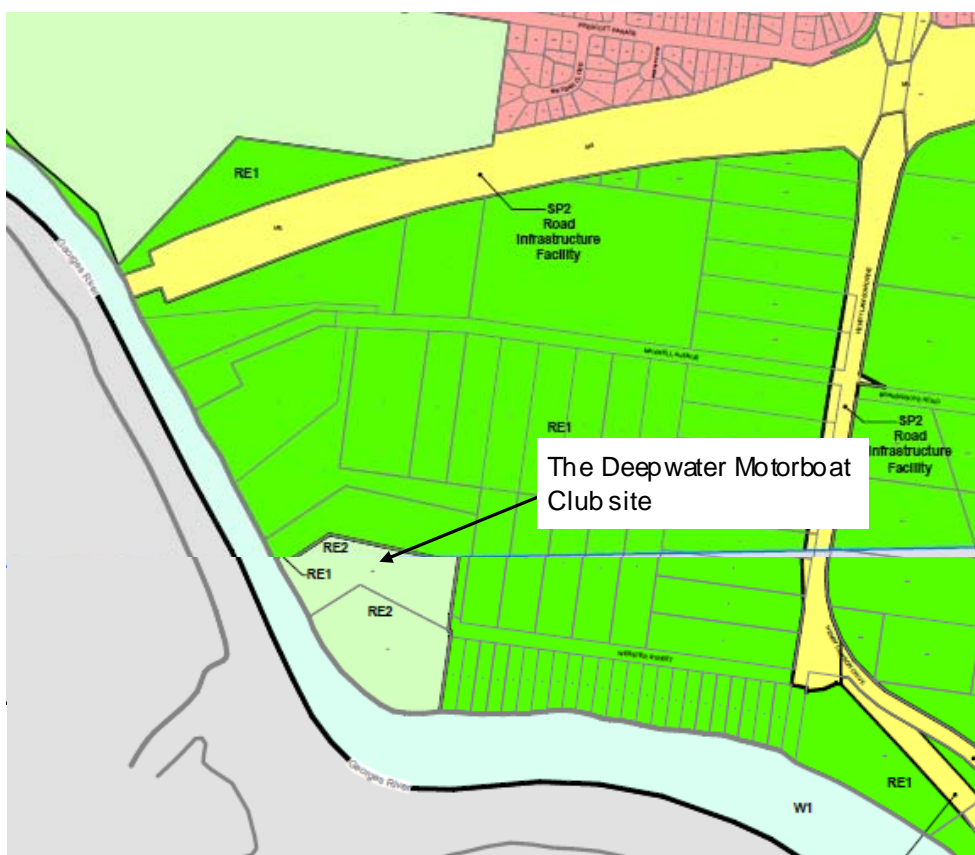


Figure 4-2 Extract of Draft LEP Zoning Map with location of site
(Source: Bankstown City Council 2012)

Development for the purpose of 'roads' is permitted with consent in the RE1 Public Recreation zone.

The proposed development would be carried out to be consistent with the following proposed clauses, as relevant:

- Clause 5.9 - Preservation of trees or vegetation [compulsory, except subclause (9) optional].
- Clause 6.1 - Acid sulfate soils.
- Clause 6.3 – Earthworks.
- Clause 6.4 – Flood planning.



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ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

4.7 Provisions of the Regulations

The relevant provisions of the *Environmental Planning and Assessment Regulation 2000* that relate to the proposed development will be complied with.



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REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

5 NON-STATUTORY CONSIDERATIONS

5.1 Bankstown Development Control Plan 2005

The Bankstown Development Control Plan 2005 (BDCP) includes development controls for development within the Bankstown LGA. The BDCP is divided into separate sections relating to each zone or component of development. The relevant sections of the BDCP are discussed below in so far as they relate to the amended development proposal.

5.1.1 E2 Tree Preservation Order

The upgrade of Webster Street to serve as the Site's flood evacuation route will require the removal of approximately 10 trees from the Webster Street road reserve and Deepwater Reserve to accommodate the repositioned public car parking spaces.

The selected road realignment and repositioned car parking spaces has sought to limit the amount of bushland to be disturbed to as minimal as possible. The disturbance of the bushland is essential to accommodate the repositioned public car parking spaces.

Tree protection measures similar to those shown on Drawing No. LSK104A prepared by Context would be applied to the amended development proposal during construction.

An assessment under the provisions of SEPP 19 is addressed earlier in **Section 4.3**.

5.1.2 E3 Flood Risk Management

The proposed works have been designed to have minimal impact on the topography of the existing site and minimal change to the footprint of existing buildings. Hence, the proposed works will result in a relatively minor loss of flood storage and negligible impacts on flood characteristics.

However, inundation of the site will occur during flooding of the Georges River, with inundation typically occurring once river water levels reach an elevation of 1.5 mAHD. Accordingly, a Flood Emergency Response Strategy (**Appendix 2**) has been developed for the site. The Flood Emergency Response Strategy incorporates a Flood Evacuation Plan for the site is based on ensuring that all patrons of both the function centre and the restaurant are evacuated from the site prior to inundation by floodwaters.

Evacuation will principally involve evacuation of the car parking area. The car parking area has been designed based on three key constraints, namely:

- ensuring a minimum elevation that allows at least 1 hour warning time for evacuation of the maximum 340 vehicles that could be housed in the car park prior to the commencement of its inundation;
- ensuring that the car parking area and associated access roads near the port cochere are not higher than the ground floor level of the function centre, which has an elevation of 2.7 mAHD, and,
- providing adequate drainage of the car parking surface and ensuring that drainage marries in with the existing drainage infrastructure at the southern end of the site near the Webster Street entry.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

These objectives were achieved by grading the car parking area as shown in **Figure 03**. This indicates that the car parking area will vary in elevation between 3.1 mAHD in the west near the restaurant to 2.4 mAHD in the east near the Webster Street entry to the Site.

Evacuation will occur via Webster Street which will be raised by up to 1.2 metres to provide an evacuation route that grades upwardly from an elevation of 2.4 mAHD at the entry to the function centre car park.

Evacuation would be initiated once warning from on-site monitors is triggered. This will occur as an evacuation warning once river water levels in the vicinity of the boat launching ramp are observed to reach an elevation of 1.5 mAHD. Actual evacuation of the site will be triggered once river water levels reach 2.0 mAHD. Data contained in **Appendix 2** indicates that floodwaters for typical floods in the Georges River rise at a rate of about 0.5 m every 2 hours. Therefore, based on a minimum level of 2.4 mAHD for Webster Street, there will be about 1½ hours available for evacuation from when the evacuation order is issued once flood levels reach 2.0 mAHD.

Flood evacuation investigations undertaken by SES for the Hawkesbury-Nepean Valley are based on the assumption that a single lane of road can be used to evacuate 600 vehicles per hour under flood onset conditions. Therefore, a warning time of 1½ hours would be sufficient for evacuation of the maximum 340 cars that could be accommodated in the proposed formal car parking areas across the site.

5.2 Draft Bankstown Development Control Plan 2012

The Draft DCP will supplement the Draft LEP. Council's intended outcome is to generally carry out an administrative conversion of the BDCP to supplement the new Standard Instrument template in accordance with the Department of Planning & Infrastructure guidelines. It is considered that the assessment carried out above for the existing BDCP in Section 5.1 has satisfactorily addressed the relevant issues for the Site and land the subject of the DA.

5.3 Georges River Community Open Space Corridor Plan of Management 2001

The Georges River Community Open Space Corridor Plan of Management was adopted by Council in September 2001. This PoM provides detailed strategies and master plan options for the Deepwater Reserve with some reference to the use of the adjoining Deepwater Motor Boat Club site. Section 2.12 of the PoM indicated that there had been a significant decline in the community's use of the Deepwater Reserve resulting from the alienating activities that regularly occur at the site.

The strategies for Deepwater Park are not directly relevant to the amended development proposal, however it is considered that the proposed works will accord with the broader desired outcomes intended by the PoM including:

- *Protection and enhancement of freshwater wetland environment;*
- *Mitigate and address environmental issues;*
- *Conserve and enhance natural bushland quality;*
- *Protection and enlargement of native fauna habitat;*



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- *Community benefit of site optimised;*
- *Appropriate, environmentally and socially sustainable use and management of this area of the site;*
- *Recognise benefits of natural visual outlook and actively participate in its conservation; and*
- *Conserve appropriate level of passive recreational facilities.*

5.4 Bushland Plan of Management Deepwater Reserve 2002

The Bushland Plan of Management Deepwater Reserve (PoM) was adopted by Council on 23 July 2002 and applies to the natural areas of Deepwater Reserve. The PoM complements the Georges River Open Space Plan of Management, which has been addressed in **Section 5.3** above and is also relevant to this PoM.

Section 5.4 of the SEE dated 18 March 2014, outlined that an amendment to the PoM would be required for the proposed construction and use of the Maxwell Avenue emergency evacuation route as it would involve works on the Council owned Deepwater Reserve. Works to Maxwell Avenue and in particular, that part of Deepwater Reserve known as Lots B, C and D in DP 405225 are no longer proposed.

In relation to the amended development proposal, which includes repositioned car parking within Deepwater Reserve known as Lots 57-65 in DP 9892, the provisions of clause 13(11) of the BLEP enable the Council to grant consent to development over land zoned 6(a), provided that the development is nominated in a Plan of Management prepared by the Council.

The PoM includes extracts from the *Preliminary Concept Masterplan Georges River Community Open Space PoM* and in particular, *Deepwater Reserve – Option 1* and *Deepwater Reserve Option 2* – both of which nominate car parking as a land use (*marked as item 5 'Southern Foreshore'*).

Having regard to the above, it is considered that the repositioned car parking can be undertaken without an amendment to the PoM and that an amendment to the PoM is no longer required as part of this DA.

5.5 Bankstown Development Engineering Standards 2009

The proposed works have addressed the relevant sections of the Engineering Standards, especially with regard to stormwater management, road and car parking design and grading.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6 ENVIRONMENTAL ASSESSMENT

6.1 Provisions of any environmental planning instrument (s79C (1)(a)(i))

Section 4 of the Addendum SEE has established the relevant legislative framework and statutory development standards applicable to the Site and other relevant State Environmental Planning Policies and compliance of the proposed development with the standards and controls.

6.2 Provisions of any draft environmental planning instrument (s79C (1) (a)(ii))

Section 4.8 of the Addendum SEE has addressed the provisions of the Draft LEP.

6.3 Provisions of any development control plan (s79C (1) (a)(iii))

Section 5.1 of the Addendum SEE has assessed the compliance of the proposed works against the provisions of the BDCP.

6.4 Any planning agreements entered into under Section 93F (s79C (1) (a) (iiia))

There is no planning agreement applicable to the amended development proposal.

6.5 Provisions of the Regulations (s79C (1) (a)(iv))

There are no matters that require further consideration with regard to the *Environmental Planning and Assessment Regulation 2000*.

6.6 Provisions of any coastal zone management plan (s79c (1) (a) (v))

There are no coastal zone management plans applicable to the amended development proposal.

6.7 The likely impacts of the development (s79C (1) (b))

6.7.1 Context and Setting

The site is located in the south-western Sydney suburb of Milperra, in a bushland setting on the Georges River. The Site is surrounded by the Deepwater Reserve, which is an important regional public open space area directly linked to the site by a pedestrian pathway along the foreshore.

The amended development proposal will assist to facilitate the revitalisation of both Deepwater Reserve and the Deepwater Motor Boat Club site by upgrading Webster Street to function as the flood evacuation route for both sites.

The amended development proposal is therefore considered to be appropriate in context and setting.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6.7.2 Flora

Whilst the proposed realignment of Webster Street is able to be achieved within the existing road reserve, works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route and the repositioned car parking spaces will require removal of approximately 10 trees.

A Flora Assessment – Assessment of Significance (Webster Street Upgrade) has been carried out by Anne Clements & Associates (*September 2014*) for the vegetation along Webster Street and area of Deepwater Park immediately adjoining the road reserve. The associated report is enclosed as **Appendix 3** and documents the significance of the impact of the proposed works on listed conservationally significant local native vegetation.

Surveys of vegetation along the section of Webster Street from Chainage 220 to the site entrance at Chainage 540, revealed the following:

- North and South of Webster Street from the intersection with Henry Lawson Drive to approximate Chainage 220 m is relatively intact, bush-regenerated, native bushland.
- Along the remainder of Webster Street, west from Chainage 220 m, the vegetation consisted of:
 - south of the existing road - generally scattered trees with a mown understorey; and
 - north of the existing road - a mosaic of disturbed vegetation including Swamp Oak Floodplain Forest on the areas of original soil, and low lying areas colonised by *Phragmites australis* and tidal channels colonised by Mangroves.
- On the southern side adjoining Webster Street from Chainage 220 m (Observation Point 12) to the Clubhouse entrance at Chainage 540 m, there was no intact native vegetation. The vegetation consisted of mown grassy understorey with scattered native trees and patches of native trees. Two patches with native canopy species were sampled (Quadrats 24, 25). In these quadrats there was mown and unmown grass, mainly the exotic lawn grass *Pennisetum clandestinum* (Kikuyu Grass).

The number of trees potentially impacted by the proposed road upgrade and repositioned car parking area is assessed by overlaying the proposed road on the survey plan and from observations of trees along Webster Street on 1 September 2014 namely

Chainage	Observed on 1 September 2014
0 to 220 m	None potentially impacted
230 to 380 m	Chainage 270 - 2x <i>Eucalyptus moluccana</i> 2 m south of existing carparking bays Chainage 290-300 - 1x <i>Melaleuca styphelioides</i> (7 m), 2x <i>Casuarina glauca</i> (5 m), 5 m further south 3x <i>Eucalyptus moluccana</i> (20m). Chainage 375 - 1x <i>Casuarina glauca</i> (18 m) within the carparking bays
390 to 540 m	Chainage 460 - 1x <i>Melaleuca styphelioides</i> (4 m tall) on south side of existing road, 1x <i>Melaleuca decora</i> (6 m tall) 5m south of bitumen



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

The Assessment found that the proposed Webster Street road upgrade and repositioned car parking:

- is not likely to result in a significant impact on the Cooks River Castlereagh Ironbark intergrade with Shale Gravel Transition north and south of Webster Street in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to result in a significant impact on the Swamp Oak Floodplain Forest in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to be a significant impact on *Acacia pubescens*. A Species Impact Statement and Referral to the Commonwealth are not required for *Acacia pubescens*.

In conclusion, the amended development will not impact on any Endangered ecological communities under the NSW Threatened Species Conservation Act 1995 or listed vulnerable species.

In relation to the area proposed for repositioned car parking, the Assessment recommends that the trees close to the existing road or in the existing carparks be retained in the proposed carparking bay, where practicable, especially:

- the two *Eucalyptus moluccana* approximately 20 m tall, located 2 m south of existing carparking bays at approximately Chainage 270 m;
- the three *Eucalyptus moluccana* approximately 20 m tall, located 5 m south of existing carparking bays at approximately Chainage 290-300 m; and
- the one *Casuarina glauca* approximately 18 m tall, located at Chainage 375 within the existing carparking bay, depending on soil level changes.

Whilst some disturbance of bushland is essential to accommodate the repositioned public car parking spaces, the road realignment occurs within the existing road reservation and the repositioned car parking spaces has sought to limit the amount of bushland to be disturbed.

Mitigation Measures

Construction

- During the detailed design of the car parking area, where practicable, the recommendations from the Flora Assessment – Assessment of Significance will be implemented.

6.7.3 Fauna

Ambrose Ecological Services Pty Ltd was engaged by the Doltone House Group to undertake a Fauna Survey and Assessment of the site and surrounding Deepwater Park as part of the previous DA. This Fauna Survey and Assessment is dated 27 July 2011 and the survey work, findings and recommendations are considered to remain relevant for this DA, although noting there are some differences in this current proposed development, although not considered to be significant enough to substantially change the original findings and recommendations.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Field surveys were undertaken on 14 and 15 April 2011 and included the site and habitats on both sides of Webster Street to a width of 50 metres on either side of the street. This survey effort was complemented by the review of relevant literature and databases.

In relation to the likely presence of threatened fauna species, it was found that:

"No threatened fauna species were detected in these areas during the present study. However, potential habitat occurs for the Green and Golden Bell Frog (Litoria aurea), Black Bittern (Ixobrychus flavicollis), Glossy Black-Cockatoo (Calyptorhynchus lathami), Square-tailed Kite (Lophoictinia isura), Swift Parrot (Lathamus discolor), Barking Owl (Ninox connivens), Regent Honeyeater (Xanthomyza phrygia), Grey-headed Flying-fox (Pteropus poliocephalus), Eastern False Pipistrelle (Falsistrellus tasmaniensis), Large-footed Myotis (Myotis adversus), Greater Broad-nosed Bat (Scoteanax ruepelli), Eastern Bent-wing Bat (Miniopterus schreibersii) and Cumberland Plain land Snail (Meridolum corneovirens).

Three of these species (the Square-tailed Kite, Swift Parrot and Regent Honeyeater) only occur in the locality as irregular vagrants. If they visit Deepwater Park, they would occur infrequently and in low numbers. Therefore, the proposed development is most unlikely to significantly impact upon the status of these species."

In terms of an assessment of whether the site would support potential or core Koala habitat, it was concluded that:

"The subject site does not contain Potential or Core Koala Habitat, as defined under the schedules of SEPP 44. Therefore, the proposed development will have no impact on Koalas or their habitats."

Section 4 of the Fauna Survey and Assessment identifies the potential impacts that may occur with redevelopment of the site. The key points are extracted as follows.

- Loss of fauna habitat;
 - *The proposed development is unlikely to result in the loss of biodiversity at a local, regional, state or national level.*
 - *Compensatory fauna habitat would also be created as part of the proposed landscape plan.*
 - *The removal of these trees is unlikely to result in the loss of biodiversity at a local, regional, state or national level.*
- Disturbance to wildlife;
 - *There is the potential for increased localised noise and light disturbances during the operational (post-construction) phase of the proposed development.*
 - *Better quality fauna habitat areas of Deepwater Park to the north of the car park, west and east of the building, and north of Webster Street would be buffered from light and noise pollution by distance*
- Increased road mortality of wildlife in Deepwater Park;



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

- *Increased vehicular traffic flow along Webster Street as a result of increased patronage at the Deepwater Motorboat Club has the potential to increase injury or mortality to wildlife crossing that road. This increase is not likely to be significant provided that the existing 10 km/hr speed limit along Webster Street is enforced.*
- Impacts on the status of threatened species (see below);
- Impacts on the status of listed migratory species (see below);
- Impacts on the status of Sugar Gliders: a locally-rare species:
 - *There were no Sugar Glider food- or treeclimbing scars detected on tree trunks within the subject site. Tree removal from the subject site would not fragment or isolate areas of potential habitat for this species within Deepwater Park.*
- Extent of compliance with statutory planning instruments, including relevant plans of management (refer Section 4.3 of the Fauna Survey and Assessment for details).

In relation to the impacts on identified threatened and migratory species which may occur on the site and to the adjoining Deepwater Park, it is concluded that:

"There is potential habitat for an additional 10 threatened species, three of which (Squaretailed Kite, Regent Honeyeater and Swift Parrot) are infrequent vagrants to the locality and would not be regular visitors to the subject site.

Seven-part tests in Appendix A conclude that the proposed development would not significantly impact on the status of the Green and Golden Bell Frog, Black Bittern, Glossy Black-Cockatoo, Barking Owl, Grey-headed Flying-fox, Eastern False Pipistrelle, Largefooted Myotis, Greater Broad-nosed Bat, Eastern Bent-wing Bat and Cumberland Plain land Snail.

Three additional threatened species (the Square-tailed Kite, Swift Parrot and Regent Honeyeater) only occur in the locality as irregular vagrants. If they visit Deepwater Park, they would occur infrequently and in low numbers. Therefore, the proposed development is most unlikely to significantly impact upon the status of these species or their habitats.

"One nationally vulnerable fauna species (the Grey-headed Flying-fox) may potentially occur within the forested areas of the subject site. Two nationally endangered fauna species (Swift Parrot, Regent Honeyeater) may very occasionally occur on the subject site as vagrants."

"The Swift Parrot and Regent Honeyeater may occasionally feed on the nectar of eucalypts and other trees when these trees are flowering within the subject site. However, there are no limiting resources for these two species on the subject site.

The Regent Honeyeater and Swift Parrot (Lathamus discolor) may occasionally forage within the canopy in bushland areas of the subject site, but these species are likely to be, at best, occasional vagrants to the site. Latham's Snipe (Gallinago hardwicki) may occasionally forage in the disturbed, cleared areas of the subject site. Fork-tailed Swifts (Apus pacificus) and White-throated Needletails (Hirundapus caudacutus) may occasionally fly high over the subject site. The area of habitat that would be cleared from the subject site is a negligible amount of area available to these species."



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Having regard to the above potential impacts, it is considered that the amended development proposal which involves the removal of approximately 10 trees from Deepwater Reserve would not have a significant impact to fauna species including threatened species that may contain potential habitat to Deepwater Reserve.

Mitigation Measures

Construction

The Fauna Survey and Assessment recommends the following measures, which are considered to remain valid and appropriate for the proposed works:

- Silt fences and sediment ponds should be appropriately placed around construction areas on the subject site and along Webster Street to prevent runoff of sediment and nutrient-enriched waters into nearby bushland areas and drainage lines. The effectiveness of these traps should be closely monitored during construction, ensuring that treated site run-off meets EPA guidelines.
- Trees and other vegetation that are to be removed from the subject site should be conducted with minimal disturbance to the soil.
- Trees that are to be cleared from the subject site, should be checked first for the presence of active nests of birds (that is, those nests containing fertile eggs or nestlings) and arboreal mammals (such as possums). These trees should not be removed or pruned until animals that are nesting in them have completed their breeding cycle.
- Trees or bushes that are cleared or pruned should be checked for animals before and after felling or pruning. Injured animals should be taken to a local vet or the local wildlife rescue service should be notified.
- Construction wastes will require appropriate management to prevent accidental discharge of chemicals, truck washings or other pollutants into waterways and vegetation on the subject site and downstream.

6.7.4 Traffic and Parking

A revised Intersection Upgrade Concept Plan as well as swept path assessments for the Webster Street and Henry Lawson Drive intersection have been prepared by GTA Consultants (refer **Appendix 4**) to respond to the comments raised by RMS in letter dated 20 August 2014.

As requested by RMS, a Preliminary Design Road Safety Audit has been carried out and is also included in **Appendix 4**. A summary of the key findings is extracted below:

'The key findings of the audit related to objects in the clear zone including a mature tree, log fence and an existing culvert. Many of the issues raised relate to existing hazards and all issues can be addressed in the detail design of the intersection.'

In relation to the amended development proposal, the proposed works will provide for the repositioning of the existing 90 degree car parking along the southern side of Webster Street with the southern edge of this car parking battered down into the adjoining parkland at 1(V) in 3(H).



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

There will be no reduction in the number of car parking spaces currently available to the public, except for during the construction phase.

Mitigation Measures

Construction

- A Construction Traffic Management Plan will be developed and implemented for all project construction activities along Webster Street and Deepwater Reserve.

6.7.5 Contamination

Given that the amended development proposal involves some excavation and fill material on the Site and along Webster Street, it is recommended that soils requiring excavation during the development process be assessed for potential contamination.

6.7.6 Acid Sulfate Soils

The Council's Acid Sulfate Soils Planning Map identifies Webster Street mainly as Class 3 and the adjoining Deepwater Reserve as Class 2. The Acid Sulfate Soils Management Plan (ASSMP) (*WorleyParsons, March 2014*) provides the mandatory requirements that need to be employed on site and to manage site constraints and to ensure that potential impacts are suitably managed.

Mitigation Measures

- Implement the controls and procedures as detailed in the Acid Sulfate Soils Management Plan (*WorleyParsons, March 2014*).

6.7.7 Flooding

A Flood Impact Assessment and a Flood Emergency Response Plan has been prepared by WorleyParsons for the proposed development (**Appendix 2**). It documents the potential impacts of works associated with the proposed development, including the importation of fill to construct the function centre car park and an upgrade to Webster Street so that it can serve as the flood evacuation route for the Site.

A preliminary grading plan has been prepared for the works associated with the function centre car park. The works will involve regrading of the car parking area and an increase in the general elevation of the car parking area to a minimum elevation of 2.4 mAHD to provide an available evacuation time of 1½ hours once Georges River water levels reach 2.0 mAHD. The regrading of the car parking area will require a net volume of 4,500 m³ of fill to be imported to the site to achieve the design surface.

Works associated with the proposal to upgrade Webster Street to serve as a flood evacuation route will require the existing road pavement to be raised by up to 1.2 metres over a 350 metre length extending in an easterly direction from the Site entry. The associated filling will involve the importation of an additional 3,500 m³ of fill.

The Flood Impact Assessment establishes that the loss of flood storage associated with this filling is less than 1.5% of the total flood storage currently afforded by the Site and Deepwater Reserve in a 1% AEP flood.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

Accordingly, the proposed development will result in no measureable impact on the flood characteristics of the Georges River and will not lead to any off-site increase in peak flood levels. Hence, it is considered that there are no flood impacts that require mitigation.

The proposed development of the function centre and restaurant could place up to 1,012 people at the site during the onset of flooding of the Georges River. Most of these people would either come to the site by car, mini-bus or taxi. The associated car parking area has been designed with a maximum capacity of 340 vehicles, all of which would need to be evacuated. Hence, there is potential risk to life and property and this risk needs to be mitigated. It is proposed that this be achieved by implementation of a Flood Emergency Response Strategy that incorporates a Flood Evacuation Plan for the Site. The Flood Evacuation Plan is based on ensuring that all patrons of both the function centre and the restaurant are evacuated from the site prior to inundation by floodwaters.

Evacuation will principally involve evacuation of the car parking area. Evacuation will occur via Webster Street which will be raised by up to 1.2 metres to provide an evacuation route that grades upwardly from an elevation of 2.4 mAHD at the entry to the function centre car park.

Evacuation would be initiated once warning from on-site monitors is triggered. This will occur as an evacuation warning once river water levels in the vicinity of the boat launching ramp are observed to reach an elevation of 1.5 mAHD. Actual evacuation of the site will be triggered once river water levels reach 2.0 mAHD. Based on a minimum level of 2.4 mAHD for Webster Street, there will be about 1½ hours available for evacuation from when the evacuation order is issued once flood levels reach 2.0 mAHD.

Mitigation Measures

- Adoption and Implementation of the Flood Evacuation Plan for the Site which ensures that an evacuation warning is triggered once river water levels in the vicinity of the Site are observed to reach an elevation of 1.5 mAHD, and evacuation instruction is triggered once river water levels reach 2.0 mAHD.

6.7.8 Stormwater and Drainage

The concept design for the proposed upgrade to Webster Street includes provision for the capture of runoff from the road surface and the direction of that runoff to the existing cross-drainage structure that drains to the Georges River. This will be achieved via the existing table drain located along the northern edge of the existing roadway formation, which will be upgraded to increase bioretention capacity and facilitate improved runoff water quality. In that regard, the stormwater management concept that was included within the original DA for treatment of runoff from the carparking area and surrounds, has been updated and is included overleaf as **Figure 1**. It should be noted that the area of the bioretention basin located near the Site Entry has been increased and the bed elevation raised

Mitigation Measures

- Design and implement the proposed stormwater measures according to engineer's detailed design.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6.7.9 Erosion and Sediment Control

The proposed construction works will be undertaken in an area that contains both hardstand and non-hardstand areas. As such, the primary concern of the sediment and erosion control will be utilised to prevent stockpiled material being washed into downstream water courses including the Georges River during wet weather events.

The sediment and erosion control measures will be based upon 'The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction', Landcom, 2004. Measures will include silt fencing downstream of stockpile locations, stabilised site access points, fresh water diversions (if required) and inlet protection of existing pits. These measures are documented in an Erosion and Sediment Control Plan in **Appendix 6**.

Mitigation Measures

- Undertake progressive rehabilitation of disturbed areas.
- Minimise area and duration of open excavations and exposed surfaces at any one time.
- Erosion and sediment controls will be constructed and maintained in accordance with the Department of Housing's document "Managing Urban Stormwater - Soils and Construction", March, 2006 (otherwise known as the Blue Book).
- Clean run-off from areas upstream of the disturbed area will be diverted around the works area using diversion drains. Separate diversion drains will also be used to collect contaminated run-off and direct it to sediment retention basins.
- Sediment fences will be established to prevent runoff entering waterways and wetlands. These will remain in place until the completion of construction and the stabilisation of disturbed surfaces.
- Stockpile protection will be implemented for excavated sediment and topsoil stockpiles. These will be placed away from drainage channels and constructed and protected in accordance with the Acid Sulphate Soils Management Plan.
- Sediment and erosion control devices will be regularly maintained and accumulated sediment removed before 50% of the capacity is used. Accumulated sediment will be re-used or disposed of in an acceptable manner off-site.
- Sediment fences will be checked regularly for rips, excessive build-up of sediment behind the fence and breaches by construction activities. Damage to the fences will be repaired immediately on detection.
- Sediment and erosion control devices will be maintained until the disturbed areas have been adequately reinstated or new vegetation is sufficiently established.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6.7.10 Air Quality

Local air quality is currently not significantly impacted by external sources given the generally low intensity use of vehicles at the Site, except for during power boat racing regattas and vehicles using Webster Street. Existing dust levels at the site may be increased during windy conditions from exposed surfaces within Deepwater Reserve.

Construction

Construction associated with the upgrade of Webster Street has the potential to contribute to temporary local air quality and dust impacts at the site. The presence of additional plant and equipment during construction will result in a temporary increase to exhaust emissions at the site. Whilst this may have a minor impact on local air quality, any impact will be short term and negligible in comparison to existing emissions influencing local air quality associated with vehicular traffic along Henry Lawson Drive.

The amended development proposal requires excavation for the cutting and filling of Webster Street and repositioned car parking area. Importation of fill material will also be required. As such, the potential for temporary dust impacts exists. Additionally, temporary dust impacts may result from stockpiling and transport of excavated and imported material.

It is anticipated that these temporary impacts can be managed in accordance with the mitigation measures below and additional measures implemented through the detailed Construction Environmental Management Plan to be developed by the Contractor prior to commencement of construction.

Mitigation Measures

Construction

- All plant and equipment shall be maintained in good working order.
- All plant and equipment shall be turned off when not in use to minimise emissions to air.
- Undertake progressive rehabilitation of disturbed areas.
- Minimise area and duration of open excavations and exposed surfaces at any one time.

6.7.11 Noise

Construction

Temporary noise impacts are anticipated to result from construction of the amended development proposal due to the use of the plant and equipment required to undertake the works. However, the closest potential sensitive receivers (residential) in the vicinity of the proposed development are located approximately 750m to the north of the site, on the opposite side of the M5 and also approximately 750m to the south-east at Henry Lawson Drive, near Cheatle Street.

Construction noise impacts at any one location will be short in duration, as construction progresses along Webster Street and into the adjoining Deepwater Reserve (southern side). It is anticipated that these temporary impacts can be managed in accordance with the mitigation measures below and additional



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

measures implemented through the detailed Construction Environmental Management Plan to be developed by the Contractor prior to commencement of construction.

Mitigation Measures

Construction

- Construction equipment shall be equipped with appropriate noise abatement devices (e.g. mufflers).
- All plant and equipment shall be maintained in good working order.
- All construction activities will be carried out within the following hours as recommended in the DECC Interim Construction Noise Guideline (unless otherwise agreed by Council):
 - 7:00am to 6:00pm Mondays to Fridays
 - 8:00am to 6:00pm Saturdays*
 - No work carried out on Sundays and all public holidays

* NOTE: Due to the isolated location of the site and assessment that no sensitive receivers are proximate to the site, it is proposed that construction activities on Saturdays be extended until 6pm.

6.7.12 Visual and Amenity

The amended development proposal will maintain existing view corridors to and from the Site from the Georges River and adjoining the Deepwater Reserve. The amended development proposal will not involve the construction of any new buildings or structures. The upgraded Webster Street and associated replacement car parking area will have some temporary, short term impacts during the construction and excavation phases, however there will be no loss of amenity or visual impacts to these areas once construction works are completed.

6.7.13 Site Services

The amended development proposal will require the relocation of existing electricity services. The relocation will take place within the Webster Street road reserve and will most likely be relocated below-ground.

6.7.14 Social and Economic Impacts

The amended development proposal is consistent with the objects of the EP&A Act including the orderly and economic development of land. It will enable the Site to operate in a controlled manner where risk management procedures will ensure safe entry, use and egress of patrons from the Site via an upgraded Webster Street, functioning as the flood evacuation route for the site. This transformation will permit the orderly restoration of the recreational use of the site, for waterfront functions and dining. The proposal will provide a landmark venue for private and public recreation to the benefit of the broader local community and economy.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

6.8 Suitability of the Site (Section 79C(1)(c))

The Site and land the subject of the DA are considered to be suitable for the proposed works having regard to a rigorous assessment of and provision of appropriate mitigation measures in relation to identified environmental impacts and hazards including flooding.

6.9 Any Submissions Made in Accordance with the Act or the Regulations (s79C(1)(d))

No submissions have been made in accordance with the Act or the Regulations.

6.10 The Public Interest (s79C (1) (e))

The amended development proposal will assist to facilitate a re-activation of the surrounding public open space network in Deepwater Reserve, which has declined in use over the last 10 to 20 years. The Webster Street upgrade has been designed sensitively to ensure the long term viable use and sustainable development of the Site and the adjoining Deepwater Reserve.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

7 SUMMARY OF MITIGATION MEASURES

The following provides a summary of proposed measures for mitigating identified or potential environmental impacts associated with the amended development proposal.

Area of Impact	Mitigation Measure
1. Flora	
1.1	During the detailed design of the car parking area, where practicable, the recommendations from the Flora Assessment – Assessment of Significance will be implemented.
2. Fauna	
2.1	Silt fences and sediment ponds will be appropriately placed around construction areas on the site and along Webster Street to prevent runoff of sediment and nutrient-enriched waters into nearby bushland areas and drainage lines. The effectiveness of these traps will be closely monitored during construction, ensuring that treated site run-off meets EPA guidelines.
2.2	Trees and other vegetation that are to be removed from the site will be conducted with minimal disturbance to the soil.
2.3	Trees that are to be cleared from the site, will be checked first for the presence of active nests of birds (that is, those nests containing fertile eggs or nestlings) and arboreal mammals (such as possums). These trees will not be removed or pruned until animals that are nesting in them have completed their breeding cycle.
2.4	Trees or bushes that are cleared or pruned should be checked for animals before and after felling or pruning. Injured animals should be taken to a local vet or the local wildlife rescue service should be notified.
2.5	Construction wastes will require appropriate management to prevent accidental discharge of chemicals, truck washings or other pollutants into waterways and vegetation on the subject site and downstream.
3. Traffic and Parking	
3.1	A Construction Traffic Management Plan will be developed and implemented for all project construction activities along Webster Street and Deepwater Reserve.
4. Contamination	
4.1	Soils requiring excavation during the development process be assessed for potential contamination.
5. Acid Sulphate Soils	
5.1	Prior to starting work, a site induction and visual aids will be used to inform and demonstrate to staff and contractors that there will be additional on-site management requirements due to PASS and ASS. Suitable areas for stockpiling will be designated and/or waste bins provided for ASS.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

5.2	<p>Construction will be scheduled to minimise the time ASS material is exposed to air and to ensure that it can be reburied as quickly as possible (that is within the same working day). This is especially important for sandy sediments as they tend to oxidise and leach rapidly (a few hours) as compared to clay (a few days).</p> <p>Quantities will be kept to manageable proportions in suitably lined and covered waste bins or as suitably sized stockpiles.</p>
5.3	<p>If ASS is required to be stored onsite, as excavation occurs, the different soil layers will be stockpiled separately, in particular keeping non-ASS layers separate from ASS layers. A marked colour change will make this task relatively easy. Each layer will be managed according to its potential for acidification.</p> <p>Stockpiling of the highest risk soil (considered to be the most likely to become acid producing) will be closest to the trench/excavation.</p>
5.4	<p>When storing Actual ASS onsite:</p> <ul style="list-style-type: none">▪ It is best to store ASS soil in a covered bin lined with heavy duty plastic rather than stockpiling;▪ If bins are not available or it is not practical to use them then stockpile the excavated material determined to be ASS on an impervious material such as heavy duty plastic, away from stormwater and drainage lines, and cover with a heavy duty plastic;▪ Ensure the stockpiles are bunded to prevent run-off of acidic water;▪ Ensure that sediment controls are installed around the stockpiles, in accordance with a site ESCP, consistent with the Landcom 'Blue Book';▪ Ensure soil in bins/ stockpiles remains moist and contained at all times;▪ Aim to minimise the surface area exposed to air. Disturbance and exposure to air may render soils acidic. Therefore covers need to be as air-tight and water tight as possible.▪ Weigh down the edges using sandbags or equivalent; and▪ The management method chosen should take into account weather and tidal conditions on this site.
5.5	<p>Actual ASS are acid producing, therefore a treatment protocol must be determined and prepared for <i>prior to excavation or trenching</i>, and must be undertaken before reinstatement or during long periods of storage. The following is required for treatment:</p> <ul style="list-style-type: none">▪ The treatment area must be impervious and bunded with adequate drainage collection in a suitable location that will prevent any acidic water leaving the site.▪ The treatment of soil should not occur in a sensitive area such as near a waterway or the nearby wetlands. <p>In general, Actual ASS should be spread in thin layers (0.15-0.30m) in preparation for treatment such as liming.</p> <p>If ground water is intercepted and needs to be removed off site then under no circumstances must this water be pumped either into the adjoining wetlands/billabongs or into the Georges River. In these cases the water is to be assessed for pH, oils and greases and turbidity. Only when a qualified Environmental Specialist has confirmed in writing that the material passes the required criteria is the water to be removed by a licensed liquid waste tanker.</p>



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

5.6	Whenever off-site disposal of ASS is required then arrangements need to be made prior to excavating and stockpiling any material. Arrangements will need to be made to have bins available and also arrangements need to be made with a suitably licensed facility to accept the ASS.
5.7	Where there is evidence of negative impacts to plant life, animals, soils or water near the site, advice must be sought from a qualified Environmental Specialist.
6. Flooding	
6.1	Adoption and Implementation of the Flood Evacuation Plan for the Site which ensures that an <u>evacuation warning</u> is triggered once river water levels in the vicinity of the Site are observed to reach an elevation of 1.5 mAHD, and evacuation instruction is triggered once river water levels reach 2.0 mAHD.
7. Stormwater and Drainage	
7.1	Design and implement the proposed stormwater measures according to engineer's detailed design.
8. Erosions and Sediment Control	
8.1	The erosion and sedimentation controls shown on the Erosion and Sediment Control Plan (March 2014) will be implemented.
8.2	Progressive rehabilitation of disturbed areas will be undertaken.
8.3	The area and duration of open excavations and exposed surfaces at any one time will be minimised.
8.4	Clean run-off from areas upstream of the disturbed area will be diverted around the works area using diversion drains. Separate diversion drains will also be used to collect contaminated run-off and direct it to sediment retention basins
8.5	Sediment fences will be established to prevent runoff entering waterways and wetlands. These will remain in place until the completion of construction and the stabilisation of disturbed surfaces
8.6	Stockpile protection will be implemented for excavated sediment and topsoil stockpiles. These will be placed away from drainage channels and constructed and protected in accordance with the Acid Sulphate Soils Management Plan
8.7	Sediment and erosion control devices will be regularly maintained and accumulated sediment removed before 50% of the capacity is used. Accumulated sediment will be re-used or disposed of in an acceptable manner off-site.
8.8	Sediment fences will be checked regularly for rips, excessive build-up of sediment behind the fence and breaches by construction activities. Damage to the fences will be repaired immediately on detection.
8.9	Sediment and erosion control devices will be maintained until the disturbed areas have been adequately reinstated or new vegetation is sufficiently established.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

9. Air Quality	
9.1	<p>During construction:</p> <ul style="list-style-type: none">▪ All plant and equipment will be maintained in good working order.▪ All plant and equipment will be turned off when not in use to minimise emissions to air.▪ Progressive rehabilitation of disturbed areas will be undertaken.▪ The duration of open excavations and exposed surfaces at any one time will be minimised.
10. Noise	
10.1	<p>During construction:</p> <ul style="list-style-type: none">▪ Noisy equipment will be equipped with appropriate noise abatement devices (e.g. mufflers).▪ All plant and equipment will be maintained in good working order.▪ All construction activities will be carried out within the following hours as recommended in the <i>DECC Interim Construction Noise Guideline</i>:<ul style="list-style-type: none">○ 7:00am to 6:00pm Mondays to Fridays○ 8:00am to 6:00pm* Saturdays (*modified as site is within an isolated area)○ No work carried out on Sundays and all public holidays
11. Waste	
11.1	<p>Waste generation during demolition, construction and operation phases will be minimised and all waste will be reused, recycled or disposed of in accordance with the Waste Management Plan and best practice procedures and relevant regulations.</p>
11.2	<p>The construction contractor will provide adequate waste receptacles at all work areas and shall be responsible for the appropriate disposal of all wastes resulting from construction.</p>
11.3	<p>Littering will be avoided at all times and work sites will be kept clean and tidy.</p>
11.4	<p>Waste will be stored on site within the dedicated construction area prior to its removal and disposal offsite.</p>
12. Heritage	
12.1	<p>In the event that any archaeological material or suspected archaeological material is uncovered, work in the immediate area will cease until an appropriately qualified and experienced person can attend the site and implement relevant procedures.</p>



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

8 CONCLUSIONS

The SEE dated 18 March 2014 provides an assessment of the proposed development in relation to the applicable statutory and non-statutory planning controls, guidelines and strategies as well as any potential environmental impacts that it may have on the environment. It also incorporates measures to mitigate identified environmental impacts.

This assessment focuses only on the proposed amendments to the development proposal described in the SEE dated 18 March 2014 and in particular, focuses on works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route.

8.1 Potential Impacts

Key impacts anticipated from the proposed works (during construction and operation) are limited to tree removal, water quality, increase in filling to Webster Street and Deepwater Reserve, services relocation and works within Deepwater Reserve to accommodate repositioned public car parking.

8.1.1 Tree Removal and Biodiversity Impacts

Whilst the proposed realignment of Webster Street is able to be achieved within the existing road reserve, works associated with the upgrade of Webster Street to serve as the Site's flood evacuation route and the repositioned car parking spaces will require removal of approximately 10 trees.

A Flora Assessment – Assessment of Significance (Webster Street Upgrade) has been carried out for the vegetation along Webster Street and area of Deepwater Park immediately adjoining the road reserve.

The Assessment found that the proposed Webster Street road upgrade and repositioned car parking:

- is not likely to result in a significant impact on the Cooks River Castlereagh Ironbark intergrade with Shale Gravel Transition north and south of Webster Street in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to result in a significant impact on the Swamp Oak Floodplain Forest in the Deepwater Park locality. A Species Impact Statement is not required for this community.
- is not likely to be a significant impact on *Acacia pubescens*. A Species Impact Statement and Referral to the Commonwealth are not required for *Acacia pubescens*.

In conclusion, the amended development will not impact on any Endangered ecological communities under the NSW Threatened Species Conservation Act 1995 or listed vulnerable species.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

In relation to the area proposed for repositioned car parking, the Assessment recommends that the trees close to the existing road or in the existing carparks be retained in the proposed carparking bay, where practicable, especially:

- the two *Eucalyptus moluccana* approximately 20 m tall, located 2 m south of existing carparking bays at approximately Chainage 270 m;
- the three *Eucalyptus moluccana* approximately 20 m tall, located 5 m south of existing carparking bays at approximately Chainage 290-300 m; and
- the one *Casuarina glauca* approximately 18 m tall, located at Chainage 375 within the existing carparking bay, depending on soil level changes.

8.1.2 Water Quality Impacts

The concept design for the proposed upgrade to Webster Street includes provision for the capture of runoff from the road surface and the direction of that runoff to the existing cross-drainage structure that drains to the Georges River. This will be achieved via the existing table drain located along the northern edge of the existing roadway formation, which will be upgraded to increase bioretention capacity and facilitate improved runoff water quality.

8.1.3 Earthworks

A preliminary site grading plan has been prepared for areas of the Site where filling is proposed. This plan indicates that the proposed regrading of the car parking area will increase the general elevation of the car parking area and that a net volume of 4,500 m³ of fill will need to be imported to the site to achieve the design surface.

Works associated with the proposal to upgrade Webster Street to serve as a flood evacuation route will require the existing road pavement to be raised. The associated filling will involve the importation of an additional 3,500 m³ of fill.

8.1.4 Services Relocation

Existing infrastructure services along Webster Street will be relocated. Where possible and to minimise impacts, the existing service will be relocated within the road reserve and will be confirmed in consultation with Council.

8.1.5 Repositioned Public Car Parking within Deepwater Reserve

The existing 90 degree car parking area in Deepwater Reserve, which adjoins the southern side of Webster Street will be repositioned approximately 3-4metres to the south on primarily mown parkland and battered down into the adjoining parkland at 1(V) in 3(H). The location and design minimises impacts on the amenity of the recreational area.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

8.2 CONCLUSION

There will be no significant impacts occurring as a result of the amended development proposal in relation to flora, fauna, traffic and parking, flooding, bushfire, contamination, social, economic and other relevant matters assessed in this Addendum.

The Addendum comprehensively addresses identified environmental hazards including bushfire risk, flooding, stormwater quality and acid sulfate soils. Recommended measures have been provided to substantially improve the existing situation on the Site as well as the adjoining Council owned land.

All impacts can be managed in accordance with the mitigation measures described in this Addendum. A Construction Environmental Management Plan is proposed to be developed by the Contractor prior to commencement of any demolition and construction activities.

The conclusions of this assessment are that the proposed works:

- will facilitate the continuity of the recreational use of the site by the Deepwater Motor Boat Club as well as provide for the revitalisation of the two existing buildings on the site.
- has been assessed against and is considered to be consistent with the relevant statutory planning controls applying to the site including the:
 - Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (Deemed SEPP)
 - State Environmental Planning Policy No. 19 – Bushland in Urban Areas
 - Bankstown Local Environmental Plan 2001
- has been assessed against and is considered to be consistent with the intent of the:
 - Bankstown Development Control Plan 2005
 - NSW Floodplain Development Manual 2005
- will maintain the amenity of Deepwater Reserve for existing and future users through the repositioning of the existing public car parking.

It is recommended that the DA be approved.



DOLTONE HOUSE GROUP

REDEVELOPMENT OF THE DEEPWATER MOTOR BOAT CLUB SITE AND UPGRADE OF WEBSTER STREET, MILPERRA ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS

9 APPENDICES

Appendix 1	Revised Site Plan, Site Context Plan and Emergency Evacuation Route and Site Analysis Plan
Appendix 2	Flood Impact Assessment & Flood Emergency Response Plan (Webster Street Upgrade Alternative)
Appendix 3	Flora Assessment – Assessment of Significance (Webster Street Upgrade)
Appendix 4	Revised Traffic Concept Plan and Road Safety Audit