Australian Government
Department of the Environment and Energy

Title of Proposal - Oakdale West Estate, NSW

Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

1.1 Project Industry Type

Commercial Development

1.2 Provide a detailed description of the proposed action, including all proposed activities.

The Project seeks to facilitate the development of the Oakdale West precinct into a regional warehousing and distribution hub. Oakdale west represents the third stage of development within the broader Oakdale Estate. The Project constitutes a State Significant Development (SSD) under the NSW EP&A Act and is being assessed as a staged development under Division 2A of the EP&A Act.

The SSD Application for the Project seeks approval for:
- An overarching planning framework to guide the staged development of the Project including:
• An Indicative Master Plan and Structure Plan;
• Development Controls for the Project;
• Western North/South Link Road;
• A Biodiversity Offset Strategy.
- Stage 1 Development of the Estate including:
• A package of estate-wide site preparation works to be implemented in stages including:
- Subdivision;
- Bulk earthworks (including construction of detention basins); and
- Construction of retaining walls, road and utility infrastructure/services.
- Environmental management measures and protocols for the site.
• Development for the purposes of warehousing and distribution including:
- The construction of warehouse buildings in Precincts 1, 2, 3, 4 and 5;
- The construction of hardstand, loading, car parking and landscaping in Precincts 1, 4 and 5;
• The fit out and use of buildings in Precincts 1, 2, 3, 4 and 5 for generic warehousing and distribution uses.

An indicative layout for the Project is provided in attached Figure 1.

The main warehouse hub of the Oakdale West development is located on land owned by Goodman while the North-South link Road passes through areas that are the property of other landowners, including Fitzpatrick Investments Pty Ltd (‘the Fitzpatrick land’). As the Fitzpatrick land has previously been assessed for ecological impacts and has received approval for development subject to the creation of a conservation zone, it does not form part of the area that is subject of this referral. The area of the proposed action covered by this referral is indicated in attached Figure 2.

The Project will result in the removal of 4.93 ha of native vegetation and 111.31 ha of immature planted vegetation and exotic vegetation from the referral area. Native vegetation to be removed from the referral area includes the removal of a total 1.96 ha of the Critically Endangered Ecological Community (CEEC) Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest (as determined under the EPBC Act).

1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Indicative Development Site Boundary	1	-33.824921986176	150.79445013418
Indicative Development Site Boundary	2	-33.824957637766	150.79436430349
Indicative Development Site Boundary	3	-33.824957637766	150.79440721884
Indicative Development Site Boundary	4	-33.822854168556	150.80826887502
Indicative Development Site Boundary	5	-33.821891546745	150.80826887502
Indicative Development Site Boundary	6	-33.821855893878	150.80865511312
Indicative Development Site Boundary	7	-33.822889821008	150.80856928243
Indicative Development Site Boundary	8	-33.822390685333	150.81294664755
Indicative Development Site Boundary	9	-33.834832555673	150.80723890676
Indicative Development Site Boundary	10	-33.833050163881	150.79299101248
Indicative Development Site Boundary	11	-33.824921986176	150.79445013418

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).

The Project is located within the Oakdale West precinct of the broader Oakdale Estate as well as lands to the north of the Oakdale Estate, which are collectively located within the Western Sydney Employment Area as identified under the NSW State Environmental Planning Policy

(Western Sydney Employment Area) 2009 (WSEA SEPP). The project is located within Penrith Local Government Area (LGA) and the nearest town centres are Erskine Park and Horsley Park which are both approximately 6 km west and east respectively from the Project. The Project is currently accessed via Bakers Lane and is proposed to be accessed via the North-South Link Road (the 'Link Road') that is a part of the SSD application for the Project. Parts of the Link Road located on Fitzpatrick land do not form part of this referral as the land has already received approval for development.

1.6 What is the size of the development footprint or work area?

Approximately 118.78 ha

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title. Lot 11 DP1178389 (main site); Lot 3 DP85393, Lot 2 DP84578, Lot 6 DP229784 (Link road)

1.8 Primary Jurisdiction.

New South Wales

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

No

1.10 Is the proposed action subject to local government planning approval?

No

1.11 Provide an estimated start and estimated end date for the proposed action.

Start date 01/2018

End date 01/2028

1.12 Provide details of the context, planning framework and State and/or Local government requirements.

The applicant is seeking SSD Consent under Division 4.1 of Part 4 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The Project is to be a staged development made under Clause 83B, Division 2A of Part 4 of the EP&A Act. A SSD can be declared under the *State Environmental Planning Policy (State and Regional Development) 2011* or by the Minister for Planning.

The Development Application submitted for the SSD must be accompanied by an Environmental Impact Statement (EIS), which is to be prepared in accordance with the Secretary's Environmental Assessment Requirements (SEARs). Approval will be considered against the following legislation:

- Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);

- Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy;

- NSW *Environmental Planning and Assessment Act 1979* (EP&A Act);

- NSW Threatened Species Conservation Act 1995 (TSC Act);

- NSW Fisheries Management Act 1994 (FM Act); and

- State Environmental Planning Policy (Western Sydney Employment Area) 2009.

As the Project comprises a State Significant Development (SSD), the ecological assessment has been conducted in accordance with the requirements of the *NSW Biodiversity Offsets Policy for Major Projects* and associated Framework for Biodiversity Assessment (FBA).

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders.

During the preparation of the EIS, Goodman have consulted with relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. This includes, but is not limited to:

- Penrith City Council;

- Fairfield City Council;

- Blacktown City Council;

- NSW Roads and Maritime Services;

- NSW Department of Primary Industries;

- NSW Environment Protection Authority;

- NSW Office of Environment and Heritage;

- Rural Fire Service;

- Water NSW;

- Sydney Water;

- TransGrid;

- Endeavour Energy;

- AGL; and

- surrounding landowners/occupiers affected by the proposal, including but not limited to Fitzpatrick Investments Pty Ltd.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.

The proposed action will be subject to an EIS under NSW legislation. The SEARs for the Project were issued by the NSW Department of Planning and Environment (DP&E) on November 2015. Technical fields addressed in the EIS include, but are not limited to:

• Ecology;

• Aboriginal Archaeology and Cultural Heritage;

• Non-Aboriginal Heritage;

• Surface Water (including flooding and water balance);

• Groundwater;

• Air Quality;

• Noise;

• Traffic and Transport;

• Visual and lighting;

• Social; and

• Economics;

The specific provisions of the SEARs relevant to Ecology are reproduced below:

The EIS must address the following specific matters that relate to the Masterplan and Stage 1 works:

Flora and fauna – including: details of the quantity and type of any vegetation to be cleared; an assessment of impacts (direct or indirect) on threatened species, populations, ecological communities (including groundwater dependant ecosystems) and their habitat, critical habitat (including riparian habitat) and native vegetation in accordance with the Framework for Biodiversity Assessment (Oct 2014); and proposed measures to avoid, mitigate or offset any significant impacts in accordance with the draft Biodiversity Offset Policy for Major Projects.

An assessment of the quantum and type of impacts resulting from the Project on biodiversity values has been conducted in accordance with the requirements of the NSW Biodiversity Offsets Policy for Major Projects 2014 and NSW Framework for Biodiversity Assessment 2014. Measures to avoid and mitigate impacts are presented in the requisite form of a Biodiversity Assessment Report (BAR) for the project. A separate Biodiversity Offset Strategy (BOS) addresses the offset measures that have been prepared for the Project. The BAR and BOS form part of the EIS documentation for this Project.

1.15 Is this action part of a staged development (or a component of a larger project)?

Yes

1.15.1 Provide information about the larger action and details of any interdependency between the stages/components and the larger action.

Goodman are seeking approval for bulk earthworks and infrastructure across the entire Oakdale West Estate, and construction approval for Stage 1. Stage 1 includes the construction of three (3) warehouses currently known as warehouses 1A, 1B, 1C. The development of the remainder of the masterplan will occur subsequently dependant on demand and market forces.

1.16 Is the proposed action related to other actions or proposals in the region?

Yes

1.16.1 Identify the nature/scope and location of the related action (Including under the relevant legislation).

The proposed Oakdale West Estate forms one of four stages of the overall Oakdale Estate industrial precinct, located within the Penrith LGA. The overall Oakdale Estate industrial precinct is located within the Western Sydney Employment Area as identified under the NSW *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. To date the two stages known as Oakdale Central (to the east of the proposed action), and Oakdale South (to the south of the proposed action) are being assessed as State Significant Developments under relevant NSW legislation.

The SEARs for Oakdale South were issued by the NSW Department of Planning on 22/04/2015 and the EIS for Oakdale South was exhibited from 11/11/2015 – 07/02/2016. The ecological assessment for Oakdale South was prepared in accordance with the requirements of the NSW

Framework for Biodiversity Assessment 2014 and included the preparation of a BAR and BOS. This project received conditions of approval from the NSW Department of Planning on 26 October 2016. A subsequent modification applications was lodged for Oakdale South with the Department Of Planning. The modification (SSD 6917 MOD 1) was exhibited from 24/11/2016 - 9/12/2016, and approved on 21/04/2017. No Matters of National Environmental Significance (MNES) were identified within the Oakdale South project and therefore no referral was submitted for this project.

The Director-General's Requirements (DGRs) for Oakdale Central were issued by the NSW Department of Planning on 04/10/2010 and the EIS for Oakdale Central was exhibited from 14/11/2013 – 16/12/2013. Approval was given 18/03/2015. Seven subsequent modification applications were lodged for Oakdale Central with the Department Of Planning, with the final application (SSD 6079 MOD 7) exhibited from 09/09/2016 - 10/10/2016, and approved on 14/11/2016. No ecological assessment was required by the SEARs for Oakdale Central. No Matters of National Environmental Significance (MNES) were identified within the Oakdale Central project and therefore no referral was submitted for this project.

Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The interactive map tool can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

• Profiles of relevant species/communities (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;

• Significant Impact Guidelines 1.1 – Matters of National Environmental Significance;

• Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies.

2.1 Is the proposed action likely to impact on the values of any World Heritage properties?

No

2.2 Is the proposed action likely to impact on the values of any National Heritage places?

No

2.3 Is the proposed action likely to impact on the ecological character of a Ramsar wetland?

No

2.4 Is the proposed action likely to impact on the members of any listed threatened species (except a conservation dependent species) or any threatened ecological community, or their habitat?

Yes

2.4.1 Impact table

Species	Impact
Cumberland Plain Shale Woodlands and Shale-	Removal of 1.96 ha of EPBC Act listed CPW in

Species	Impact
Gravel Transition Forest (CPW)	the form of multiple discrete patches from the referral area.

2.4.2 Do you consider this impact to be significant?

No

2.5 Is the proposed action likely to impact on the members of any listed migratory species, or their habitat?

No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

No

2.7 Is the proposed action likely to impact on any part of the environment in the Commonwealth land?

No

2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

No

2.9 Will there be any impact on a water resource related to coal / gas / mining?

No

2.10 Is the proposed action a nuclear action?

No

2.11 Is the proposed action to be taken by the Commonwealth agency?

No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?

No

2.13 Is the proposed action likely to impact on any part of the environment in the Commonwealth marine area?

No

Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

3.1 Describe the flora and fauna relevant to the project area.

Cumberland Ecology conducted surveys of the vegetation within the development site and adjoining land 12 October 2015, 15 – 20 October 2015 and 8 April 2016. Surveys included vegetation mapping, biobanking quadrats, habitat assessments and targeted threatened species surveys.

Targeted threatened flora searches were undertaken via random meanders during field surveys within areas of vegetation suitable for supporting threatened species found in the locality. A total of 14 person hours were spent traversing the referral area.

Targeted Fauna surveys included: Amphibian surveys, Diurnal bird surveys and Spotlighting/call playback surveys for Koala.

Flora

The development site is approximately 118.76 ha in size, which includes 4.93 ha of native vegetation and 113.83 ha of planted vegetation, exotic grassland and cleared land. The extent of native vegetation within the development site is shown in attached Figure 3. The impacted areas of Cumberland Plain Woodland that conform to the definition of the MNES under the EPBC Act are shown in Figure 4.

This extent has been determined through aerial photograph interpretation and field surveys. It is considered that there are no significant differences between the mapped vegetation extent and aerial imagery utilised by this assessment. The remaining areas of the development site comprise cleared land, which include exotic grassland and dams.

Fauna

The majority of the development site is highly disturbed by activities associated with cattle grazing and forms mostly degraded and unsuitable habitat for many native fauna species. At the time of survey 95% of the development site was exotic grassland.

The intact woodland areas on the western edge of the development site contain mostly immature trees with some large mature trees scattered through the vegetation communities. The mid-storey and ground layer has been heavily grazed by cattle and Eastern Grey Kangaroos (*Macropus giganteus*). The majority of bird species were found in this habitat type. A greater diversity would be expected if this zone was wider and structurally more complex.

Some regeneration is taking place in remnant patches of woodland and some areas also have a developing shrub layer of *Bursaria spinosa* (Blackthorn).

The majority of trees within the development site are young and do not contain hollows; however, several old trees have been retained within paddocks and several stags also occur on site. The hollows of two of these stags were observed to be used by Red-rumped Parrots (*Psephotus haematonotus*) which would preclude them being used by any of the other threatened bird species recorded in the locality as roosting/nesting habitat.

No 'camps' or other roosting habitat is available for the Grey-headed Flying-fox (*Pteropus poliocephalus*) on or near the development site and there is little suitable habitat present to support roosting or breeding microbat species.

Foraging habitat does occur within the woodland remnants on the development - six native tree species were identified that produce blossoms and nectar.

On the edges of these woodland areas are two small farm dams that have been eroded by cattle but do provide some habitat for wetland birds and frogs. In addition, two large dams and one smaller dam are present within the paddocks which also provide habitat for invertebrates, fish species, amphibians, reptiles and wetland birds. Some suitable habitat for Green and Golden Bell Frog occurs on the study area in and around un-shaded dams, particularly in areas containing reeds, bulrushes (*Typha* spp.) or spike rushes (*Eleocharis* spp.).

Grassland habitats comprise the majority of the available habitat at the development site. Grassland habitats are devoid of logs, rocks, caves and outcrops, and are more suited to grazing macropods and introduced herbivores. Grassland habitat across the development site is relatively uniform with no features such as burrows observed during site inspections.

Threatened Species

The attached Table 1 details the likelihood of occurrence of threatened species recorded and/or predicted to occur within a 10km buffer of the project and whether the species was determined to require additional survey to confirm likely absence from the development site. No MNES threatened flora or fauna species were observed or are considered likely to be impacted by the Project.

3.2 Describe the hydrology relevant to the project area (including water flows).

The development site occurs within the Hawkesbury-Nepean Catchment. The development site occurs at the headwaters of the alluvial plain and is bisected by a number of depressions that drain into Ropes Creek, a third order stream, which flows into South/Wianamatta Creek approximately 13 km north of the development site. The drainage system within the development site is in relatively poor condition, due to erosion and trampling by cattle.

3.3 Describe the soil and vegetation characteristics relevant to the project area.

Geology and Soils

Underlying geology of the site is best described as an alluvial plain with high clay content on shaly soils. The soil landscape is described as Cumberland Plain which is present on low rolling hills and valleys in a rain shadow area between the Blue Mountains and the coast on horizontal Triassic shales and lithic sandstones forming a down-warped block on the coastal side of the Lapstone monocline.

Vegetation

Native vegetation comprises approximately 5% of the vegetated cover of the development site. The majority of the development site is cleared for agriculture and is dominated by exotic pasture grasses. Native vegetation within the development site is primarily limited to small remnant patches and sparsely scattered trees through the paddocks. There are also areas of regenerating woodland that connect to larger patches of woodland to the west and south of the development site. These regenerating areas largely comprise of juvenile, regenerating *E. tereticornis* but the understorey in these patches is largely absent due to heavy grazing by cattle and Eastern Grey Kangaroo. The condition of vegetation across the whole development site is degraded due to persistent impacts from grazing. Even within areas of native vegetation, the ground layer is frequently dominated by exotic species, and the shrub layer is almost absent.

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area.

Outstanding natural features are confined to the Ropes Creek riparian corridor to the east of the site which forms part of the Cumberland Plain Conservation Corridor.

3.5 Describe the status of native vegetation relevant to the project area.

The native vegetation in the development site conforms to four Plant Community Types as described in the NSW Vegetation Information System Classification Database. These are:

- HN526 Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin;- HN528 Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin;- HN529 Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion; and- HN594 Swamp Oak swamp forest fringing estuaries, Sydney Basin Bioregion and South East Corner Bioregion.

HN526 conforms to the definition of the TSC Act listed EEC River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions while HN594 conforms to the definition of the TSC Act listed EEC Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (Figure 3).

HN528 and HN529 conform to the definition of the Shale Plains and Shale Hills forms to the CEEC Cumberland Plain Woodland as described under the TSC Act (Figure 3). Parts of the HN528 and HN529 communities also conform to CPW as described under the EPBC Act (Figure 4). No other EPBC Act listed TECs were recorded within the Referral Area and none are considered likely to occur.

Remnant vegetation is confined to fragmented and isolated pockets of Cumberland Plain Woodland, Riverflat Eucalypt Forest and Swamp Oak Forest that are scattered across the grazing paddocks. More intact areas of remnant native vegetation can be found on the western and southern boundaries of the lot and are largely excluded from impact of the Project.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

Landform at the development site is relatively uniform, with undulating rises and alluvial flats bisected by narrow, ridge running from the south west to the north east of the development site. The topography does not have any large variances like mountains or cliff lines, with high elevations within the development site of 88m above sea level and the lowest point of the development site being approximately 50m above sea level.

3.7 Describe the current condition of the environment relevant to the project area.

The majority of the development site is highly disturbed by activities associated with cattle grazing and forms mostly degraded and unsuitable habitat for many native fauna species. At the time of survey approximately 95% of the development site was exotic grassland/grazing pasture and contained a number of weed and feral animal species including European Red Fox and European Rabbit.

3.8 Describe any Commonwealth Heritage Places or other places recognised as having heritage values relevant to the project area.

Artefact Heritage was engaged to prepare a non-Aboriginal Heritage Assessment for the proposed development.

The non-Aboriginal Heritage assessment determined that the majority of the study area has no listed or unlisted heritage items and has nil-low potential for archaeological remains. A single potential archaeological site—the ‘collapsed cottage site’ is located in the south-west of the study area. This site has moderate potential to contain locally significant archaeological relics associated with the cottage and outbuildings potentially dating from the early-mid 19th century.

The proposed works would result in the complete removal of any archaeology within this site. This impact would be mitigated by a program of archaeological investigation. As the proposed action is classified as a SSD it is not necessary to acquire approvals under the Heritage Act to impact the archaeological relics. However, the archaeological investigation must be undertaken

in accordance with the NSW Heritage Division guidelines, standards and requirements for historical archaeological excavations

The impacts to the collapsed cottage archaeological site are to be mitigated by a program of archaeological investigation and recording as described in the Archaeological Research Design (section 7.0). This includes:

- Monitoring the removal of the remaining structure of the cottage;- Test excavation within the defined curtilage to determine the presence, or absence, of archaeological relics, define the extent of the remains and refine the assessment of significance;- Salvage excavation based on the results of the monitoring and test excavation; and- Analysis and preparation of a final archaeological investigation report.

An unexpected finds policy is recommended to be implemented during excavation for the areas of the site identified as having nil-low archaeological potential. This includes:

- Stop work, protect item and inform environment staff

- Contact an archaeological consultant to provide an assessment of the find

- Preliminary assessment and recording of the find by the archaeologist. Following the production of the document some, or all works, may be able to proceed

- Notify the regulator, if required

- Implement any archaeological mitigation recommended by the archaeologist

- Resume work

3.9 Describe any Indigenous heritage values relevant to the project area.

Artefact Heritage was engaged to prepare an Archaeological Survey Report (ASR) for the proposed action to identify any Aboriginal sites which may be present within the study area and assess the potential for as yet unidentified Aboriginal archaeology to be present within the study area. The current ASR by Artefact considered a prior Aboriginal Heritage Assessment conducted in 2007 by GML which concluded that there was potential for further intact cultural material to be located within surface and subsurface contexts along land bordering Ropes Creek and an Aboriginal archaeological sensitivity map was developed, based on proximity to Ropes Creek and its tributaries.

Based on the Aboriginal Heritage Information Management System (AHIMS) data, previously recorded sites EV1 and EV4 appeared to be located within the study area. However, the original recording of these sites (AHIMS 2005) indicates that the sites were located to the west, within the adjacent property. This error is consistent with the datum error that occurs between AGD and GDA coordinates. The archaeological survey by Artefact confirmed that EV1 and EV 4 are located outside the study area.

Five new Aboriginal sites were identified during the current ASR: OW AS 1 (#45-5-4672), OW AS 2 (#45-5-4674), OW IF 1 (#45-5-4673), OW IF 2 (#45-5-4675) and OW IF 3 (#45-5-4676). Three previously recorded AHIMS sites are also located within the study area: Oakdale Campsite 1 (#45-5-3382), Oakdale Campsite 3 (#45-5-3384) and Oakdale Campsite 4 (#45-5-3385).

An area of archaeological sensitivity along Ropes Creek and the tops of the ridgelines to the west of the watercourse was identified. This area includes Aboriginal sites Oakdale Campsite 1 (#45-5-3382), Oakdale Campsite 3 (#45-5-3384), Oakdale Campsite 4 (#45-5-3385), OW AS 1 (#45-5-4672), OW AS 2 (#45-5-4674), OW IF 1 (#45-5-4673) and OW IF 2 (#45-5-4675).

Site OW IF 3 (#45-5-4676) is located outside of the area of archaeological sensitivity. This site is considered to be of low archaeological significance.

The ASR concluded that:

- Aboriginal sites Oakdale Campsite 1 (#45-5-3382), Oakdale Campsite 3 (#45-5-3384), OW AS 1 (#45-5-4672), and OW AS 2 (#45-5-4674) will not be impacted by the proposed development, therefore no further archaeological investigation is required.

- The concept design indicates that some areas of archaeological sensitivity will be impacted including Aboriginal sites Oakdale Campsite 4 (#45-5-3385) and OW IF 2 (#45-5-4675).

- Test excavation should be conducted under the Code of Practice within the area of archaeological sensitivity that will be impacted by the proposal. The test excavation methodology will investigate the potential for subsurface cultural material within this area. Test excavation will determine the extent and archaeological significance of any identified cultural material and inform recommendations for further management or mitigation measures. A methodology for test excavation would be developed in consultation with the registered Aboriginal stakeholders.

- The results of the test excavation would be discussed in a test excavation report which would also recommend whether any further investigation or reporting was required.

- Aboriginal sites OW IF 3 (#45-5-4676) and EP2 (#45-5-3311) will be impacted by the proposed works. As both sites have been assessed as having low archaeological significance, no further investigation is required.

- No further investigation is required for areas of no archaeological sensitivity.

- If changes are made to the concept design that may result in further impacts to areas of archaeological sensitivity along the Ropes Creek corridor and associated ridgelines or to Aboriginal sites located outside the current area of impacts further archaeological assessment would be required.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the

project area.

Freehold

3.11 Describe any existing or any proposed uses relevant to the project area.

The development site has previously been utilised for the purpose of cattle grazing. This land use has resulted in the majority of the development site being extensively cleared of vegetation which has resulted in a significant loss of flora and fauna habitats. Land surrounding the development site has also historically been utilised for agricultural purposes.

The development site and adjoining land is zoned IN1 – General Industrial and E2 – Environmental Conservation under the WSEA SEPP. The objective of the IN1 - General Industrial zoning is to facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space. The objectives of E2 – Environmental Conservation are to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values; and to prevent development that could destroy, damage or otherwise have an adverse effect on those values.

Two converging power easements meet in the south east of the development site and run through the eastern portion of the lot and Sydney Water Mains Pipelines run immediately to the north of the development site. Other nearby land uses includes industrial buildings within Oakdale Central, brick and roofing quarry and rural living.

Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.

The selection of a suitable development site for this Project was informed by knowledge of biodiversity values. In addition to the current study, there have been desktop assessments and onsite assessments of biodiversity values, which include studies of both the study area (Oakdale West Estate), as well as other studies of biodiversity within the locality.

The ecological report concluded that no MNES flora or fauna species are considered to occur within or rely on the development site and, as such, there is no potential for significant impact on threatened species.

A total of 1.96 ha of the MNES vegetation community Cumberland Plain Woodland (0.89 of HN528 and 1.07 of HN29) will be unavoidably removed. However, much of this community is highly fragmented with a largely absent native understorey and, as such, is considered unlikely to be viable in the long term.

Any potential for off-site impacts on MNES will be avoided or minimised through appropriate management and mitigation measures as detailed in the attached Table 2.

The proponent will implement reasonable measures to avoid and minimise any impacts that may occur during the operational phase of the proposed development, that are additional to the impacts which occurred during the site selection and planning phases.

As part of the proposed development an Environmental Management Plan will be created in order to guide all facets of biodiversity management and mitigation for the proposed development and will detail the ecological management requirements for the following:

- Vegetation pre-clearance and clearance supervision;

- Dam and creek dewatering;

- Rehabilitation and habitat restoration; and

- Weed management.

Minimising Impacts During Construction Phase

Considerations have been given to minimising impacts during the construction phase. Considerations to minimise impacts to biodiversity at the development site includes:

- Method of clearing;- Clearing operations protocols;- Timing of construction; and- Other measures that minimise inadvertent impacts of the proposed development on the biodiversity values indirect impacts during the construction phase.

In addition to measures proposed above to minimise direct impacts to biodiversity, the measures, outlined in the attached Table 3 are proposed to minimise indirect impacts during the construction phase while those in Table 4 are proposed to minimise indirect impacts during the operational phase

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved.

The proponent of the Project proposes to acquire offsets in the form of BioBanking Credits commensurate to the exact credit requirement prescribed by the NSW BioBanking Credit Calculator through the establishment of an onsite biodiversity offset area. The proposed onsite biodiversity area fully covers the credits requirement for both forms of Cumberland Plain Woodland (HN528 and HN529). A summary of the credit requirement for the development site and credits generated at the proposed onsite biodiversity area for HN528 and HN529 is provided in the attached Table 5

Section 5 – Conclusion on the likelihood of significant impacts

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

No

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

5.1.9 A water resource, in relation to coal/gas/mining

No

5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.

MNES Assessed

Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest – listed as a Critically Endangered Ecological Community (CEEC) under the EPBC Act

Area required for removal is small and has low viability:

The occurrence of the EPBC Act listed CEEC within the development site is a small area (1.96 ha) of a regrowth form of the community that is fragmented across the development site and is only present in small, isolated stands. Cumberland Plain Woodland has previously been substantially cleared and or modified within the development site and adjoining land. The Project will remove all 1.96ha of the EPBC Act listed CEEC from the development site.

Proposed action is unlikely to have a significant indirect impact on other areas of CEEC

The Project will not affect the CEEC within the development site through introduction of invasive flora and fauna species, as the entire extent of the CEEC within the development site will be removed. The Project will not affect the CEEC beyond the development site as it will not affect fire/flooding regimes. The development site is not located within or nearby any National Parks or Priority Conservation Areas identified as important areas for the CEEC. The Project will not affect abiotic factors critical to the long term survival of the CEEC beyond the development site. Impacts of the Project such as groundwater or substantial alterations to surface water patterns will be confined to the development site.

Compensation Measures:

Should the Project receive approval, the proponent of the Project proposes to acquire offsets in the form of BioBanking Credits commensurate to the exact credit requirement prescribed by the NSW BioBanking Credit Calculator. These credits will be generated within an onsite Biodiversity area that will be conserved in perpetuity under a Biobanking Agreement. As a result, this creates a long term positive environmental outcome for Cumberland Plain Woodland CEEC in

the area.

Section 6 – Environmental record of the person proposing to take the action

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.

Goodman Property Services (Aust) Pty Ltd is a real estate agency specialising in commercial property that owns, develops and manages high quality industrial and business space across Australia. Despite this, it has had no environmental incidents and has a broad and system to reduce its impact on the environment.

Operational Environmental Management Plans have been prepared and approved by the Department of Planning and other relevant agencies for all major Goodman development projects. These management plans set the parameters for environmental protection and maintenance and include measures for water, noise, waste, landscape, air quality and energy efficiency maintenance. Goodman maintains reputable record of environmental management

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.

Not applicable

6.3 Will the action be taken in accordance with the corporation's environmental policy and planning framework?

Yes

6.3.1 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework.

Goodman’s Australian operations have systems and processes in place to manage key environmental risks across its operations. Key risks include aspects such as management of hazardous materials, protection of stormwater, management of fuel tanks, and protection of flora and fauna, particularly areas of environmental significance or conservation zones.

Identification and management of key risks is an important part Goodman's approach to environmental management. This includes management processes such as due diligence procedures for new acquisitions, development estate planning, risk assessments and hazardous material assessments.

Goodman maintains a database of relevant environmental reports for our Estates and Business Parks, which includes hazardous materials reports or site specific management plans. Goodman's Environmental Committee undertakes quarterly meetings to discuss the status of related projects, key risks, due diligence and remediation projects.

Goodman will implement an Operational Environment Management Plan to manage the following:

- Control of noise and air emissions;- Biodiversity and vegetation management;- Management of water and waste;- Emergency procedures and protocols;- Engagement with adjoining landowners;- Sustainability and energy efficiency;- Compliance and approvals; and- Environmental management and reporting

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

No

Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Cumberland Ecology (2017). Oakdale West Estate SSDA Biodiversity Assessment Report Cumberland Ecology Pty Ltd, Carlingford Court. Cumberland Ecology (2017). Oakdale West Estate SSDA Biodiversity Offset Strategy. Cumberland Ecology Pty Ltd, Carlingford Court	Reliable	No uncertainties
Artefact Heritage (2017). Oakdale West Estate: Aboriginal Archaeological Survey Report. Artefact Heritage, Pyrmont NSW. Artefact Heritage (2017). Oakdale West Estate: Non - Aboriginal (Historical) Heritage Assessment and Historical Archaeological Research Design. Artefact Heritage, Pyrmont NSW.	Reliable	No uncertainties

Section 8 – Proposed alternatives

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

8.0 Provide a description of the feasible alternative?

Not applicable as no feasible alternatives were considered

8.1 Select the relevant alternatives related to your proposed action.

8.27 Do you have another alternative?

No

Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

9.0 Is the person proposing to take the action an Organisation or an Individual?

Organisation

9.2 Organisation

9.2.1 Job Title

Development Manager, Goodman.

9.2.2 First Name

Richard

9.2.3 Last Name

Seddon

9.2.4 E-mail

Richard.seddon@goodman.com

9.2.5 Postal Address

Level 17, 60 Castlereagh Street,
Sydney NSW 2000
Australia

9.2.6 ABN/ACN

ABN

40088981793 - GOODMAN PROPERTY SERVICES (AUST) PTY LIMITED

9.2.7 Organisation Telephone

(02) 9230 7297

9.2.8 Organisation E-mail

info-au@goodman.com

9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Not applicable

Small Business Declaration

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date: .....

9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations

No

9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made

Person proposing the action - Declaration

I, RICHARD SEAMAN, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature:..... Date: 16.5.17

I, RICHARD SEAMAN, the person proposing the action, consent to the designation of OAKDALE WEST as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:..... Date: 16.5.17

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Organisation

9.5 Organisation

9.5.1 Job Title

Development Manager, Goodman.

9.5.2 First Name

Richard

9.5.3 Last Name

Seddon

9.5.4 E-mail

Richard.seddon@goodman.com

9.5.5 Postal Address

Level 17, 60 Castlereagh Street
Sydney NSW 2000
Australia

9.5.6 ABN/ACN

ABN

40088981793 - GOODMAN PROPERTY SERVICES (AUST) PTY LIMITED

9.5.7 Organisation Telephone

(02) 9230 7297

9.5.8 Organisation E-mail

info-au@goodman.com

Proposed designated proponent - Declaration

I, _____, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Australian Government
Department of the Environment and Energy

Signature: ..... Date: 16.5.17

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Senior Project Manager/Ecologist

9.8.2 First Name

Gitanjali

9.8.3 Last Name

Katrak

9.8.4 E-mail

gitanjali.katrak@cumberlandecology.com.au

9.8.5 Postal Address

PO Box 2474
Carlingford Court NSW 2118
Australia

9.8.6 ABN/ACN

ABN

14106144647 - CUMBERLAND ECOLOGY PTY LTD

9.8.7 Organisation Telephone

(02) 98681933

9.8.8 Organisation E-mail

contact@cumberlandecology.com.au

Referring Party - Declaration

I, Gitanjali Kattak, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: G Kattak Date: 26/5/2017

Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

1. figure_1._indicative_project_layout.pdf
2. figure_2._referral_area.pdf
3. figure_3._vegetation_referral_area.pdf
4. figure_4._impacts_to_mnes.pdf
5. table_1_-_threatened_species_likelihood.pdf
6. table_2-4-_avoidance_and_mitigation_measures.pdf
7. table_5_-_cpw_credit_balance.pdf