



Office of
Environment
& Heritage

Your reference: MP10_0076 MOD3
Our reference: DOC14/46334
Contact: Rachel Lonie, 99956837

Ms Fiona Gibson
Industry, Key Sites and Social Projects
Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Ms Gibson

I refer to your email correspondence received 26 March 2014 by the Office of Environment and Heritage (OEH) requesting comment on further additional information in support of a Concept Plan Modification for the Kirrawee Brick Pit site, Princes Highway Kirrawee (MP10_0076 MOD 3).

OEH has reviewed the additional information, in particular the report by Cumberland Ecology titled '*Appendix A Assessment of Proposed Amended Concept Plan*' provided as an Attachment to a letter signed by Tim Playford and dated 20 March 2014. Comments are provided in Attachment 1.

If you require further details or clarification on any matters raised in this response please contact Rachel Lonie on 9995 6837 or by email at rachel.lonie@environment.nsw.gov.au.

Yours sincerely

S. Harrison 11/04/14

SUSAN HARRISON
Senior Team Leader
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ATTACHMENT 1. OEH comment on further additional information in support of a Concept Plan Modification for the Kirrawee Brick Pit site, Princes Highway Kirrawee (MP10_0076 MOD 3).

The report by Cumberland Ecology titled 'Appendix A Assessment of Proposed Amended Concept Plan' provided as an Attachment to a letter signed by Tim Playford and dated 20 March 2014 provides a map identifying areas of Sydney Turpentine Ironbark Forest (STIF) that were to be retained as approved previously and as now proposed.

This is however at variance with the ecological assessment that supported the Concept Plan approval as well as the final approved plans. The original STIF mapping by Cumberland Ecology as identified in the Biodiversity Management Plan is presented below. The areas of STIF were identified as *retained STIF on original soil*, *retained STIF regenerating on quarry walls* and *cleared STIF regenerating on quarry walls*.



The final Biodiversity Management Plan by Cumberland Ecology (Appendix 7 of the Preferred Project Report dated November 2011) stated that the "total area of STIF to be removed, based on the agreed landscape plan (Figure 1.3), as part of the proposed action and as agreed by Council, is 0.28 ha (2,792 m²) and the total area to be retained is 0.20 ha (1,973 m²)". The information on the extent of cleared and retained STIF was summarised in the following way:

Vegetation category	Current extent (m ²)	Extent to be cleared (m ²)	Extent to be retained (m ²)
STIF on original soil	3010.81	1038.1	1972.80
STIF regenerating on quarry walls	1264.74	0	1264.74
STIF trees with exotic dominated understorey	489.97	255.06	234.92
Exotic shrubs and understorey	427.08	304.17	122.92
Totals	5192.61	1597.24	3595.38
Total STIF	4765.52	1293.07	3472.46

The stamped plans for the Concept Plan show the area of retained existing STIF (both on original soil and regenerating on quarry walls) as being 3820 m² in area. It is therefore questioned how the consultant can now claim that the approved Concept Plan removed 3296 m² of STIF.

Areas identified as '*other potential STIF within the park*' are also not consistent with the previous ecological assessment of where STIF occurred. The area to the east of the site labelled '*STIF to eastern boundary*' was never identified as an area of STIF vegetation. In the approved Concept Plan this area was already identified to be an 8 metre wide landscaped edge. These additional areas appear to be now promoted in order to support the consultant's claim that there will be negligible difference between the Concept Plan approval and the proposed s.75W modification (MOD 3). OEH disputes this finding.

As noted in previous comments the Land and Environment Court determination for an earlier development noted the potential conflict for the park having an ecological versus recreational role. The current proposal appears to substantially diminish the ecological features that were agreed to in the previous Concept Plan approval process.

The proposed modification involves locating the children's playground in the south east corner of the site. This will result in the direct removal of more STIF than was previously allowed for in the Concept Plan. A playground was originally to be located in a public open space area within the development area and near retail / food/ kiosk areas which would be a better location both for public amenity but also for protection of the STIF area.

The proposed modification also reduces landscape areas within the overall scheme and removes the series of water bodies (or one large water body as shown in different approved plans). This series of ponds was originally intended to provide water quality treatment for the larger water body as well as provide public amenity.

Although the water body is nominated as being 40m x 20m in size the boardwalk through the water body is longer than in the approved Concept Plan and there are more perimeter boardwalks. The perimeter planting is also depicted as being substantially reduced. In the approved landscape plan the water feature was almost entirely landscaped around the edge. Use of this walkway as, for example a jogging track at night time, may reduce the value that this was originally intended to retain, i.e. habitat for microbats and the Grey headed Flying Fox. Reduced fringing vegetation also diminishes the value of this water feature for other native species. OEH considers these changes reduce the ecological value of the water body.

In addition, the current proposal has three access points into the STIF area from Oak Road North rather than one only in the south east corner. The approved landscape plan (Figure 1.3 as referred to in the Biodiversity Management Plan) did not include substantial pathways through the STIF area. As a result the STIF areas are reduced in size and more fragmented.

OEH therefore does not consider the additional information provided addresses the previous concerns raised in regard to this modification. OEH does not consider that the proposal in its current form retains the important ecological features that were part of the original Concept Plan approval. For these reasons OEH does not support the proposed modification application.

