



Office of
Environment
& Heritage

Your reference: MP10_0076 MOD 3
Our reference: DOC14/139795
Contact: Rachel Lonie, 99956837

Ms Amy Watson
Key Sites and Social Projects
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Mark Brown

Dear Ms Watson

I refer to your correspondence received 23 July 2014 by the Office of Environment and Heritage (OEH) requesting comment on the re-exhibition of the Concept Plan Modification for the Kirrawee Brick Pit site, Princes Highway, Kirrawee (MP10_0076 MOD 3).

OEH has reviewed the exhibited information and 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 18/08/14

SUSAN HARRISON
Senior Team Leader
Greater Sydney
Regional Operations

ATTACHMENT 1. OEH comment on re-exhibition of the Concept Plan Modification for the Kirrawee Brick Pit site, Princes Highway, Kirrawee (MP10_0076 MOD 3).

The Office of Environment and Heritage's (OEH) main concerns in regard to this proposal have been:

- retention of the endangered ecological community (EEC) Sydney Turpentine Ironbark Forest vegetation; and
- provision of an adequate water body as habitat for microbats and the Grey-headed Flying Fox.

These matters are addressed below.

1.1 Sydney Turpentine Ironbark Forest (STIF)

OEH notes that the re-exhibited Concept Plan Modification relocates the children's playground out of the area of retained STIF, removes all boardwalks from the edge of the waterbody and removes the pathways and access points into the STIF area from Oak Road North.

The report states that the indicative landscape plan adopts the same approach as the approved landscape plan and has no intrusions into the existing STIF and ensures that greater than 1,973 square metres will be retained on the site. The *STIF Impacts Comparison Plan* (dated July 2014) is however at variance with the approved Concept Plan in terms of retained STIF on original soil area, STIF to be reinstated and the compensatory STIF bushland off-site offsets.

Areas mapped in the *STIF Impacts Comparison Plan* in red and orange are labelled 'STIF to be retained' and 'STIF to be reinstated' respectively. Differences to the original mapping are that the red is larger than the area originally mapped as 'STIF on original soil' and the area mapped in orange is now less than half the original 'retained STIF regenerating on quarry walls'. There appears to be no justification for reducing the northern section of the area on the quarry wall from the retained STIF area, although OEH notes that the Schematic Water Management Diagram shows that the constructed wetland cell/swale treatments extend into this area.

OEH considers that the areas identified to be retained both on the original soil and regenerating on the quarry walls should not be reduced in size. Retaining STIF vegetation around the waterbody was originally intended to provide habitat for the Grey-headed Flying Fox (GHFF). The *Addendum to the Biodiversity Management Plan* for the MOD 2 (approved 16 May 2014) states in Section 2.2 (iv)(iii) that the pond must be located adjacent to suitable roosting habitat for GHFF.

OEH does not consider the indicative landscape plan clearly provides a plan for STIF vegetation to be retained, protected and reinstated as originally proposed. Inconsistencies in the information presented and the lack of detail does not provide assurance that this will be the case. For example, in the photomontage 1 - *Near Oak Road and Flora Street* it appears that the retained STIF area is largely grassland. The photomontage 3 - *New Park and Lake* shows that STIF area to be reinstated on regraded batters is largely boulders and grassland/shrubs rather than a reinstated full ecosystem with canopy and mid storey species. This is reinforced through information presented in the section AA that shows only grasslands in this zone.

The area mapped in yellow and identified as '*STIF to Eastern Boundary*' is a landscape area only already identified in the approved Concept Plan as an 8 metre wide landscaped edge. OEH considers this additional area cannot be considered to be STIF as the area has not been identified as STIF habitat and is already approved as a landscaped area.

The reduction of compensatory STIF bushland to 2509m² is also not justified. The Biodiversity Offset Package was a condition of approval for the Concept Plan and provided for a minimum of 5,300m² of replacement STIF replantings at sites to be agreed upon by Council and OEH. Even on the current reassessed STIF area to be removed (i.e. 2388m² down from the Approved Concept Plan amount of 3296 m²), 4,776 m² of compensatory STIF offsets are required. OEH considers that the impacts on STIF need to be fully offset and that the eastern landscaped edge should not be used in this calculation.

2. Water Body

Although the proposed modification removes the boardwalk and pathways around the water body the amended application shows that the fringing vegetation will be impacted as a result of overshadowing from the revised heights of building A (8 stories to 13 stories). OEH considers that the proponent should demonstrate that this overshadowing will not adversely impact on the water quality in the pond and the ability for fringing vegetation to be successfully established and maintained.

