



Office of
Environment
& Heritage

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MP08_0255 MOD 2

Ms Fiona Gibson
Planner – Modification Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Gibson

Exhibition of Modification to Elf Mushroom Farm (MP08_0255 MOD 2)

I refer to your letter received 5 May 2016 by the Office of Environment and Heritage (OEH) seeking comments on the public exhibition of the modification to the Elf Mushroom Farm at 521 The Northern Road, Londonderry (MP08_0255 MOD 2).

OEH has reviewed relevant documentation for the above proposal and provides comments at Attachment 1.

If you have any queries regarding this matter please contact Marnie Stewart on 9995 6868.

Yours sincerely

S. Harrison 16/05/16

SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney Region

Contact officer: MARNIE STEWART
9995 6868

ATTACHMENT 1

Office of Environment and Heritage comments – Exhibition of Modification to Elf Mushroom Farm (MP08_0255 MOD 2) –

1. Background

OEH understands that the proposal involves a modification to the approved Elf Mushroom Farm to increase the building footprint, change the method of growing/harvesting and an associated redesign of truck access routes, water storage management (dam design and water treatment ponds), sewage treatment plant, and associated landscaping and parking areas.

2. Aboriginal Cultural Heritage

OEH has considered the development proposal and a decision has been made not to provide comments or advice on Aboriginal cultural heritage at this time. This should not be taken as OEH support for the proposal, and Aboriginal cultural heritage may still need to be considered by the relevant consent authority.

3. Biodiversity

OEH understands that the proposed development footprint is significantly larger from that approved, and that it now extends into the vegetated areas of the site to the west and south. The modification application proposes to locate part of the mushroom growing rooms, as well as Asset Protection Zones (APZs) and a 2.5m acoustic wall/mound within the vegetated part of the site.

OEH has reviewed the Flora and Fauna (F&F) report prepared by Fraser Ecological (June 2015). OEH is concerned that the report does not adequately assess the impacts of the proposal in that the F&F predates the proposed modification plans and does not address the impact of clearing associated with construction, APZs and the acoustic wall (i.e. beyond the development footprint itself).

As a result, OEH is unable to comment on the biodiversity impacts of the proposal. OEH recommends that the F&F assessment be updated to address the following:

Development Area

The F&F report was prepared prior to the preparation of the Overall Site Plan prepared by Barker Ryan Stewart and dated 24 February 2016. Therefore the F&F report could not be based on the plan provided at Appendix A of the F&F report. The report must be updated to assess the impacts of the proposal as shown in the current Overall Site Plan which has been exhibited.

Further, the report notes on page 19 that "Better quality patches of woodland occur at the rear (western portion) of the property where grazing has been activities have been prevented as result of existing fencing. These areas will be excluded from the proposed clearing activities." This statement is incorrect as the spent compost store extends beyond the existing fenceline to the west. In addition, the acoustic wall and APZs will encroach upon the vegetation to the west, although it is not clear how much will be cleared as no plan of the extent of clearing was provided as part of the exhibition materials.

Depending on the extent of clearing, it may be necessary for the consultant to review their decision not to undertake a detailed targeted fauna survey program.

Asset Protection Zones

The F&F report was prepared prior to the Bushfire Hazard Assessment Report (Bushfire report) dated September 2015 and as such does not appear to take into consideration the Bushfire report recommendation for an APZ of 24m and managed as an Inner Protection Area. The impacts of the proposed APZ must be considered when quantifying the biodiversity impacts of the proposal.

Acoustic Wall/Mound

The F&F report does not comment on the impact of the proposed acoustic wall.

Impact on Persoonia nutans

Conclusion ii on page 61 of the F&F report states that the proposal will have minimal impact on the State and Commonwealth listed endangered species *Persoonia nutans* as the five (5) plants identified are recorded outside the proposed development area. OEH assumes that these plants are the hollow circles with centre dots on the Overall Site Plan.

Given OEH's concerns as outlined above, it is unclear whether this conclusion is supportable. OEH is concerned that the proposal may result in the loss of *Persoonia nutans* for construction of the acoustic wall, as well as due to APZ management and as a result of edge effects.

It should also be noted that Conclusion i is incorrect by virtue of the presence of *Persoonia nutans* on the site, and that Castlereagh Scribbly Gum Woodland is listed as endangered under the *Environmental Protection and Biodiversity Conservation Act 1999*.

(END OF SUBMISSION)