

Mr Daniel Thompson  
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*Supplied by email*

30 January 2019

**Re: Referral to Commonwealth Minister of impacts associated with the  
Tallawarra Lands – Northern and Central Precincts**

Dear Daniel,

Thank you for the invitation to respond to comments on ecological matters for the Tallawarra Lands. Specifically, a comment queried the need to refer the project to the Commonwealth Minister for the Environment and Energy because of impacts to Illawarra and South Coast Lowland Forest and Woodland (ISCLFW), critically endangered ecological community, and Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland (CSOF), endangered ecological community. The proposal will impact 1.35 ha of ISCLFW and 0.33 ha of CSOF.

Since the listing of ISCLFW in September 2016, impacts have been referred to the Minister on three occasions:

1. Albion Park Bypass = impact = 7.22 ha
2. Residential Subdivision, Crest Rd, Albion Park: impact = 4.13 ha
3. Vehicle storage facility, Reddall's Rd, Kembla Grange = 3.82 ha

Each of these Referrals have resulted in a Controlled Action, however they are substantially larger than the impacts from this proposal. There have been no Referrals to the Minister CSOF.

The impact of the proposal on ISCLFW and CSOF have been assessed against the overall reserved and/or retained vegetation in the Mount Brown Reserve (~55 ha; 12.1 ha of ISCLFW) and the Tallawarra Lands, between the Northern and Central Precincts (18.9 ha; 3.67 ha of ISCLFW). Impacts to CSOF are considered negligible when compared to the amount within 5 km (~113 ha), much of which is retained on public lands along the Lake Illawarra foreshore (see **Figure 1**).

It is noted that there is a Bi-lateral Agreement under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* which allows for the Commonwealth Minister to accept the assessment process of the State Minister for Planning, however the approval decision remains with the Commonwealth Minister. As such, the only way to obtain certainty is through Referral.

As the development proposal will not fragment the reserved and retained vegetation, which included >15 ha of retained/reserved ILSCFW, if Referred the impacts are unlikely to be considered a Controlled Action by the Commonwealth Minister.

If you would like to discuss any of the above I can be contacted on the below details.

Yours sincerely,



Lucas McKinnon

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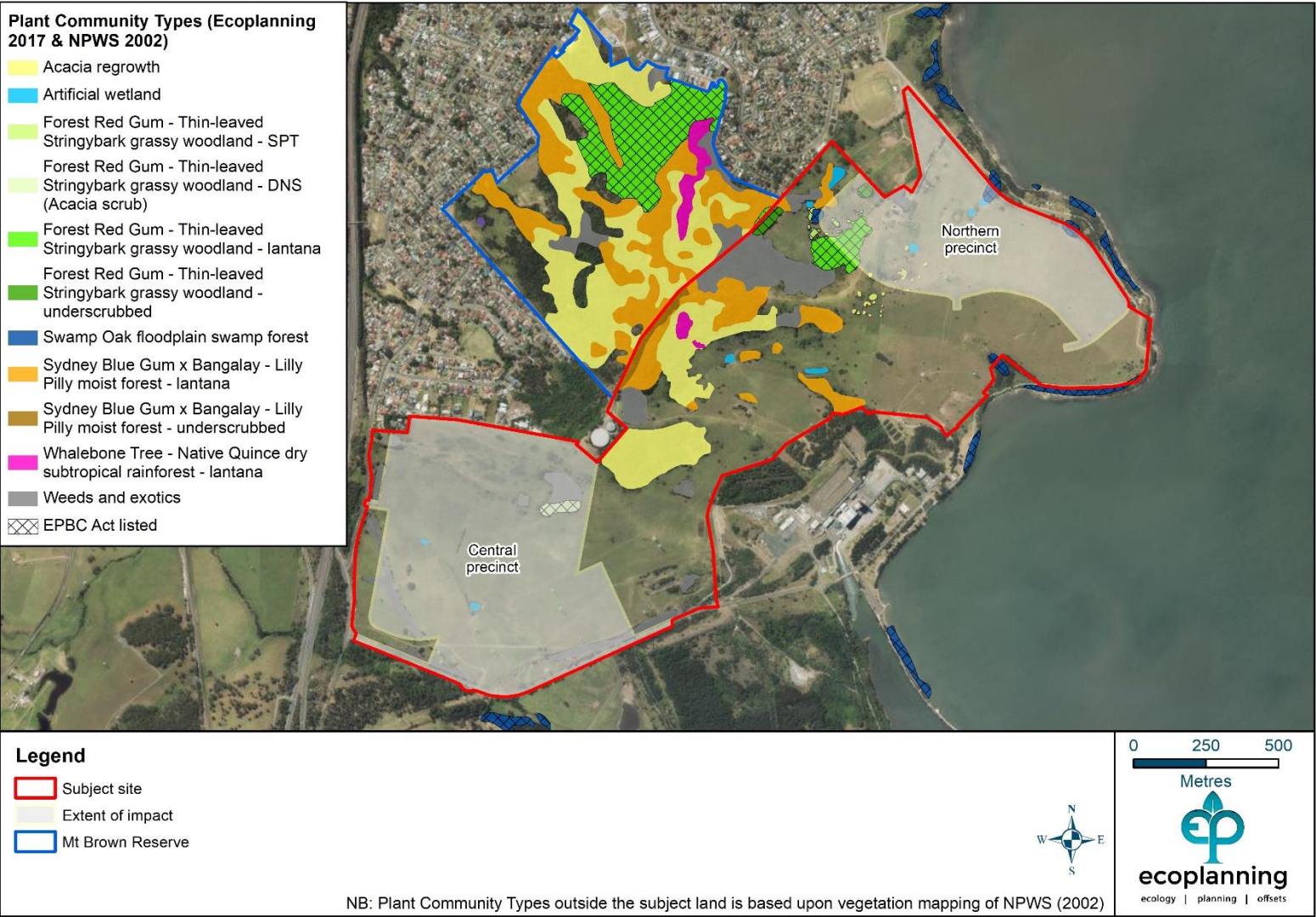


Figure 1: Vegetation mapping in the Tallawarra Lands and Mount Borwn Reserve.