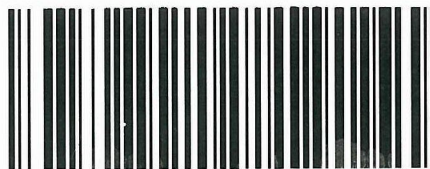




**Office of  
Environment  
& Heritage**

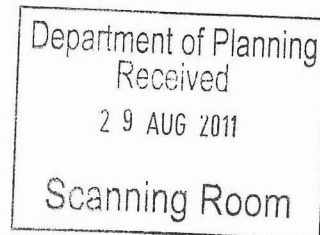
Contact  
Our reference:  
Your reference:

Marnie Stewart ph 9995 6861  
DOC11/36277



**PCU025371**

Ms Heather Warton  
Director  
Metropolitan and Regional Projects North  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001



Dear Ms Warton

I refer to your letter received by the Office of Environment and Heritage (OEH) on 9 August 2011 requesting comments on the Preferred Project Report (PPR) for the proposed new Wet 'n' Wild Sydney, Reservoir Road, Prospect (MP10\_0190).

OEH has reviewed the relevant documentation and provides detailed comments on the proposal in Attachment 1. In summary, the PPR does not adequately address the biodiversity issues raised in our correspondence dated 29 March 2011. The main issues that are still outstanding are impacts on fauna on site and in the adjacent Prospect Nature Reserve, particularly from increased noise and light and inadequate offset measures.

OEH requests that these issues be considered by the Department of Planning and Infrastructure (DoP&I) in its assessment and determination of the major project.

Given the importance of this project for western Sydney, should DoPI wish to meet and further progress the important matters raised here, please contact Marnie Stewart, Conservation Planning Officer, on 9995 6861.

Yours sincerely

**GISELLE HOWARD**  
Director, Metropolitan Branch  
Environment Protection and Regulation  
Office of Environment and Heritage  
Department of Premier and Cabinet

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet



## **ATTACHMENT 1 – OEH comments on the Preferred Project Report for Wet 'n' Wild Sydney (MP 10\_0190)**

OEH has considered the information contained in the Preferred Project Report (PPR) and provides the following comments.

### **Biodiversity**

- OEH does not consider that the PPR adequately addresses concerns previously raised in relation to the expected significantly higher levels of noise and light from the operation of the park and the resultant impacts on significant (including threatened) fauna populations, which occur both on site and in the adjacent Prospect Nature Reserve.

OEH's concerns regarding the impacts from increased water runoff into the Prospect Nature Reserve have also not been adequately addressed. In order to minimise impacts on the natural and catchment values of the reserve, OEH previously requested that mitigation measures be incorporated into the proposal, including measures to divert water away from the nature reserve and erosion and sediment controls, especially during the construction phase. These requested mitigation measures are still required. OEH notes that the PPR states that the site falls away from the nature reserve, however, it is OEH's understanding that the site is upslope from the nature reserve.

As impacts on the adjoining Prospect Nature Reserve have not been adequately addressed, OEH is of the view that Clause 14 in the State Environmental Planning Policy (Western Sydney Parklands) 2009 has not been adequately addressed.

- OEH does not consider that concerns in relation to groundwater impacts have been adequately addressed in the PPR. In previous comments, OEH raised the concern that the Biodiversity Impact Assessment (BIA) did not address potential impacts on the water table and the hydrological regime of the Cumberland Plain Woodland (CPW) remnant immediately adjacent to the proposed wetland. The response to submissions report states that groundwater is not expected to be 'impacted significantly'. Therefore, given that impacts are expected, an assessment of these impacts should have been included in the BIA.
- OEH's concerns in relation to the adequacy of the proposed offset measures are still outstanding. Most significantly, OEH does not consider that the proposed implementation of the Vegetation Management Plan (VMP) for only five years will be adequate. The submissions report states that 5 years is sufficient to adequately abate the threats and allow natural resilience to prevail. However, OEH considers that this will not occur in 5 years, and to adequately offset the permanent loss of vegetation, there must be a commitment to implement the VMP in perpetuity. In addition, OEH does not consider replanting at a ratio of approximately 2:1 will adequately offset the loss of existing remnant vegetation on site.

OEH's offsetting principles should be used to guide appropriate offsetting (available at <http://www.environment.nsw.gov.au/biocertification/offsets.htm>). While voluntary, OEH also strongly recommends the use of the offsetting tool in the BioBanking Assessment Methodology (BBAM) to describe, quantify and categorise the biodiversity values and impacts of a proposal and to identify the offsetting required. The BBAM is an assessment tool that allows the impacts of a proposal and its offsetting requirements to be calculated in a consistent and transparent way.

- OEH notes that the PPR states that "areas of Cumberland Plain Woodland being retained and regenerated on site will be regenerated to native conditions including the shrub layer to the extent possible within the requirements of meeting bushfire asset protection zones". Given that Cumberland Plain Woodland (CPW) retention and regeneration areas within the site will include asset protection zones (APZ), it will not be possible for the areas to also meet the conservation

objectives. OEH is of the view that these areas should not be considered as offsets for the proposal.

- Furthermore, it does not appear that the landscaping principles have been amended in line with OEH's previous comments, so that conservation is to be included as a key principle in the landscaping plans.
- The submissions report states that the VMP is to be prepared in consultation with OEH. This was not requested by OEH and OEH does not need to be consulted in the preparation of the VMP. OEH therefore does not agree to a consultation role and requires the Statement of Commitments to be amended to remove this role.

### **Aboriginal Cultural Heritage**

OEH is satisfied that issues pertaining to the management of Aboriginal heritage have been addressed and concerns regarding test/salvage reporting and artefact management have been rectified.