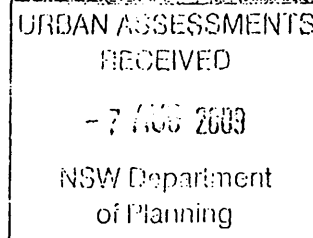


Our reference: DOC09/32631



Michael Woodland
Director, Urban Assessments
Department of Planning
GPO Box 39, Sydney NSW 2001

Attention: Mark Brown

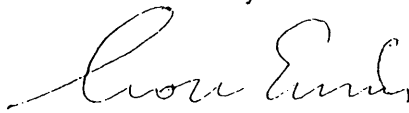
Environmental Assessment Exhibition – Major Projects 08_0257 – Stage 1 – Residential Development and Major Project 08_0258 – Early Works Package 61 Mobbs Lane, Epping

Dear Sir

I refer to your correspondence to the Department of Environment and Climate Change (DECC) dated 6 July 2009 in regard to the above matter. The following comments are provided in Attachment 1.

Should you have any questions in regard to these comments please contact Rachel Lonie on 9995 6837 or via email on rachel.lonie@environment.nsw.gov.au (Tuesday or Wednesday only).

Yours sincerely

 5/8/09

LOU EWINS
Manager, Planning and Aboriginal Heritage Section
Environment Protection and Regulation

Attachment 1: DECC Comments on Major Project 08_0257 61 Mobbs Lane Epping

ATTACHMENT 1**Department of Environment and Climate Change (DECC) Comments on Major Project
08_0257 61 Mobbs Lane Epping****1. Aboriginal Heritage**

DECC has reviewed the report entitled *Preliminary Aboriginal Heritage Assessment of proposed Parklands, Epping, NSW* (9/12/2008) prepared by Archaeological & Heritage Management Solutions Pty Ltd and notes that to date, there has been no consultation with Aboriginal community groups regarding the significance of the cultural heritage values of the area to them.

The DECC is satisfied with the preliminary findings of the report which are that:

1. The area coloured orange in Figure 6 of the report has moderate potential to contain archaeological deposits and as such must be investigated by sub-surface investigations if the proposed development is to proceed.
2. The area coloured blue in Figure 6 of the report has no archaeological potential and thus presents no constraint if the proposed development is to proceed.
3. It is DECC's understanding Aboriginal Heritage Impact Permit approval is not required. The consultants report presents a different interpretation (refer to page 13 of the report). Please confirm the DoP's position on this.

2. Flora and Fauna Assessment

DECC has reviewed the Flora and Fauna Environmental Assessment Report. It is questioned why subquadrats were used in the Flora Assessment as the use of subquadrats is not standard flora survey methodology as set out in the draft Biodiversity Survey and Assessment: Guidelines for Developments and Activities (available at <http://www.environment.nsw.gov.au/resources/nature/TBSAGuidelinesDraft.pdf>).

The assessment indicates that the site supports some remnant trees and retains some native seedbank in the soil, particularly in the north-west of the site. Pre-1750 mapping (DECC 2002) indicates that the north-eastern half of the site originally supported Blue Gum High Forest (BGHF), and the south-western half Sydney Turpentine Ironbark Forest (STIF).

Two very large trees of *Eucalyptus saligna* and *E. pilularis*, which are characteristic species of BGHF, were recorded to the north-east of the helipad, within the pre-1750 BGHF area. The report does not provide any data on whether there is any native understorey here, or examine whether the vegetation in this area meets the definition of BGHF. Therefore, the proposal may result in an impact on BGHF that has not been adequately assessed.

The draft Statement of Commitments includes a proposal for the protection and restoration (via a Restoration Plan) of the STIF in the north west corner of the site and existing creek line between the site and Mobbs Lane. This recommendation is supported.

The Restoration Plan should be in accordance with the 'Best Practice Guidelines: Sydney Turpentine Ironbark Forest' (DECC 2009) (available at <http://www.environment.nsw.gov.au/resources/threatenedspecies/08528tsdssydturpironforestbpg.pdf>).

The assessment recommends that as many remnant trees be retained on site as practical, particularly those along the north west boundary, and the three hollow-bearing trees are retained. DECC supports these recommendations.

3. Site Contamination

DECC recommends that the site auditor, accredited under the *Contaminated Lands Management Act 1997*, certifies that the land is suitable for the purposed uses following the required decontamination works.