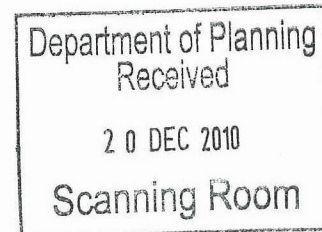


Your reference : MP10_0007 and MP10_0008
Our reference : DOC10/53302
Contact : Liz Peterson 9995 6841



Mr Chris Ritchie
Manager – Industry
Mining and Industry Projects
Department of Planning
GPO Box 39
SYDNEY NSW 2001



Attention: Haley Rich

Dear Mr Ritchie

Re: Hoxton Park Industrial Estate Basin 6 Modification Application (10_0007 MOD 2 and 10_0008 MOD 2)

I refer to your letter dated 23 November 2010 to the Department of Environment, Climate Change and Water (DECCW) inviting DECCW to review the subject proposal.

Aboriginal Cultural Heritage

The *Aboriginal Archaeological Assessment and Management Plan Proposed Industrial/Commercial Development Former Hoxton Park Airport Site Hoxton Park, NSW* (February 2010) and the *Amended Part 3A Application for Detention Basin 6, Former Hoxton Park Airport* report dated 11/10/2010 both prepared by Mary Dallas Consulting Archaeologists have been reviewed. DECCW supports the archaeological assessment and the recommendations contained within both reports.

DECCW recommends that the Department of Planning seek clarification about the extent of works associated with the existing tailouts within the Hinchinbrook Creek corridor. If the existing tailouts are to be widened or deepened as part of the Detention Basin works, it is recommended that subsurface testing be undertaken in order this area is required in order to assess the archaeological significance of the identified potential archaeological deposit (HPA PAD1).

DECCW recommends that any proposed subsurface archaeological investigation program be conducted in accordance with the DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. If the testing program determines that HPA PAD1 is archaeologically significant, salvage excavation may be appropriate.

In relation to Statement of Commitment 13, DECCW does not endorse monitoring of earthworks because the potential Occupational Health and Safety issues that could arise. As an alternative, DECCW recommends that consideration be given to providing Aboriginal community

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representatives the opportunity to collect any surface objects prior to earth works commencing. The Statement of Commitment should specify the storage location for any Aboriginal objects collected during the course of monitoring.

Biodiversity

DECCW notes that the construction of the proposed infrastructure would require the clearing or permanent modification of native vegetation within the development footprint for the northern basin and the spillway. The impacts on vegetation summarised in Table 7 on page 46 of the Ecological Impact Assessment Report prepared by GHD (October 2010) indicates that there will be 5.19 Ha of Cumberland Plain Woodland lost.

DECCW notes that additional offset contributions will be required for impacts associated with the development of the proposal as well as to compensate for portions of the existing offset site that will be affected by the proposed road (Modification 1). Section 8 of the Ecological Assessment Report suggests that the offset will be the revegetation in the Liverpool City Council managed area of vegetation, in the eastern portion of Hinchinbrook Creek. This area is not mapped in the report, and the extent of the works proposed, and their likely benefit, is not detailed anywhere. The report states that a "more detailed offsets strategy will be provided in a separate report". It is therefore unclear at this stage what the proposed offset for these works entails.

DECCW notes that Section 9.4 of the flora and fauna report for the concept plan discusses the offset for that proposal and the offset provided for by the rezoning of the site by Liverpool City Council. It would appear that the offsets for the redevelopment of the airport are to be those set by the planning agreement when the airport was rezoned by Liverpool City Council. An explanatory note for the planning agreement found on Council's website suggests that the extent of the offset is \$199000 worth of "soil remediation, weed control regeneration and revegetation of land within the Hinchinbrook Creek Corridor and Northern Floodway".

DECCW notes that Figure 8 of the flora and fauna report for the concept plan shows the area of the offset strategy. It is estimated that this includes 14.5 ha of vegetation and 5 ha of cleared land (possibly native grasses). Based on costing for other projects, and the general condition of bushland in western Sydney, DECCW questions whether \$199000 is enough to adequately restore the vegetation within the offset zone. A moderately degraded site would cost greater than \$21000 per ha in the first year, and greater than \$15000 per ha per year for follow up work. Even the first year only would cost approximately \$300000 for the 14.5 ha of vegetation. Revegetation of the 5 ha of cleared land would be even more expensive due to the costs of planting. Highly degraded areas would typically cost \$65000 per ha in the first year and greater than \$48000 per ha for subsequent years. As a minimum, should the subject modification be approved, DECCW recommends that the funding for revegetation/rehabilitation of offset areas be adequately funded to ensure their success.

DECCW questions the adequacy of the offset and recommends that if the proposal is approved that the offsets for the impacts from the construction works are conditioned appropriately. The biobanking method may be used to calculate the area of an offset required in cases such as these. However, with a typical offset ratio of 6:1, that method would be likely to determine that an area of greater than 19.5 ha should be provided (and secured) as an offset.

DECCW also recommends that DoP determine whether the water from the detention basin that appears to be directed to an area of the offset site and may involve construction of a scour protective device will have an impact on this area, which would reduce the area available for offsetting. DECCW recommends that any additional impacts be incorporated in to the offset strategy.

Consistent with inter-departmental discussions at senior levels, please ensure that any proposed conditions or statements of commitment that ascribe a role for DECCW receive written endorsement from the DECCW prior to the grant of any approval.

If you have any queries regarding this matter please contact Liz Peterson on 9995 6841.

Yours sincerely

G Howard 15/12/10

GISELLE HOWARD
Director, Metropolitan Branch
Environment Protection and Regulation