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Dear Mr Williams

**Subject:** Horsley Park Brickworks MOD 1 (SSD-9601-Mod-1)

Thank you for your email received 1 December 2021 requesting comments on the above proposal. Environment, Energy and Science Group (EES) has reviewed the modification report and associated appendices and provides the following comments.

EES has reviewed the *Brickworks Plant 2 Upgrade SSD-9601 MOD 1 Biodiversity Development Assessment*, dated 3 May 2021, and found that generally the Biodiversity Assessment Method (BAM) has been applied correctly. However, some data omissions and clarifications have been identified within the provided Biodiversity Development Assessment Report which must be addressed prior to a final decision on the modification being made.

Detailed EES comments and recommendations regarding the biodiversity impacts associated with this project are provided at **Attachment 1**.

If you have any queries please contact David Way, Senior Conservation Officer via [David.Way@planning.nsw.gov.au](mailto:David.Way@planning.nsw.gov.au) or 02 8275 1324.

Yours sincerely

A handwritten signature in black ink that reads 'S. Harrison'.

15/12/21

Susan Harrison

**Senior Team Leader Planning**  
**Greater Sydney Branch**  
**Biodiversity and Conservation**

## **Attachment 1: Environment and Energy and Science Group comments on Horsley Park Brickworks MOD 1 (SSD-9601-Mod-1) - Biodiversity**

### *Review of Biodiversity Development Assessment Report and Impacts*

- The EES review was undertaken without access to the assessment in the biodiversity assessment method (BAM) calculator as the case has not been submitted. The assessor must finalise the calculator and 'submit to consent authority'.
- In addition, this review has been undertaken without access to GIS files, as these have not been provided to EES.

### *Required BDAR Clarifications*

- Table 4-2 of the *Brickworks Plant 2 Upgrade SSD-9601 MOD 1 Biodiversity Development Assessment*, dated 3 May 2021 (the BDAR) lists the candidate species for the site. This table states that some species were not included as candidate species for targeted survey, because they were not recorded during surveys by Cumberland Ecology and the assessor.

This is not the correct application of the BAM. In accordance with Steps 1-3 in section 5.2 of the BAM, candidate species do not require survey only if the habitat constraints or microhabitats are absent, or if the species is a vagrant, or if the habitat is degraded. Also, Figure 4-1 indicates the surveys undertaken by Cumberland Ecology were on a different part of the site.

- Section 6.1.1 of the BDAR states impacts have been avoided by locating most of the proposed yard extension in previously cleared areas. The BDAR should justify why it was not possible to avoid any vegetation clearing.
- A table of credit classes and matching credit profile has not been provided, as is required by Table 25 of the BAM.

(END OF SUBMISSION)