

Department of Planning and Environment

Our ref: DOC22/251028

Your ref: SSD-15822622

Mr Rodger Roppolo
Industry Key Sites
Department of Planning and Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

11 April 2022

Subject: EHG comments on the Response to Submissions for the Ivanhoe Estate Redevelopment – Stage 2 - SSD-15822622

Dear Mr Roppolo

Thank you for the email of 29 March 2022 requesting advice on the Response to Submissions (RtS) for this State significant development proposal - SSD-15822622. Please note on 1 April 2022, the Environment, Energy and Science Group (EES) changed its name to the Environment and Heritage Group (EHG).

EHG has reviewed the following reports and provides its comments and recommendations below:

- Response to Submissions (RtS) – 25 March 2022
- DPIE letter to NSW Land and Housing Corporation – RtS report – 16 Dec 2021
- Appendix E – Updated C4 Landscape Plans
- Appendix N – Plant Species and Recommendations
- Ivanhoe Estate – Vegetation Management Plan – Frasers Property Australia Pty Ltd (version 3 – 7 May 2021)

EES previously recommended the site landscaping/planting associated with Block C2, Block C3 and Block C4 and street planting uses local native provenance species from the relevant native vegetation communities that occur or once occurred on the site rather than use non-local native Australian or exotic species. EES also recommended a condition of consent is included to this effect particularly as the critically endangered ecological community (CEEC) Sydney Turpentine – Ironbark Forest (STIF) (PCT 1281 Turpentine – Grey Ironbark open forest on shale in the lower Blue Mountains, Sydney Basin Bioregion) occurs on the Ivanhoe Estate site and Block C4 adjoins Shrimptons Creek riparian corridor that contains the ecological community Coastal Enriched Sandstone Moist Forest (CESMF). EES also recommended a bush regenerator reviews the proposed planting palettes/schedules for this SSD. In response the RtS states:

“Shrimptons Creek planting mix adjacent the riparian corridor now comprises of species from the Shrimptons Creek small bird habitat progress report, Bev Debrincal, International Environmental Weed Foundation trading as Habitat Network. The Shrimptons Creek small bird habitat project was conceived in November 2011 along with the plan to establish The Habitat community native plant nursery and community food garden at Santa Rosa Park at the head of Shrimptons Creek.”

EHG has found a copy of a progress report online at:

(<http://www.habitatnetwork.org/Shrimptons%20Creek%20corridor%20progress%202016-08%20final.pdf>). If this is the report referred to in the RtS, EHG considers that while the species listed in the report are suitable for recreating small bird habitat, they do not provide enough guidance for recreating vegetation communities as the species list does not include trees or

Department of Planning and Environment

grasses. There is also no recommendation in the report that the species used should include plants of local provenance from STIF and CESMF. EHG recommends a bush regenerator reviews the proposed planting palettes/schedules for this SSD to ensure the site landscaping/planting associated with Block C2, Block C3 and Block C4 and street planting uses native species of local provenance and this is included as a condition of consent.

EES previously noted Lemon-scented Gum (*Corymbia citriodora*) is proposed to be used in the Planting Schedules for Block C4 including along Shrimptons Creek. As Lemon-scented Gum is not associated with the native vegetation communities which occur on the site, EES recommended it not be used. In response the RtS states Lemon-scented Gum has been replaced with an alternative species in the revised planting schedule for Block C4 (page 49) but the RtS response does not identify what the replacement species is, or whether it is a native species of local provenance.

As C4 Block adjoins Shrimptons Creek riparian corridor, EES recommended the planting schedule for C4 Block, especially the Shrimptons Creek interface area (the open space between the C4 and the Shrimptons Creek Parkland), the 'Shrimptons Creek Private Open Space' and the 'Neighbourhood Gardens' which adjoin the Shrimptons Creek interface area, consist of local native provenance species and that the Planting Schedules should demonstrate that the plant species consist of local native species. In response the RtS states:

"Shrimptons Creek planting mix adjacent the riparian corridor now comprises of species from the 'Shrimptons Creek small bird habitat progress report, Bev Debrincal, International Environmental Weed Foundation trading as Habitat Network."

Please see EHG comments above regarding this report.

The RtS also states "all planting mixes within publicly accessible open spaces have been adjusted to respond to the comments received and a key has been added to the planting mixes to indicate where the deciduous trees are to be planted within Block C4 and to demonstrate that the plant species consist of local native species" (page 49). While the key shows if the plant species is 'native' this may not mean the plant species consist of local native species from STIF and CESMF. For example, the Planting schedule in Appendix C of Appendix E for PL3 (Shrimptons Creek Private Open Space) includes Kangaroo Paw as 'native' plant but Kangaroo Paw only occurs naturally in the south west of Western Australia. As C4 Block adjoins Shrimptons Creek riparian corridor the Planting Palettes should demonstrate that the plant species are local natives from STIF and CESMF.

The VMP specifies that a "suitably qualified and experienced bush regeneration contractor is required to implement this VMP" (section 1.3). Due to the proximity of the riparian corridor to C4 Block EHG recommends a bush regenerator reviews the proposed planting palettes/schedules for this SSD to ensure the site landscaping/planting uses native species of local provenance and this is included as a condition of consent.

EES previously advised "it is unclear if the riparian corridor width is meant to be a minimum 20m wide (measured from the top of bank) and that the RtS needs to clarify this. EES advised the Public Interface (cross section G) next to Shrimptons Creek in Appendix B – Design Statement Site C4 (page 29) does not appear to show a 20m wide riparian corridor, nor does it indicate that the riparian corridor is to be fully vegetated. Instead, the Public Interface (cross section G) shows a deck is proposed in the riparian corridor near the creek with some vegetation beyond this. It shows an open space area is then located within the adjoining C4 Block. EES also advised that "The riparian corridor is meant to be fully vegetated, and that pathways/ decks etc are meant to be located outside the riparian corridor. The EES submission explained that this is because Section 1.4 of the VMP for the Ivanhoe Estate identifies the 'development footprint' to be: "the area of the site to be developed, specifically the construction of new roads, residential apartment buildings, landscaping and public domain work. This area is outside the scope of the VMP area". According to the VMP

Department of Planning and Environment

identifies the 'VMP area' to be "the proportion of the site to be conserved and managed by this VMP, specifically the 1.29 ha of native vegetation adjacent to Epping Road and along Shrimptons Creek" (section 1.4 of VMP).

The RtS response to EES does not specifically address EES's query regarding the riparian corridor width, or that the pathways/ decks etc are meant to be located outside the riparian corridor. Instead, the RtS response to EES notes "all works within the riparian corridor in accordance with the requirements of Condition A30 of the Concept Masterplan will be the subject of the forthcoming Stage 3 SSDA, and do not form part of this Stage 2 SSDA" and that "the proposed Block C4 buildings are contained within the approved building envelopes and comply with the approved setbacks to the Shrimptons Creek corridor". The RtS response to DPIE however clarifies that "no structures will be provided within the 20m riparian corridor zone as part of this application" (page 18 of RtS). It is of concern, the RtS further states that "all rehabilitation works, including any new boardwalks, shared paths and the like within the 20m setback zone to Shrimptons Creek will be addressed as part of the separate and future Stage 3 application in accordance with the requirements of Condition A30 of the Concept Masterplan." EES considers this is not consistent with Section 1.4 of the VMP for the Ivanhoe Estate. The VMP makes no mention of any new boardwalks, shared paths etc within the riparian corridor of Shrimptons Creek.

The RtS clarifies that all landscaping works proposed under this Stage 2 SSDA will be within the lot boundaries, and not within the 20m riparian corridor (page 51) and indicates that the planting schedule for Block B4 has been revised in response to Council's and EES's submissions and that "all planting within the 5m setback zone to the riparian edge will be native species with reference to the 'Shrimptons Creek small bird habitat progress report, Bev Debrincat, International Environmental Weed Foundation trading as Habitat Network" (page 43). As previously noted by EES The Landscape Architecture Development Application Design Report for the Block C4 (Appendix C - C4) includes Key Strategies under the section titled Shrimptons Creek Parklands and these include:

1. Protect and conserve ecological values - The landscape proposal for Lot C4 builds upon the existing bushland character of the Turpentine-Ironbark Forest. The bushland character is brought into the design of all the public open spaces.
2. Restore disturbed ecosystems to enhance ecological value and function – this strategy states "Open space within the C4 Lot adjoining Shrimpton's Creek will be restored to support habitat structure and support biodiversity" (page 8).

Key Strategy (1) for Lot C4 is to build upon the existing bushland character of the STIF. Please see EHG comments above regarding Shrimptons Creek small bird habitat progress report.

If you have any queries regarding this matter, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer on 02 8837 6017 or at janne.grose@environment.nsw.gov.au.

Yours sincerely,

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

Susan Harrison

Senior Team Leader Planning
Greater Sydney Branch, Biodiversity and Conservation
Environment and Heritage Group