

OEH Detailed Comments on MPE Stage 2 RTS BAR

Page/point	Item	Note
Throughout	BC Act	Reference is made to the <i>Biodiversity Conservation Act 2016</i> rather than the <i>Threatened Species Conservation Act 1995</i> , under which the assessments would have been undertaken at the time of the original application. It is unclear why there has been a change to consideration under the new legislation given transitional arrangements apply.
5/a	Assess impacts - Connectivity	There is no identification of maintaining connectivity across the rail link between the site and the EHPL as identified, despite being commented 'Sections 10 and 11'.
6/b	VMP	There is no mention of the Vegetation Management Plan identified to occur in Section 11, and in particular not one that is prepared with NSW Office of Water
6/c	Minimisation	There is no documentation on how minimisation of the impacts has been achieved, other than to identify the offset credit requirements. This is not a means of identifying how the minimisation has been done. In essence, it is stated that all parts of the site will be required for the development.
6/d	Offsetting	While offsets are identified and are shown to occur in the adjacent lands, no identification of the amount of credits already committed for the existing and varied Stage 1 and MPW is shown. This leads to the belief that sufficient credits exist when this cannot be actually confirmed without the updated Stage 1 requirements included (and those affected by the pending Land and Environment Court decision). While most communities and species are adequately identified, there are concerns about the sufficiency of quantum of <i>Hibbertia puberula</i> in particular, given more have been identified in the rail corridor for Stage 1 than had previously been identified (this may be knowledge subject to court privilege at this stage).
7/management of TS	Response	The response here is materially incorrect.
7/off-set	Response	There is no Section 12 in the report. It may mean Section 10, where the offsets

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		are summarised with reference to the BAR for the offset site in the future tense.
7/aquatics	Response	No mention of impact on aquatics in s10. In s11 aquatic impacts are 'expected to be minor'. This may be so, as there is no direct impact on aquatic environments, but little is mentioned of the increased volume of runoff expected as a result of the larger areas of hardstand and covered lands that will direct runoff to the OSD basins. Is it intended collected stormwater runoff will gradual percolate into the ground?
8/riparian	Response	See above – very little impact expected and scant regard provided.
11/last dot point	Moorebank Ave diversion road	This is not addressed at all in the report except being flagged here.
28-29/sampling	Sites	Only one new site done. Use of the existing q27 again is problematic as a better patch of the community exists/existed immediately to the north of the site. Can be justified under the 'random' selection criterion. 3 of the 6 sites are adjacent to the existing amendment. These are not overly problematic.
32/survey	transect separation	5m apart in dense veg may be too far apart to allow smaller things to be seen (hibbertias for instance), especially if flowering is obscured.
32/identifications	Hibbertia id	The fruiting and flowering material was present on almost all plants detected. What were the ones assigned to where not present?
36/figure 5-1	Veg communities	The Sydney Metropolitan CMA mapping is used as the background here, identifying 9 veg communities in the outer circle. BAR mentions 7 veg types in the text (s.6.1)
39/s5.4.3	Patch size	The mention of patch size totally ignores the boot land. The mention is for the largest patches being on the western side of Moorebank Ave.
40/s6.1	Mapped communities	The text identifies that there are seven different native vegetation communities, when in fact it is nine. Table 6.1 is incorrect also. Not all equate to TECs either, with the Hinterland Riverflat Eucalypt Forest not being a TEC.
42/s6.1	Table 6.3	The amount of RFEF is over mapped in the original document as that failed to

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		account for the difference in vegetation type mapping that would apply to the site (the Hinterland Riverflat Eucalypt Forest not being an element of RFEF TEC)
42/s6.2	Assignment of vegetation types	No actual analytical justification for the vegetation types is provided despite being a requirement.
48/species	Justification	The justification totally avoids any analytical (quantitative) assignment, relying upon qualitative comments and often only the presence of a single prominent species. It makes the work non-compliant with either BBAM 2014 or BAM.
46/Figure 6-1	Map of types	The mapping here is totally different to the mapping of the regional vegetation provided in Figure 5-1.
52/Table 6-8	Types	It is unclear how the assignment of ME005 to Moderate/Good is justified. The single site is well outside benchmarks for many features. It is also not clear why the largest polygon of the community, immediately to the north was not sampled.
71/Grevillea	Further Action	The species is flagged as 'Not required' for further action, despite being within the Moorebank Avenue site (and therefore impacted).
80/fumana	Discussion	The plant was presumed to be extinct when formally published in 2012. There are still issues with clarification of the methods and data used to assert such a high number of individuals which will need to be cross-verified by OEH.
84/s7.2.2	Fauna	Another species is in the tool – Black Bittern. This is not included in the list of species here. In addition, there is no discussion of the landscape species identified.
88/Regent honeyeater	Presence	10 km is too small a search boundary for a critically endangered species which infrequently uses the coastal woodlands. It has been recorded from Campbelltown since 2011.
105/s10	Triage	The principle is to avoid or minimise, then offset (Act), not 'and'. One must be done first, leading to the others in priority.