



Our ref: DOC19/938444

Senders ref: SSD-9302

Ms Katelyn Symington
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Symington

Subject: EES comments on the final Response to Submissions for Viva Energy - Clyde Western Area Remediation Project– SSD-9302 – former Clyde Refinery - Durham Street, Rosehill on the Camellia Peninsula

Thank you for your email of 23 October 2019 requesting advice on the final Response to Submissions (RTS) for this State Significant Development (SSD).

The Environment, Energy and Science Group (EES) provides its recommendations and comments at Attachment A.

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

S. Harrison 13/11/19

Susan Harrison

**Senior Team Leader Planning
Greater Sydney Branch
Environment, Energy and Science**

Subject: EES comments on final Response to Submissions for Viva Energy - Clyde Western Area Remediation Project– SSD-9302 – former Clyde Refinery - Durham Street, Rosehill on the Camellia Peninsula

The Environment, Energy and Science Group (EES) has reviewed the following documents:

- Final revised Response to Submissions report (FRRTSR)– October 2019
- AECOM letter to EES in response to EES submission on the RTS – 18 October 2019

and provides the following comments.

OEH in its previous submission on the RTS (dated 22 July 2019) advised it supported the mitigation measures as outlined in the BDAR including:

- *retention of areas of exotic grassland following completion of the Project, to provide shelter and forage opportunities for Green and Golden Bell Frogs, as described in section 5.3.2*

In response to the OEH submission, the AECOM letter and FRRTSR note that the “*the BDAR does not recommend or require the retention of areas of exotic grassland within the Project Area. Given the nature of the works, Viva Energy cannot confirm that any areas of exotic grassland would be retained within the Project Area*”.

Section 8.1 of the FRRTSR refers to Table 9 of the BDAR and notes the BDAR states “*the Project would result in the removal of low quality potential forage and movement habitat supported by exotic grassland and grass tussocks and open concreted areas. The potential habitat to be removed is not critical to the survival of the Clyde/Rosehill key population (of Green and Golden Bell frog), or the species more broadly*” (see page 45 of BDAR).

Differing advice appears to be included in the BDAR in relation to this issue, as Section 5.3.2 of the BDAR, which OEH commented on, indicates that the areas of exotic grassland and scattered grass tussocks are likely to remain present within the project area:

“areas of exotic grassland comprising mainly Kikuyu Cenchrus clandestinus and scattered grass tussocks of African Love Grass Eragrostis curvula are likely to remain present within the Project Area following the completion of the Clyde Terminal Conversion Project. These grasses may provide shelter and forage opportunities for Green and Golden Bell Frog that have dispersed into the Project Area” (see Section 5.3.2, page 32 of BDAR – underlining is EES emphasis)

It is suggested the Department clarifies this issue with the proponent and if required the BDAR is amended to provide consistent advice. If the areas of exotic grassland and scattered grass tussocks are intended to remain, it is recommended this is included as a mitigation measure and as a Condition of Consent to provide shelter and forage opportunities for Green and Golden Bell Frogs.

End of Submission