



Our ref: DOC19/531175  
Your ref: SSD-7308

Mr Dominic Crinnion  
Department of Planning, Industry &  
Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Mr Daniel Gorgioski

Dear Mr Crinnion

**Subject: EES comments on Notice of exhibition – St Marys Intermodal, Forrester Road, St Marys – construction and operation of intermodal terminal and container park – SSD-7308**

Thank you for your letter of 28 May 2019 requesting comments from the former Office of Environment and Heritage (OEH) on the Environmental Impact Statement for the above State Significant Development.

Please note that OEH responsibilities and functions have been transferred to the Department of Planning, Industry & Environment's Environment, Energy and Science Group (EES).

I apologise for the delay in replying. EES provides its recommendations and comments at Attachment A.

If you have any queries regarding this matter, please contact Dana Alderson, Senior Project Officer Planning, on 8837 6304 or at [dana.alderson@environment.nsw.gov.au](mailto:dana.alderson@environment.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alex Graham'.

18/07/2019

ALEX GRAHAM  
**Director Greater Sydney  
Climate Change and Sustainability**

## Attachment A

**EES comments on Notice of Exhibition - St Marys Intermodal, Forrester Road, St Marys – construction and operation of intermodal terminal and container park - SSD-7308**

The Environment, Energy and Science Group (EES) has reviewed the Environmental Impact Statement (EIS) for the above State Significant Development (SSD) and provides the following comments.

**Biodiversity Development Assessment Report**

- It is noted that the Biodiversity Development Assessment Report (BDAR) doesn't list PCT 1071 as a threatened ecological community (TEC), presumably because the BDAR considers that this wetland is not a remnant or naturally occurring wetland. Further justification for this assessment should have been included in the BDAR, in section 1.4.4 of the report. It is noted that the Scientific Committee's description of the community states that only artificially created wetlands don't meet the definition of the TEC, suggesting that PCT 1071 on site may meet the definition.
- The BDAR should provide a brief description of areas not mapped as native vegetation, including percentages of exotic/native species, so it is clear these could not be classed as native vegetation.
- Table 10 states that no individuals of *Grevillea juniperina* ssp. *juniperina* were recorded on site, it is assumed this is a typing error.
- The BDAR should have included justification for the mapping of the *Myotis macropus* species polygon as shown in Figure 7 and also made reference to the NSW survey guide 'Species credit threatened bats and their habitats' (OEH 2018).
- Table 14 and 15 of the BDAR addresses Chapter 8 of the Biodiversity Assessment Method (BAM) in relation to the actions taken to avoid biodiversity impacts. While it is acknowledged that redesign has achieved a reduction in the biodiversity impacts, some biodiversity impacts are still proposed. Justification should also have been provided in the BDAR for the impacts that have not been avoided.
- Table 26 includes recommendation that a vegetation management plan is prepared to protect and enhance retained vegetation. This is supported by OEH, particularly given the areas of retained vegetation are so small, that without active management they are unlikely to persist in the long term. However, the species to be planted in these areas and adjacent to these areas should be appropriate for the vegetation type. The EIS states that "The landscape design has adopted endemic species from the Mitchell Landscapes. Hawkesbury-Nepean Channel to complement the existing native vegetation being retained onsite". OEH recommends that the species to be planted should be derived from species lists for the relevant Plant Community Type, using Figure 3 of the BDAR as a guide. Plants should be sourced from locally endemic provenance material.
- The BDAR does not include a matching credit profile, as required in Table 26 of the BAM.

(END OF SUBMISSION)