



Mr Richard Johnson
Director
Aspect Environment Pty Ltd
117/25-27 Solent Circuit
BAULKHAM HILLS NSW 2153

21 August 2019

Dear Mr Johnson

MPE Stage 2 MOD 2 (SSD-7628-Mod-2) and MPE Concept MOD 3 (MP 10_0193 MOD 3)

Response to Submissions

The exhibition of the modification applications for the above proposals ended on Wednesday 31 July 2019. All submissions received by the Department during the exhibition of the two modifications are available on the Department's website at www.planningportal.nsw.gov.au/major-projects/projects.

The Department requires that you provide a response to the issues raised in those submissions.

The Department also requests additional information on the following matters to address key issues:

- OSD basin 9 design changes
- justification for the expansion of the current boundary and the proposed footprint for OSD basin 2
- adequacy of the biodiversity impact assessment.

Further details concerning the above are presented in **Attachment 1**.

Agency feedback is included in **Attachment 2**, for your review and response.

The Department will forward you a copy of Liverpool City Council's submission shortly.

If you have any questions, please contact Dominic Crinnion on (02) 9274 6495, or by email at Dominic.Crinnion@planning.nsw.gov.au.

Yours sincerely

David Gainsford
**Executive Director
Infrastructure**

Enclosed/Attached: Department's Key Issues; Agency Feedback

Attachment 1

Department's key issues

OSD basin 9 design changes

Insufficient detail has been provided in the modification application to enable the Department to complete its assessment in relation to:

- how the drainage design has been modified
- how the modified drainage design will function, particularly in relation to stormwater treatment.

Accordingly, the Department requests:

- consolidated drawings showing OSD basin 9 (plan views and cross sections), including existing and finished surface levels, and the downstream bioretention area/ raingarden in the MPW site. It is recommended that you provide your most detailed drawings, such as work-as-executed drawings, in order for the Department to verify that the design can comply with relevant consent requirements
- construction schedule for installation and commissioning of the raingarden and repair of the existing open concrete channel (aka the 'east-west channel') on the MPW site
- details for treatment of stormwater from OSD basin 9 (plan views and sections), prepared by a suitably qualified professional, post-development of MPW Stage 2 (if approved).

Expansion of southern boundary

The Department is concerned that the proposed OSD basin 2 concept design as presented requires the removal of additional threatened plant species and could result in additional habitat/ riparian corridor impacts, and requests that you provide:

- a consolidated description of the justification for locating OSD Basin 2 outside the existing site footprint, with reference to existing physical site constraints, and demonstrating that this land would be used for drainage and not other uses (such as warehousing etc.)
- information demonstrating how consideration was given to minimising impacts to threatened species through the design development
- alternative layouts (sufficient for maintenance access and transition to existing ground levels at the site boundary) which avoid threatened plants or reduce the area/ number of threatened plants impacted.

Drawings are to include dimensions of the basin footprint, distances to the Anzac Creek riparian corridor and the width of the riparian corridor at a scale of 1:500 @ A1.

Biodiversity Impact Assessment

The Department requests that you address the EES Group comments (see **Attachment 2**) including undertaking an additional survey for *Hibbertia fumana* during the current flowering season with the results of this and impacts on core Koala habitat being addressed in a revised Biodiversity Development Assessment Report (BDAR). The revised BDAR is to be prepared in accordance with the *Biodiversity Conservation Act 2016*.