

Our ref: DOC21/482481-2

Your ref: SSI-6888

Sam Kelly

Planning Officer
Infrastructure Assessments
Department of Planning, Industry and Environment
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Dear Sam

Newcastle Inner City Bypass (Rankin Park to Jesmond) - MOD 1 Additional Ancillary Facilities (SSI-6888) – Review of Environmental Impact Statement

I refer to your email dated 11 June 2021 in which Planning and Assessments Group (P&A) of the Department of Planning, Industry and Environment (the Department) invited Biodiversity and Conservation Division (BCD) of the Department for advice in relation to the proposed Additional Ancillary Facilities (construction compounds; MOD 1 – SSI-6888) for Newcastle Inner City Bypass project, located between Rankin Park and Jesmond in the Newcastle City and Lake Macquarie local government areas.

BCD has reviewed the '*Newcastle Inner City Bypass – Rankin Park to Jesmond Modification report: additional construction compounds*' (prepared by Transport for NSW and dated May 2021), including relevant appendices, annexures and attachments in relation to impacts on biodiversity and flooding.

BCD's recommendations on biodiversity and flooding are provided in **Attachment A** and detailed comments are provided in **Attachment B**.

If you require any further information regarding this matter, please contact Steve Lewer, Acting Senior Team Leader Water, Planning, on 4927 3158 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely



STEVE LEWER
Acting Senior Team Leader - Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division

Enclosure: Attachments A and B

Date: 22 June 2021

BCD's recommendations

Newcastle Inner City Bypass (Rankin Park to Jesmond) - MOD 1 Additional Ancillary Facilities

Biodiversity

1. BCD requires further clarification of the targeted threatened flora surveys and whether the submerged (free-standing water) components of the freshwater dam were sampled, given it represents suitable habitat for *Maundia triglochinoides*. If not, additional flora survey work may be required to determine whether or not *Maundia* is absent, or an export report is provided. The BDAR should also include a graphical representation (such as a map) of the threatened flora survey effort undertaken.

Flooding and flood risk

2. No further flooding assessment is required.

BCD's detailed comments

Newcastle Inner City Bypass (Rankin Park to Jesmond) - MOD 1 Additional Ancillary Facilities

Biodiversity

1. Clarification of the targeted threatened flora surveys undertaken

BCD has reviewed the Biodiversity Development Assessment Report (BDAR; prepared by GHD and dated May 2021).

Section 5.2.1 (Terrestrial Flora Surveys) indicates that targeted threatened flora surveys (Table 5-3) were completed in accordance with methods described in '*Surveying threatened plants and their habitats NSW survey guide for the Biodiversity Assessment Method*' (DPIE 2020) by two ecologists walking transects spaced five metres apart within areas of suitable habitat during appropriate survey periods as described in the Threatened Biodiversity Data Collection and Calculator (TBDC) for each candidate flora species. BCD concur that the use of parallel transects is the correct survey method.

However, BCD note that under Section 5.2.2 (Threatened Fauna Surveys) it states that the location of threatened species surveys are shown in Figure 5.1 of the BDAR. BCD are unsure if this relates to both the threatened flora and the threatened fauna surveys undertaken. If the latter, then no graphical representation of the threatened flora surveys has been presented; and if Figure 5.1 represents locations of the threatened flora transects undertaken, then BCD is concerned that the centre or the submerged (free-standing water) component part of the freshwater dam has not been sampled. *Maundia triglochinoides* (as per DPIE's TSDC database, accessed 22 June 2021) grows in swamps, lagoons, dams, channels, creeks or shallow freshwater 30 - 60 cm deep. So conceivably, the areas of the dam not possibly sampled would represent suitable habitat and thus *Maundia* may have remained undetected.

Clarification of the threatened flora survey is required to determine whether or not all of the freshwater dam was sampled, given that it represents suitable habitat for *Maundia triglochinoides*, including the water component.

Recommendation 1

BCD requires further clarification of the targeted threatened flora surveys and whether the submerged (free-standing water) components of the freshwater dam were sampled, given it represents suitable habitat for *Maundia triglochinoides*. If not, additional flora survey work may be required to determine whether or not *Maundia* is absent, or an export report is provided. The BDAR should also include a graphical representation (such as a map) of the threatened flora survey effort undertaken.

Flooding and flood risk

2. BCD is satisfied with the flooding and flood risk assessment

BCD is satisfied with the flooding and flood risk assessment in the EIS and no further flooding assessment is required.

Recommendation 2

No further flooding assessment is required.

