



Office of  
Environment  
& Heritage

DOC16/553132  
SSD 7709

Ms Karen Harragon  
Director  
Social and Other Infrastructure Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Harragon

**Moorebank Precinct West - Stage 2 SSD 7709**

I refer to your letter received 26 October 2016, seeking comments from the Office of Environment and Heritage (OEH) in regard to the exhibited Environmental Impact Assessment (EIS) for the Moorebank Precinct West – Stage 2 proposal at Moorebank Avenue, Moorebank.

OEH has reviewed the documentation and provides comments on floodplain risk management and biodiversity at Attachment 1.

If you have any further questions, please contact Marnie Stewart, Senior Operations Officer on 9995 6868 or at [marnie.stewart@environment.nsw.gov.au](mailto:marnie.stewart@environment.nsw.gov.au).

Yours sincerely

*S. Harrison 01/12/16*

**SUSAN HARRISON**  
**Senior Team Leader Planning**  
**Regional Operations**

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9995 6868

## ATTACHMENT 1

### OEH comments on Moorebank Precinct West - Stage 2 SSD 7709

#### 1. Floodplain Risk Management

OEH considers that the flood risk and potential impacts from Georges River and Anzac Creek flooding have been adequately considered. A substantial portion of the proposed development will be located outside the Georges River floodplain and potential adverse flood impacts along the Georges River have been mitigated by limiting the proposed site raising to areas above the 1%AEP.

The majority of the proposed filling is outside the floodplain and figure 4.1 shows proposed filling at the northern one-third of the site which is situated above the 1% AEP but within the floodplain. The flood assessment methodology using HEC RAS hydraulic model is reasonable. Table 4.1 and figure 4.2 shows the extent of modelling and the report concludes that the flood impact from the filling and the proposal itself, for the full range of floods, is up to 0.01m. Table 4.1 also accounts for impacts upstream and downstream of the proposed site.

Section 5.2.5 considers the sensitivity of increased rainfall and concludes that the increases in flow would not significantly affect the project site, largely because the steep river banks will contain the additional flood water. The proposed OSD storages will cater for the additional flow.

Section 5.5 recognises the need for flood emergency response plans and suggests an evacuation and refuge plan. OEH recommends that the SES is consulted on these matters for specialist advice. During any mainstream, overland and local flooding it's important that occupiers and those responsible for the management of the site are flood aware and prepared. Flooding could occur at the site and the surrounding areas (including local roads) which could impact on the safety of people / users of the development and equipment and could have serious consequences.

At this stage OEH raises no significant issues from a floodplain risk management perspective. The need to consult with the SES is however recommended for this proposal.

#### 2. Biodiversity

As the Department is aware, OEH provided comments on the proposed modification to the Concept Plan approval MOD 1 in relation to the importation of 1.3 million cubic metres of fill and associated impacts on biodiversity on 19 August 2016. In the comments, OEH advised that the Biodiversity Impact Assessment did not include a discussion of the proposed alterations to surface levels and the impacts of this on native vegetation. OEH recommended that the Biodiversity Impact Assessment be revised to address this issue. OEH notes that this issue has not been addressed yet.

The EIS prepared for the subject Stage 2 DA outlines that the conservation zone along the Georges River would be further impacted by the removal of additional vegetation to the water's edge for the construction of basin outlets in three locations. The resulting gaps in the vegetation would range from 50 - 70m during construction and 20-40 m following construction. The EIS notes the Moorebank Precinct West (MPW) Concept EIS assumes that the three basin outlets would require clearing of a 10 m wide gap and therefore the subject proposal requires much wider outlets and a greater extent of vegetation clearing than considered in the MPW Concept EIS.

The proposed increase in the width of the basin outlets will result in the clearing of an addition 1.68 ha of River-flat Eucalypt Forest Endangered Ecological Community (EEC) and result in fragmentation of the conservation area. The Biodiversity Assessment Report indicates that the disturbed areas would only be partially revegetated upon completion of the basin outlets.

The NSW Biodiversity Offsets Policy for Major Projects, Principle 1 states:

*Before offsets are considered, impacts must first be avoided and unavoidable impacts minimised through mitigation measures. Only then should offsets be considered for the remaining impacts.*

OEH is of the view that the EIS has not demonstrated that all efforts have been made to design the basins outlets to avoid and minimise impacts to the conservation area. The approved MPW Concept Plan permits a significant amount of clearing of EEC vegetation from the site and this stage 2 DA seeks to increase the loss of vegetation further within the proposed conservation area. OEH recommends that further consideration be given to the design of the outlets including options to minimise the width of the outlets and fragmentation of the conservation area. The conservation area should be retained and managed for biodiversity conservation purposes, not for extensive drainage infrastructure.

The EIS also states that "the riparian corridor outside of basin outlet would be maintained as a biodiversity conservation area, and would range in width from approximately 35m to 290m". Condition of Approval E16 for the MPW Concept approval requires all DAs include a minimum 40m wide riparian corridor along the terminal site. The proposed 35m wide riparian corridor does not satisfy condition E16.

OEH has not undertaken a detailed review of the FBA, however has noted the following:

- in Table 6.9 the benchmarks for ME005 have incorrectly been used for ME018,
- it is unclear why Q31 and Q37 have been included in ME018 Moderate/Good-Medium when the scores for these quadrats suggest the condition is more similar to the results from Q39 i.e. ME018 Moderate/Good-Poor than the results of Q03, and
- it is unclear why a separate FBA calculation was run for the additional impacts from the stormwater basin outlets, rather than combining all impacts under the one calculation. Separating them may have affected the credit requirement outcome, for example the combined impact may have resulted in a native vegetation extent increment being crossed.

On a specific matter, the EIS (page 161) states that in regard to the impacts of the outlet channels *"the design has been discussed with OEH and DoEE, both of which seem to support the approach to protection of the conservation area and the location of the OSDs or drainage channels"*. To clarify, OEH advises that the proposed amended OSD and channel design has not been discussed with OEH and OEH has not given support to the location of the drainage channels in the conservation area. OEH has consistently advised that infrastructure should not be located within the conservation area including in correspondence dated 5 December 2014:

*As advised in previous correspondence dated 17 May 2013 and 11 September 2014, the offset areas should be afforded the highest level of zoning protection. OEH recommends the use of E2 Environmental Conservation for offsets areas as this zone contains the most appropriate objectives and permitted uses to provide for the retention of the conservation values. It is noted that the applicant proposes that the offset area be zoned E3 Environmental Management in order to permit drainage infrastructure. OEH is strongly of the view that an offset area should be for the conservation and management of the conservation values, not for infrastructure associated with the development.*

Therefore, OEH requires that the statement on page 161 be removed from the EIS.

