

8 December 2021

2191002

Kiersten Fishburn
Secretary
Department of Planning, Industry and Environment
12 Darcy Street,
Parramatta NSW 2150

Attention: Thomas Piovesan, Senior Planner, Key Sites Assessments

Dear Tom,

Response to Request for Information for Eastern Creek Quarter - Lot 3 Concept Plan (SSD-10457)

Ethos Urban has prepared this letter on behalf of Frasers Property Australia (Frasers) in response to the Department of Planning, Industry and Environment's request for information, dated 29 November 2021, regarding the ECQ 3 development (SSD-10457). Ecological Australia has considered the matters raised within the Department's correspondence and has provided the following responses.

1. *Provide an updated EPBC assessment for the Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest Critically Endangered Ecological Community (CEEC) that will be impacted as part of this SSD application, noting the 2012 assessment referenced in the Biodiversity Development Assessment Report (BDAR) relates to SSD-5175.*

Appendix E was the original referral and was provided for information. A subsequent Referral for Stage 3 was made in 2020 (refer to **Attachment A**). This contains an assessment of impacts to the Commonwealth listed Cumberland Plain Woodland.

2. *Provide an impact assessment for the Grey-headed flying fox as identified in Table 25 of the BDAR, noting the Controlled Action decision applies to Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest CEEC and any additional protected matters under sections 18 and 18A of the EPBC Act identified during the assessment process*

The BDAR states that an impact assessment is required, however:

- The site contains foraging habitat (the CPW) but does not contain breeding habitat or GHFF camps. Under the NSW Biodiversity Assessment Method, GHFF is a split credit species, which means its breeding habitat must be assessed and offset if a development were to impact on it, where-as its foraging habitat is offset via the Ecosystem credits. The loss of the foraging habitat (less than 1 ha) would not be considered significant and will be offset via retirement of credits.
- When the Commonwealth DAWE reviewed the Referral (2020), they determined it was a Controlled Action due to impacts to Cumberland Plain Woodland, not the GHFF (refer to **Attachment B**). This implies the Commonwealth did not require further information on this species.

Should you have any further queries about this matter, please do not hesitate to contact me on the details provided below.

Yours sincerely,

A handwritten signature in cursive script that reads "Forrester".

Chris Forrester
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