

## Cumberland Ecology

10 August 2004

Peter Lean  
Director  
Hazcorp  
PO Box 373  
Narellan, NSW 2576

### **PEER REVIEW OF FLORA AND FAUNA ASSESSMENT OF LOT 4 DP 771597 AND PORTION 4, LEO DRIVE, NARRAWALLEE**

Dear Peter

As you are aware, I have reviewed the aforementioned Conacher Travers flora and fauna assessment reports for the proposed residential development site at Leo Drive Narrawallee.

The review was iterative and consisted of two stages. The first stage included a review of reports that were prepared in 2003 and early 2004 by Conacher Travers, and meetings on site with staff from Conacher Travers, Department of Infrastructure, Planning and Natural Resources (DIPNR) and Department of the Environment and Conservation (DEC). The first stage of review identified a number of areas where more information about threatened flora and fauna was required and also determined that there was a need for a more detailed explanation of impact assessment and mitigation measures.

Following the stage one review, Conacher Travers conducted further targeted surveys for threatened flora and fauna on the subject site in mid 2004 and prepared an Addendum Report dated July 2004. The purpose of this letter is to comment upon the information and impact assessment now available as a result of the Addendum Report.

#### **1. FINDINGS OF THE STAGE 1 REVIEW**

The review initially considered the following flora and fauna assessments of the subject site:

- Conacher Travers 2003a. Flora and Fauna Assessment Part of Lot 4 DP 771597 & Portion 4 off Leo Drive, Narrawallee. March 2003.
- Conacher Travers 2003b. *Response to Flora and Fauna and Bushfire Comments on Proposed Residential Subdivision of Lot 4 DP771597 and*

Cumberland Ecology  
PO Box 2474  
Carlingford Court 2118  
NSW Australia  
Telephone (02) 9868 1933  
Mobile 0425 333 466  
Facsimile (02) 9868 1977  
Email: david@cumberlandecology.com.au

Portion 4, Leo Drive Narrawallee. September 2003.

- Conacher Travers 2004. *Addendum Flora and Fauna Assessment Report Part of Lot 4 DP 771597 & Portion off Leo Drive, Narrawallee.* January 2004.

These reports identified a number of threatened species on the subject site and immediate surrounds of the property including Powerful Owl and Eastern False Pipistrelle. They also identified one endangered ecological community that is listed by the *Threatened Species Conservation Act 1995*, Sydney Coastal Estuary Swamp Forest. While the flora and fauna surveys of the subject site were generally sufficient, more work was required to complete the assessment of all threatened flora and fauna that could occur in the area. Also, it was identified that more detailed work was required to complete the impact assessment and to justify why no significant impact was likely under the terms of Section 5a of the *Environmental Planning and Assessment Act 1979* (the so-called eight part test).

As you are aware, the review identified a number of areas where these reports did not provide sufficient information or analysis of the likely impacts of the proposed residential development. Such concerns included:

- Insufficient coverage of threatened species including Glossy Black Cockatoo, Powerful Owl and the plant species *Melaleuca biconvexa*;
- The need to clarify the boundary of the endangered ecological community Sydney Coastal Estuary Swamp Forest by remapping the community edge closest to the proposed development;
- Insufficient analysis of the context for the development and the implications for the development on threatened species such as Powerful Owl and Glossy Black Cockatoo within the study area;
- Insufficient explanation as to why the impacts of the proposed development would be ameliorated by the area set aside to the west of the site for conservation by the LES;
- Insufficient mapping and analysis of the "trade off" area of forest adjacent to the development area; and
- Insufficient analysis and use of the tree hollow data collected within areas proposed to be cleared, areas proposed for conservation to the west of the subject site and areas within the nearby National Park.

## 2. FINDINGS OF STAGE 2 REVIEW: ADEQUACY OF ADDENDUM REPORT

The concerns that I raised following my Stage 1 Review have been met by the additional work completed within the Conacher Travers July 2004 Addendum Report. The report is titled:

- Conacher Travers 2004. *Flora and Fauna Assessment Part of Lot 4 DP 771597 & Portion 4 off Leo Drive, Narrawallee.* July 2004.

This report has now responded to the issues that I discussed with Conacher Travers following my stage 1 review and now contains adequate information and impact assessment to justify the primary conclusion reached. That is that the impacts of vegetation clearance that is required for the proposed residential development will not be significant for threatened species and for the endangered Sydney Coastal Estuary Swamp Forest. The impacts of the proposed development will be compensated for by the protection of the 80 hectare "trade off" conservation area to the west of the proposed development area, which contains representative areas of habitats of the type that would be cleared for the development.

The Addendum Report has outlined how an additional nine days and eight nights of field survey has been completed, providing a very detailed database of information about the subject site. The work involved targeted surveys for Glossy Black Cockatoo, Powerful Owl and for *Melaleuca biconvexa*. Together with the information provided in the earlier reports, I believe that there is now sufficient information about the occurrence of threatened species on and around the subject site.

The Addendum Report now clearly maps the nature and extent of the Sydney Coastal Estuary Swamp Forest and explains that there will be at least a 30 metre boundary between the development and the ecotonal boundary to this community. No clearing of this endangered ecological community will be required and it will be adequately protected from runoff via the implementation of sediment control structures and a biofiltration trench as follows:

*"Due to a re-design of the development layout it is now planned to provide a buffer of over 50 metres (including biofiltration trench). The biofiltration trench provides for filtration of sediment and nutrients from stormwater created by the proposed development. Furthermore the implementation of sediment control structures, and appropriate drainage design during the construction phase, combined with the high permeability of the soils between the subject site and the SCESFC boundary will replicate the natural drainage to the SCESFC. The proposed stormwater drainage system has been designed so that there is no concentration of stormwater flows into this community."*

The Addendum Report has also provided new eight part tests that utilise the new information for the aforementioned threatened species and endangered ecological community. These are very detailed and clearly demonstrate why there will be no significant impact upon such flora and fauna in terms of the eight part test criteria.

I believe that the proposed development will not have a significant impact upon threatened flora and fauna listed by the State *Threatened Species Conservation Act 1995* and that no Species Impact Statement is warranted. Furthermore, I believe that no significant impact is likely upon any Matters of National Environmental Significance that are listed by the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

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If you would like to discuss the contents of this letter please do not hesitate to contact me on 9868 1933.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'David Robertson'.

Dr David Robertson

Director