



Office of Environment & Heritage

Our reference : ED13/498
Contact : Liz Peterson, 9995 6841

Paul Robilliard
A/Director, Greenfield Delivery
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Robilliard,

Revised Draft East Leppington (Liverpool Part) Precinct Plan on exhibition

I am writing in regard to your correspondence to the Office of Environment and Heritage (OEH) dated 30 July 2013 inviting comments on the revised draft East Leppington (Liverpool Part) Precinct Plan that have been placed on public exhibition. OEH has reviewed the precinct plan and provides the following comments in relation to biodiversity, floodplain risk management and Aboriginal cultural heritage.

1. Biodiversity Certification Consistency Report

Proposed ENV protection mechanisms

OEH notes the overall precinct target of 5.46 hectares of Existing Native Vegetation (ENV). 3.64 hectares of Existing Native Vegetation (ENV)/Additional High Conservation Value Vegetation (AHCVV) was identified and protected in the Camden and Campbelltown Local Government Area (LGA) part of the East Leppington Precinct. The ENV that was protected in the Camden/Campbelltown LGA part of the East Leppington precinct as shown on page 24 of the *Assessment of Consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and East Leppington Precinct* was zoned E2 Environmental Conservation.

The Department of Planning and Infrastructure (DP&I) has identified 1.83 hectares of field validated ENV/AHCVV in the Liverpool part of the East Leppington Precinct which it is proposing to protect through an SP2 Local Drainage and RE1 Public Recreation Zone and vegetation controls in the *Growth Centres State Environmental Planning Policy (Growth Centres)*. However, the Biodiversity Certification Consistency Report does not provide any justification for the use of an SP2 or RE1 zones as protection mechanisms rather than the E2 Environmental conservation zone that was applied in the Camden/Campbelltown part of the precinct. OEH considers these areas should be given equivalent protection to the E2 Environmental Conservation zoning applied in the Camden/Campbelltown LGA part of the precinct.

It is noted that the ENV and AHCVV will be located within proposed SP2 Local Drainage and RE1 Public Recreation zones. Given the order of hierarchy, OEH recommends consideration be given to zoning all of the areas of vegetation to be retained, E2 Environmental Conservation.

Exempt and Complying Development

OEH supports the proposal for exempt and complying development to not be permitted on any environmentally sensitive area, including land shown as 'Existing Native Vegetation' or a 'Native Vegetation Retention Area' or land 'zoned E2 Environmental Conservation'.

2. Floodplain Risk Management

OEH comments on the Water Cycle Management Report, Cardno (July 2013) are generally confined to the methodology used for the flood assessment. From OEH's perspective the assessment by Cardno follows accepted floodplain risk management practice and is considered adequate subject to further investigation on the issues outlined below:

- The WCM, July 2013 states "*Some habitable parts of the floodplain are affected by the PMF and suitable provisions should be made so that the public can safely escape flood inundation if necessary*". An Emergency Management Strategy should be prepared in consultation with Liverpool City Council and State Emergency Service (SES) to ensure public safety.
- Investigation should be undertaken to assess the impact of the proposed amendments to the indicative layout plan in the Liverpool LGA. This investigation should be undertaken in consultation with Liverpool City Council during the detailed design stage of the precinct.

3. Aboriginal Cultural Heritage

OEH notes that no assessment of Aboriginal Cultural Heritage has been provided with the draft exhibition documents. A thorough assessment of the Aboriginal cultural heritage values of the Liverpool part of the East Leppington precinct should be undertaken prior to re-zoning. This assessment should provide sufficient detail and information to allow for management recommendations for Aboriginal cultural heritage in the Liverpool part of the East Leppington Precinct to be developed. These management recommendations may include, but not be limited to, conservation in situ, salvage excavation and community collection. All recommended management actions must be designed in consultation with the Aboriginal community.

The report *East Leppington Precinct Planning Indigenous and Non-Indigenous Heritage Assessment*, (June 2012, GML), prepared for DP&I to inform the recent re-zoning of the Campbelltown and Camden part of the East Leppington, gives an indication of the level of assessment that OEH considers necessary.

It is acknowledged that the Liverpool part of the East Leppington precinct has multiple landowners and this may impede an in depth assessment in certain areas. However, a thorough level of assessment is required in order to adequately identify the scientific and cultural values in this precinct and to design appropriate management recommendations to protect these values.

Should you have any questions, or wish to follow up any matters raised in this correspondence, please contact Liz Peterson, Senior Regional Operations Officer, on 9995 6841.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Trewin', with a long horizontal flourish extending to the right.

DAVID TREWIN
Senior Manager Greater Sydney
Regional Operations

12/9/13

