



Office of Environment & Heritage

Contact
Our reference:
Your reference:

Marnie Stewart ph 9995 6861
DOC11/39494

Ms Tanya O'Brien
Manager Strategic Planning
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Dear Ms O'Brien

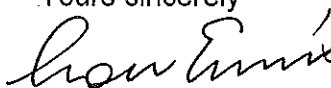
I refer to the Ecological Constraints Report Proposed Rezoning Coopers Paddock Governor Macquarie Drive Warwick Farm dated August 2011 prepared by Travers Bushfire and Ecology and received by the Office of Environment and Heritage (OEH) via email on 23 August 2011 in support of a Planning Proposal to rezone part of Coopers Paddock from RE2 Private Recreation to IN1 General Industrial and part RE1 Public Recreation under Liverpool Local Environmental Plan (LEP) 2008.

It is understood that this new amended Ecological Constraints Report replaces previous reporting for the site. OEH has reviewed the amended report and provides comments in Attachment 1.

OEH has also reconsidered the amended Ecological Constraints Report in terms of the Department of Planning and Infrastructure's (DoP&I) specific requirement under the Gateway Determination that additional consultation be undertaken with OEH "to ensure the proposed boundary between the IN1 General Industrial and RE1 Public Recreation zones on land south of Governor Macquarie drive accurately reflect the endangered and valuable ecological communities on this land. Where concerns are raised, the boundaries should be amended to protect the significant vegetation community". OEH is of the view that based on the additional information provided, the boundary of the IN1 General Industrial, RE1 Public Recreation and E2 Environmental Conservation zones in Figure 1 is acceptable.

If you have any queries regarding this matter please contact Marnie Stewart, Conservation Planning Officer, on 9995 6861.

Yours sincerely

 29/8/11

LOU EWINS
Manager Planning and Aboriginal Heritage
Metropolitan Branch
Environment Protection and Regulation

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet

ATTACHMENT 1 – OEH comments on the Ecological Constraints Report dated August 2011 for the Planning Proposal to rezone Coopers Paddock

Biodiversity

Ecological Constraints Report Proposed Rezoning Lot 1 DP 581034 'Coopers Paddock' Governor Macquarie Drive Warwick Farm August 2011 (received by OEH via email 23 August 2011)

OEH notes that the additional material provided in the most recent report consists of further survey results and the expert opinion of a researcher who conducted detailed studies of the Varied Sittella in the past. In summary, the report indicates the following:

- the area OEH proposed for addition to the conservation area is inhabited by miners, who will seek to exclude Varied Sittellas and other small insectivorous birds,
- the tree types in this area are smooth-barked, providing reduced foraging resources for Varied Sittellas, and
- Varied Sittellas should be capable of using the habitats across the river and north of the subject site. Thus the retained habitat will be greater than 20 ha even before the restoration area in the south west of the conservation zone is regenerated.

OEH has reconsidered the amended Ecological Constraints Report in terms of the Department of Planning and Infrastructure's (DoP&I) specific requirement under the Gateway Determination that additional consultation be undertaken with OEH "to ensure the proposed boundary between the IN1 General Industrial and RE1 Public Recreation zones on land south of Governor Macquarie drive accurately reflect the endangered and valuable ecological communities on this land. Where concerns are raised, the boundaries should be amended to protect the significant vegetation community". OEH is of the view that based on the additional information provided, the boundary of the IN1 General Industrial, RE1 Public Recreation and E2 Environmental Conservation zones in Figure 1 is acceptable.

Zoning regime

OEH notes that the Planning Proposal has been amended to zone the Powerful Owl roosting and nesting habitat E2 Environmental Conservation (Figure 1). OEH strongly supports this amendment to the Planning Proposal.