

16 September 2014

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Diocese of Parramatta
c/- Whelans InSites
Level 12, 80 Clarence Street
Sydney 2000

Attention: Mr Peter Laybutt

**Land at The Northern Road, Cranebrook
Tree Planting and Threatened Species Advice**

To Whom It May Concern,

The following letter has been prepared in response to matters raised during the implementation of the works for the approved Development Application (DA13/0288.01). It has become apparent that the number of replacement tree plantings is in excess of that originally intended and that the schedule for re-planting of the tree species and, in particular, of the salvaged *Grevillea juniperina* subsp. *juniperina* specimens do not align with the achievement of subdivision certificate goals.

1 Replacement Tree Planting

Consent Condition No. 48 states that all replacement trees are to be planted within only the western portion of the VMA, being within the school grounds. Limiting replacement planting of a large number of trees to one area is contrary to the recommendations and aims of the VMP and does not promote biodiversity and an optimal environmental outcome.

1.1 Location of Plantings

In accordance with the VMP, any planting within the VMA must be:

- *“species obtained from the development portions of the site and/or propagated from seed sourced from the site or from a source of local provenance plants.”*
- *“Native species selected for the compensatory plantings should be sourced from the Species List (Appendix A), based on availability of local provenance stock, at the discretion of the BRC. In addition local provenance specimens of species listed in the Final Determination for CRCIF (Appendix B) may be sourced”*

In addition the VMP states:

- “Given the presence of existing moderately good condition native woodland vegetation, minimal rehabilitation efforts, such as weeding and small scale re-planting, are required. The rehabilitation program will not involve major earthworks, soil remediation or large-scale replanting...”
- “Any supplementary planting which is required within the Vegetation Management Area will be targeted - based on locations within the Vegetation Management Area. The appropriate species will be determined by the BRC based on site circumstances.”

Therefore to remain in line with the aims of the VMP, any replacement planting should not be restricted to one section of the VMA - rather, planting distribution and density should be decided by Toolijooa based on site circumstances. Planting should be distributed across the entire VMA or other appropriate locations on the site deemed appropriate by Toolijooa so as to achieve ‘target densities’ as outlined in the VMP and to promote biodiversity and optimising the environmental outcomes of the development.

1.2 Number and Type of Plantings

The requirement for replacement trees in the western VMA may be accounted for via the implementation of the VMP. The Vegetation Management Area (VMA) is to be planted with trees regardless of the proposed replacement plantings.

The only mention of replacement planting in the Vegetation Management Plan (VMP) states:

- “Where native trees are removed as part of the subdivision works (likely to be only a few trees from the footprint of the proposed road), these trees are to be replaced by the same species and/or other species typical of CRCIF in the area (such as *Eucalyptus fibrosa* and *E. moluccana*)”.

Tree replacement is based on the replacement of trees as per the definition in the Penrith Tree Preservation Order (TPO) which defines ‘trees’ (to which the Order applies) as “any trees having a height greater than 3m with a girth of 30cm measured 40cm above the ground”.

Once fully grown, the following species from the CRCIF definition would meet the 3m height criteria for a tree under Council’s TPO: *Acacia binervia*, *Angophora bakeri*, *Angophora floribunda*, *Eucalyptus capitellata*, *Eucalyptus fibrosa*, *Eucalyptus longifolia*, *Eucalyptus moluccana*, *Eucalyptus resinifera*, *Exocarpos cupressiformis*, *Hakea sericea*, *Kunzea ambigua*, *Leptospermum trinervium*, *Melaleuca decora*, *Melaleuca nodosa*, *Notelaea longifolia* and *Syncarpia glomulifera*.

Accordingly, the plantings proposed as part of the VMP works can satisfy the requirement for replacement plantings, by planting both VMA areas with replacement plants comprising a mixture of these species (plus additional low shrubs and groundcover plants), as determined appropriate by the Bush Regeneration Contractor.

We also note that the Bush Regeneration Contractor (BRC) for the project (Toolijooa) has been in contact with local suppliers of native provenance stock (which is a requirement for any plants to be planted within the VMA areas) and have been advised that it could take up to five months for the plants to be ready for planting in the numbers considered.

2 Translocation of Threatened Species

With regard to the Condition of Consent No. 47 for the translocation of threatened species (as quoted below) we note that it was clearly the intent of the VMP to protect all threatened plant specimens within the eastern VMA (along the northern boundary of the residential lots), as well as within the residue lot (*ie* the lot occupied by the bioretention swale).

In this regard the VMP states:

- “There are 39 specimens of *Dillwynia tenuifolia* along the northern boundary of the subject site at Cranebrook. This species is listed as “endangered” in the Threatened Species Conservation Act 1995 (TSC Act). All specimens are within the VMA and the proposed detention basin and are to be retained and protected.”
- “There are 50 specimens of Juniper-leaved *Grevillea juniperina* within the subject site and the adjoining road reserve (of The Northern Road) at Cranebrook. This species is listed as “vulnerable” in the TSC Act. A large proportion of the specimens on the site will be retained within the proposed VMA and the adjoining bio-retention swale in the northwest of the site.”

This appears to be in conflict with the Condition of Consent No. 47 (provided below) which describes the translocation of *Grevillea juniperina* subsp. *juniperina* and *Dillwynia tenuifolia* from the residue lot (*ie* the specimens which adjoin the bio-retention swale):

- “Threatened species including *Grevillea juniperina* and *Dillwynia tenuifolia* from Lots 10 and 11 and from the residue lot are to be translocated to the Vegetation Management Area in Lot 100 and then maintained as per the Vegetation Management Plan.”

Therefore to clarify, it is recommended in the VMP that any threatened plant species not affected by civil works be protected and retained within the residue lot.

In addition, with regard to the translocation of *Grevillea juniperina* from Lots 10 and 11, the VMP states:

- “A few specimens in the southeast of the site (approximately 6 specimens) will be re-located (*via* cuttings) to the VMA. In addition any saplings which are small enough can be directly transplanted to the VMA.”

It is noted that there were no longer six live specimens of *Grevillea juniperina* subsp. *juniperina* remaining in Lots 10 and 11 and there were no small saplings – one adult specimen remained which was able to be salvaged and is currently being maintained (temporarily) in the Toolijooa nursery (until such time as it is deemed ready for planting to the proposed recipient site in the VMA).

In addition to the live plant, cuttings have been made with the intention to plant a number of *Grevillea juniperina* subsp. *juniperina* to Lot 100 (the school grounds). Current advice from Toolijooa indicates that this needs to occur in August 2015 to allow enough time to establish the cuttings as small healthy plants, and to increase the chances of survival in warmer months.

There was no intention within the VMP to immediately translocate the *Grevillea juniperina* subsp. *juniperina* into Lot 100, which could reduce the likelihood of survival of individual plants. With the taking of cuttings and the translocation and temporary holding of one individual plant, the translocation of threatened plants on the site, as proposed in the VMP, is clearly underway.

The procedure according to the VMP is to take cuttings, establish several new plants in nursery conditions and then plant them into the VMA. This process can and should run in parallel with the proposed subdivision approval and construction process, and should not be a precursor to release of the Subdivision Certificate as the timing for replanting should depend on maximising the chance of healthy survival of the plant/s, despite the apparent conflict with what is stated in the Conditions of Consent.

Kind Regards,



Fiona Iolini
Senior Ecologist