

# Referral of proposed action

**Project title:** Transfer of Airservices Australia Property, former International Radio Transmitter Station at Shanes Park (Llandilo), Blacktown, NSW.

## 1 Summary of proposed action

### 1.1 Short description

Airservices Australia is a Commonwealth authority responsible for the provision of air traffic management and related airside services to the aviation industry. Airservices Australia is the current owner of the former International Radio Transmitter Station at Llandilo, known as Shanes Park, Blacktown (hereafter referred to as the Site). A substantial portion of the Site (approximately 400 hectares out of a total of 560 hectares) is included on the Commonwealth Heritage List and contains substantial areas of Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest. The property is surplus to the needs of Airservices Australia, and it is proposed to transfer this Site to the NSW Government, and preserve its current condition. There are no works proposed in association with the transfer of land. The transfer itself is the subject of this referral.

### 1.2 Latitude and longitude

location point	Latitude			Longitude		
	degrees	minutes	seconds	degrees	minutes	seconds
NE Corner	-33°	42'	25.938"	150°	48'	59.22"
SE Corner	-33°	43'	25.5678"	150°	48'	47.6316"
SW Corner	-33°	43'	10.5306"	150°	46'	55.6242"
NW Corner	-33°	42'	10.2564"	150°	47'	5.9742"

### 1.3 Locality and property description

The Site is the former International Radio Transmitter Station at Llandilo, known as Shanes Park, in Blacktown, Sydney NSW. There are a number of easements across the property for electricity transmission lines, a water supply pipeline, right of way and a lease to Blacktown Pistol Club (Lot 1 DP1070840). The Site is located on the eastern side of Stony Creek Road which forms its western boundary. Adjacent land uses include:

- Light grazing with small pockets of remnant woodland to the north (proposed for future residential development);
- Densely populated residential areas of the suburbs of Willmot, Shalvey and Bidwell to the south;
- Cumberland Plan Woodland vegetation and rural residential areas to the east; and
- Rural residential areas to the west.

### 1.4 Size of the development footprint or work area (hectares)

The current Site encompasses 560 hectares. Approximately 400 hectares of this is listed under the EPBC Act as a Commonwealth Heritage Place for natural heritage values.

### 1.5 Street address of the site

The Site is located off Stony Creek Road, Shanes Park.

### 1.6 Lot description

The legal description of the Site is Lot 1 DP447543, Parish of Rooty Hill, County of Cumberland.

### 1.7 Local Government Area and Council contact (if known)

The Site is located within the Blacktown City Council Local Government Area.

### 1.8 Time frame

The action involves the transfer of land at the Site to the NSW Government only. Airservices Australia has a program to complete the transfer of land by March 2011.

### 1.9 Alternatives to proposed action

	Yes, see Section 2.2

1.10	<b>Alternative time frames etc</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	
1.12	<b>State assessment</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	
1.12	<b>Component of larger action</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	
1.13	<b>Related actions/proposals</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	
1.14	<b>Australian Government funding</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	
1.15	<b>Great Barrier Reef Marine Park</b>	<input type="checkbox"/>	No
		<input type="checkbox"/>	

## 2 Detailed description of proposed action

### 2.1 Description of proposed action

Airservices Australia currently owns the former International Radio Transmitter Station at Shanes Park (Llandilo), Blacktown. Over time, the land at Shanes Park has become surplus to Airservices Australia's operational needs, and accordingly, Airservices Australia is seeking to transfer ownership of this land. Recognising the important features intrinsic to the Site, Airservices Australia has identified a transfer of the land to the NSW Government (Department of Environment, Climate Change and Water (DECCW)), as being the most appropriate means of disposing of the Site. The action is limited to the proposed transfer of the land by Airservices Australia, there are no physical works proposed in association with the proposed transfer of the subject land. Liaison to date with relevant representatives of the NSW Government have indicated a desire to incorporate the Site within the Wianamatta Regional Park, thereby ensuring that unique features of the Site are preserved and managed in perpetuity.

### 2.2 Alternatives to taking the proposed action

Prior to progressing in detail planning for the proposed action that is the subject of this Referral, Airservices Australia, considered the following alternative options:

#### **"Do Nothing" option**

This option involved the continued use of the Site for Airservices Australia activities. Given that the Site has previously been identified as surplus to requirements, and requires ongoing maintenance, security and other management expenditure, this option was not considered feasible.

#### **Dispose of the Site on the open market**

The prospect of disposing of the Site on the open market was not considered viable given the limited ability to control and influence the end use of the Site. Given the substantial environmental and heritage values contained within the Site, such an option was not appropriate, when considered in the context of the preferred option which involves the transfer of land to NSW Government for the express purpose of retaining the Site as a Regional Park, with associated protection under the *National Parks and Wildlife Act 1974*.

### 2.3 Alternative locations, time frames or activities that form part of the referred action

The action involves the transfer of land at the Site to the NSW Government only. Airservices Australia has a program to complete the transfer of land by March 2011.

### 2.4 Context, planning framework and state/local government requirements

#### **Blacktown Local Environmental Plan 1988**

The Site is subject to the planning controls of the Blacktown City Council, under the *Blacktown Local Environmental Plan 1988*. Currently the Site is zoned 5(a) Special Uses – Commonwealth Uses. A road corridor is indicated along the entire southern boundary of the Site, and is zoned 5(b) Special Uses – Arterial Road and Arterial Road Widening.

#### **State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006**

The Site is subject to the provisions of the SEPP Sydney Region Growth Centres 2006. This SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region, while balancing and effectively managing social, environmental and economic considerations. Under this SEPP, the Site is zoned for Environmental Conservation. The objectives of this zoning are to protect and restore areas of special ecological, scientific or aesthetic values, and to conserve biological diversity, native vegetation corridors, aboriginal heritage or cultural values of the land, and its scenic qualities (Part 3, Clause 10).

#### **Threatened Species Conservation Act 1995**

The *Threatened Species Conservation Act 1995* (TSC Act) provides for the listing of threatened species, populations and ecological communities and key threatening processes, as well as critical habitat of endangered species, populations and ecological communities. The Act also provides for the licensing of actions that are likely to result in:

- The harming of an animal that is of, or part of, a threatened species, population or ecological community.
- The picking of a plant that is of, or part of, a threatened species, population or ecological community.
- Damage to critical habitat.
- Damage to habitat of a threatened species, population or ecological community.

#### **National Parks and Wildlife Act 1974**

The *National Parks and Wildlife Act 1974* (NPW Act) operates in conjunction with the TSC Act. Under the NPW Act the Governor may reserve land as a national park, a historic site, a state conservation area, a regional park, a karst conservation reserve, a nature reserve or an Aboriginal area. If land is reserved as such then there a number of prescribed management principles that the DECCW, incorporating the former National Parks and Wildlife Service, must follow in the care, control and management of the land.

Further, the Act gives the Director-General, the Minister and the DECCW a number of powers. For example, under the Act the Director-General and the Minister may issue stop-work or interim protection orders if an action, or proposed action, is likely to significantly affect protected fauna or native plants or their environment or if the land is of natural, scientific or cultural significance. The Act also prescribes a number of offences. For example, it is an offence under the Act to (among other things) do anything that causes damage to any critical habitat. The Act also provides for the issue of licences in respect of fauna, native plants and threatened species.

The Act also deals with the protection of aboriginal objects. There are offences under the Act in relation to aboriginal objects, including in relation to damaging objects. It is possible to obtain permits under the Act to move objects.

### ***Rural Fires Act 1997***

This Act makes it the duty of the owner or occupier of land to take notified steps and any other practicable steps to prevent the occurrence of bushfires on, and to minimise the danger of the spread of bushfires on, or from, that land. It is an offence under the Act to light certain fires unless a notice has been given by the appropriate authority, a bushfire hazard reduction certificate has been issued or an approval, consent or other authority required for the land clearance or fire break has been given by the appropriate authority. The Act also provides for the issue of fire permits authorising the lighting of a fire on land specified in the permit for the purposes specified in the permit.

### ***Heritage Act 1977***

If an interim heritage order applies to a place, building, work, relic, moveable object, precinct or land affected by a proposed development or activity, or if that place, building, work, relic, moveable object, precinct or land is listed on the State Heritage Register, then there are a number of activities that cannot be completed without approval.

### ***Protection of the Environment Operations Act 1997***

In the carrying out of a development or activity, it may be necessary to obtain an environment protection licence in relation to pollution or in order to carry out certain works. In determining whether to grant a licence, the appropriate regulatory authority is required to take into consideration a number of things. These include, but are not limited to, the pollution being or likely to be caused by the carrying out of an activity and the likely impact, of that pollution on the environment; the practical measures that could be taken to prevent, control, abate or mitigate that pollution, and to protect the environment from harm as a result of that pollution; any relevant environmental assessments, prepared or obtained by the applicant. The Act specifies a number of environment protection notices that may be issued against a person, including clean up notices, prevention and prohibition notices. It also creates a number of environment protection offences.

## **2.5 Environmental impact assessments under Commonwealth, state or territory legislation**

Given Airservices Australia does not propose any changes to the physical makeup of the Site, the proposed transfer of the land itself is not expected to trigger any approval requirements under any relevant State or Local planning laws, or environmental planning instruments. A comprehensive environmental management plan (EMP) has been prepared for the Site, and details key management actions that contribute to the maintenance and enhancement of the existing environmental and natural heritage features of the Site (URS, 2008).

## **2.6 Public consultation (including with Indigenous stakeholders)**

To date there has been no formal consultation with any members of the public, including Indigenous stakeholders regarding the proposed transfer of land. It is noted that there are a number of actions identified within the EMP for the Site (URS, 2008) that will require thorough community consultation. These actions include ongoing management activities associated with the control of feral animals, and further investigation into the aboriginal heritage values of the Site, that will be undertaken in close consultation and liaison with traditional owners, and other Indigenous people with interests in the Site.

Consultation with government stakeholders has included meetings and exchanges with the NSW DECCW, NSW DoP and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). This liaison has revolved around the environmental and heritage values of the Site, appropriate management and conservation approaches for these values, and logistical discussions around practicalities associated with the proposed transfer of the Site to the NSW Government.

## **2.7 A staged development or component of a larger project**

The proposed transfer of the Airservices Australia Site to the NSW Government is not part of a staged development for the site. However it is within the North-west Growth Centre and is identified for protection under the NSW Biocertification of the Growth Centres SEPP as well as the EPBC Act Strategic Assessment of the Growth Centres currently being considered by the Commonwealth Environment Minister.

# 3 Description of environment & likely impacts

## 3.1 Matters of national environmental significance

### 3.1 (a) World Heritage Properties

**Description**

The Blue Mountains World Heritage Area is approximately 13 km northwest of the Site.

**Nature and extent of likely impact**

No impact is expected.

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### 3.1 (b) National Heritage Places

**Description**

No National Heritage Places were found within 20 km of the Site.

**Nature and extent of likely impact**

Not applicable.

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### 3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

**Description**

No Ramsar wetlands were found in the vicinity of the Site.

**Nature and extent of likely impact**

Not applicable.

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### **3.1 (d) Listed threatened species and ecological communities**

#### **Description**

Approximately 400 hectares (71%) of the Site are included on the Commonwealth Heritage List based on its natural values. There is one critically endangered ecological community within the Site – the Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest.

At the time of preparation of the EMP conducted for the Site (2008), 25.60 hectares of the Site was found to meet the EPBC Act definition of 'Cumberland Plain Woodland', which was listed as an endangered ecological community. This community has since been re-assessed and subsequently revised to critically endangered which occurred in December 2009 (DEWHA, 2010). The listing was also renamed as 'Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest' to reflect its relationship with two threatened ecological communities listed under the NSW TSC Act; 'Cumberland Plain Woodland in the Sydney Basin Bioregion' and 'Shale Gravel Transition Forest in the Sydney Basin Bioregion'.

When the EMP was prepared, along with the 25.60 hectares (4.57 % of Site) of the Site found to meet the EPBC Act definition of 'Cumberland Plain Woodland', 249.79 hectares (44.61 % of Site) of 'Shale Gravel Transition Forest' meeting the NSW TSC Act determination was also found. Airservices Australia believes that this should be considered as part of the EPBC Act 'Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest' ecological community, meaning that there is now 275.39 hectares (49.18 % of Site) of the critically endangered ecological community on the Site.

The following Vegetation communities which meet the NSW TSC Act listings are also present within the Site:

- Freshwater Wetland (6.13 ha, 1.09% of Site).
- Sydney Coastal River-flat Forest (9.03 ha, 1.61% of Site).
- Castlereagh Swamp Woodland (26.43 ha, 4.72% of Site).
- Cooks River Castlereagh Ironbark Forest (111.00 ha, 19.82% of Site).

Plant communities are generally of high quality with substantial regrowth in areas previously disturbed or historically subject to maintenance requirements (URS, 2008).

Twenty-two listed flora and fauna species were identified in the EPBC Act Protected Matters Search report. See Table 1 and 2 in Section 3.3 for species listed in the EPBC Protected Matters database along with those listed under the NSW TSC Act.

#### **Nature and extent of likely impact**

The proposed action (change in ownership) is not expected to have any direct or indirect impacts to the listed species or communities. In addition, a list of recommendations are made (see Section 4 of this referral, to ensure that any unforeseen impacts are avoided).

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### **3.1 (e) Listed migratory species**

#### **Description**

There are 12 listed migratory species with the potential to occur on the Site. See Table 3 in Section 3.3 for species listed as migratory in the EPBC Protected Matters database.

#### **Nature and extent of likely impact**

The proposed action (change in ownership) is not expected to have any direct impact to these migratory species or habitat which they may depend on. In addition, a list of recommendations are made (see Section 4 of this referral, to ensure that any unforeseen impacts are avoided).

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### **3.1 (f) Commonwealth marine area**

(If the action is in the Commonwealth marine area, complete 3.2(c) instead. This section is for actions taken outside the Commonwealth marine area that may have impacts on that area.)

#### **Description**

No Commonwealth marine areas were found in the vicinity of the Site.

#### **Nature and extent of likely impact**

Not applicable.

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**3.1 (g) Commonwealth land**

(If the action is on Commonwealth land, complete 3.2(d) instead. This section is for actions taken outside Commonwealth land that may have impacts on that land.)

**Description**

The proposed action (change in ownership) is on Commonwealth land. See section 3.2(d).

**Nature and extent of likely impact**

See section 3.2(d).

**3.1 (h) The Great Barrier Reef Marine Park**

**Description**

The Great Barrier Reef Marine Park is not in the vicinity of the Site.

**Nature and extent of likely impact**

Not applicable.

**3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park**

3.2 (a)	Is the proposed action a nuclear action?	<input type="checkbox"/>	No
		<input type="checkbox"/>	

**If yes, nature & extent of likely impact on the whole environment**

3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	

**If yes, nature & extent of likely impact on the whole environment**

The proposed action (change in ownership) is not expected to have any direct or indirect impacts to the environment or any matters of National Environmental Significance. In addition, a list of recommendations are made (see Section 4 of this referral, to ensure that any unforeseen impacts are avoided).

3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	<input type="checkbox"/>	No
		<input type="checkbox"/>	

**If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))**

3.2 (d)	Is the proposed action to be taken on Commonwealth land?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	

**If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))**

The proposed action (change in ownership) is not expected to have any direct or indirect impacts to the environment or any matters of National Environmental Significance. In addition, a list of recommendations are made (see Section 4 of this referral, to ensure that any unforeseen impacts are avoided).

3.2 (e)	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	<input type="checkbox"/>	No
		<input type="checkbox"/>	

**If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))**

### 3.3 Other important features of the environment

#### 3.3 (a) Flora and fauna

##### Flora:

There are eight EPBC Act and 11 TSC Act threatened flora species potentially in the vicinity of the Site (see Table 1).

**Table 1: EPBC and TSC listed threatened flora species (species or species habitat is likely to occur within the Site)**

Scientific name	Common name	TSC listing	EPBC listing	Recorded (2006)
<i>Acacia bynoeana</i>	Bynoe's Wattle, Tiny Wattle	V	V	
<i>Allocasuarina glareicola</i>		E1	E	
<i>Micromyrtus minutiflora</i>		E1	V	
<i>Persoonia nutans</i>	Narrow-leaved Geebung	E1	E	
<i>Pimelea curviflora</i> var. <i>curviflora</i>		V	V	
<i>Pultenaea parviflora</i>		E1	V	Yes
<i>Marsdenia viridiflora</i> subsp. <i>viridiflora</i>	Native Pear	E2	-	
<i>Pterostylis saxicola</i>	Sydney Plains Greenhood	-	E	
<i>Grevillea juniperina</i> subsp. <i>juniperina</i>	Juniper-leaf Grevillea	V	-	Yes
<i>Hypsela sessiliflora</i>		-	Extinct	

##### Fauna:

There are 14 EPBC Act and 28 TSC Act threatened fauna species potentially in the vicinity of the Site (see Table 2).

**Table 2: EPBC and TSC listed threatened flora species (species or species habitat is likely to occur within the Site)**

Type	Scientific name	Common name	TSC listing	EPBC listing	Habitat at the Site	
<b>Frogs</b>	<i>Heleioporus australiacus</i>	Giant Burrowing Frog	V	V		
	<i>Litoria aurea</i>	Green and Golden Bell Frog	E1	V	Yes	
<b>Birds</b>	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	V	-	Yes	
	<i>Lathamus discolor</i>	Swift Parrot	E1	E	Yes	
	<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (subsp. Eastern)	V	-	Yes	
	<i>Neophema pulchella</i>	Turquoise Parrot	V	-	Yes	
	<i>Ninox connivens</i>	Barking Owl	V	-	Yes	
	<i>Ninox strenua</i>	Powerful Owl	V	-	Yes	
	<i>Oxyura australis</i>	Blue-billed Duck	V	-	Yes	
	<i>Rostratula australis</i>	Australian Painted Snipe	E	V	Yes	
	<i>Xanthomyza phrygia</i>	Regent Honeyeater	E1	E	Yes	
	<b>Invertebrates</b>	<i>Meridolum corneovirens</i> †	Cumberland Plain Snail	E1	-	
<b>Mammals</b>	<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	V	E	Yes	
	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	V	-	Yes	
	<i>Mormopterus norfolkensis</i>	Eastern Freetail-bat	V	-	Yes	
	<i>Phascolarctos cinereus</i>	Koala	V	-	Yes	
	<i>Pteropus poliocephalus</i>	Grey-headed Flying Fox	V	V	Yes	
	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V	V	Yes	
	<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle	V	-	Yes	
	<i>Miniopterus schreibersii oceanensis</i>	Eastern Bentwing-bat	V	-	Yes	
	<i>Myotis adversus</i>	Large-footed Myotis	V	-	Yes	
	<i>Petrogale penicillata</i>	Brush-tailed Rock-wallaby	E	E		
	<i>Potorous tridactylus tridactylus</i>	Long-nosed Potoroo (SE mainland)	V	V		
	<i>Pseudomys novaehollandiae</i>	New Holland Mouse	-	V		
	<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V	-	Yes	
	<b>Reptiles</b>	<i>Hoplocephalus bungaroides</i>	Broad-headed Snake	E	E	
		<i>Macquaria australasica</i>	Macquarie Perch	-	E	
<b>Ray-finned fishes</b>	<i>Prototroctes maraena</i>	Australian Grayling	-	V		

† Cumberland Plain Snail – recorded by then DEC (DECCW)



**Table 3: Migratory species listed in the EPBC Act database; the species or species habitat is likely to occur within the Site**

Type	Scientific name	Common name	Migratory type
Migratory Birds	<i>Haliaeetus leucogaster</i>	White-bellied Sea-eagle	Terrestrial
	<i>Hirundapus caudacutus</i>	White-throated Needletail	Terrestrial
	<i>Merops ornatus</i>	Rainbow Bee-eater	Terrestrial
	<i>Monarcha melanopsis</i>	Black-faced Monarch	Terrestrial
	<i>Myiagra cyanoleuca</i>	Satin Flycatcher	Terrestrial
	<i>Rhipidura rufifrons</i>	Rufous Fantail	Terrestrial
	<i>Xanthomyza Phrygia</i>	Regent Honeyeater	Terrestrial
	<i>Ardea alba</i>	Great Egret, White Egret	Wetland/Marine
	<i>Ardea ibis</i>	Cattle Egret	Wetland/Marine
	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	Wetland
	<i>Rostratula benghalensis s. lat</i>	Painted Snipe	Wetland
	<i>Apus pacificus</i>	Fork-tailed Swift	Marine

### 3.3 (b) Hydrology, including water flows

Two ephemeral tributary creeks of South Creek drain from south to north across the Site. The western tributary is influenced heavily by urban run-off, while the eastern tributary has lower flows most of which is run-off from the higher elevations from within the Site. Low depressions form small drainage channels or bogs during periods of heavy rainfall and some freshwater reed swamps (URS, 2008).

### 3.3 (c) Outstanding natural features

The remnant native vegetation of Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest are the key feature of the Site. The relatively undisturbed nature of the woodland is unusual, particularly when considered in a regional context. There are no other particular outstanding features at this Site.

### 3.3 (d) Remnant native vegetation

The Site is essentially bisected into east and west. The eastern side contains stands of an EPBC Act listed community (Cumberland Plain Shale Woodland and Shale-Gravel Transition Forest) as well as other NSW TSC Act list species. The western portion has areas of disturbance, but intact stands of EPBC and NSW TSC Act species and communities still make up a considerable proportion of the area (see Table 1 for listed vegetation).

### 3.3 (e) Current state of the environment

Native vegetation predominates across the Site. Weeds are generally found in isolated occurrences along the drainage/creek lines, and to a lesser extent within the Transgrid transmission line easement. The western side also contains areas of disturbed vegetation and regrowth. Weed control is currently identified as manageable. Feral fauna surveys have not been undertaken but foxes, cats, dogs, and rats are likely to impact native fauna, while rabbits and hares are likely to impact native vegetation (URS, 2008). These features are to be expected given the interface with highly developed residential areas within the locality.

#### Contamination:

- i) In the vicinity of the facility infrastructure, there is limited soil heavy metal contamination. Asbestos is found in the sediment in stormwater drains and in a nearby swale but was not noted in soils. Remediation and management of the asbestos contamination, originating from weathering of the asbestos cement roof, is recommended. Oil leakage and staining was noted both inside and outside the powerhouse.
- ii) Asbestos containing material (ACM) was identified in two tips which exist within the Site. Management options include removing surficial rubbish (including ACM) and capping with an impermeable material to avoid potential exposure of other contaminants present. Excavation and removal of tip material is possible, but would likely impact the existing vegetation communities, and is not warranted to prevent a significant risk of harm.
- iii) Within the Pistol Club lease, there is widespread minor soil lead contamination in the vicinity of the shooting ranges, and in stormwater both on and off Site. Copper and zinc are also elevated in soils but to a lesser degree (Coffey, July 2009).

### 3.3 (f) Commonwealth Heritage Places or other places recognised as having heritage values

The Site is listed on the Commonwealth Heritage List due to its natural values (Listed Place ID 105534). However, there are also potential commonwealth cultural heritage values relating to the disused International Transmitter Station (i.e. its role, function and equipment). These built structures have been assessed for their possible heritage values by Airservices Australia (JCIS, 2008), and found to be consistent with Commonwealth cultural heritage values relating to its historical importance for its role in the operation of the international air routes to Australia for 1959 to 2005 as part of the air traffic control system. Airservices Australia has nominated these values for inclusion on the Commonwealth Heritage list in 2009 (Nominated Place ID 106101). The Australian Heritage Council has recently informed Airservices that it has completed its preliminary consideration of the Llandilo International Transmitter Station and agreed that it might have one or more Commonwealth Heritage values.

It is also possible that both indigenous and non-indigenous cultural values of National significance may exist but these have not yet been identified, documented or assessed by the Australian Heritage Commission (Australian Heritage Database, accessed 26 November 2010).

The EPBC Act Protected Matters report lists five places on the Register of the National Estate (RNE), which can be found on or near the Site:

- King Family Farm Sties and Trees, located approximately 2.5 km south west of the Site (historic).
- St Marys Permanent cottage area, located approximately 3.5 km south west of the Site (historic).
- Castlereagh Jewel Beetle Habitat and Movement Corridor NSW (natural). Corridors of native vegetation that are important for the continued movement of Jewel Beetle species are located close to the Site (approximately 2 km north west of the Site). Due to the proximity it is possible that some species of Jewel Beetles may be on the Site.
- Castlereagh State Forest and Adjacent Area, located approximately 2.5 km north west of the Site (natural).
- Shale Woodland Llandilo, contained within the Site and the reason for the Sites Commonwealth Heritage Listing (natural).
- Western Sydney Shale Woodland St Marys, located south of the Site (natural).

There is one State Reserve listed in the EPBC Act database report:

- Castlereagh Nature Reserve, located approximately 2.5 km NW of the Site.

### **3.3 (g) Indigenous heritage values**

The NSW DECCW Aboriginal Heritage Information System (AHIMS) indicated 17 aboriginal sites have been recorded in or near the Site, with none having been declared (AHIMS Basic Search, accessed 1 December 2010). A further search of Aboriginal places gazetted after 2001 revealed that no notices have been declared for the Site. There is currently insufficient evidence available to determine the archaeological significance of Shanes Park. However, due to its lack of disturbance (and this only since 1956), it is likely that surveys would result in identification of Aboriginal sites (URS, 2008).

### **3.3 (h) Other important or unique values of the environment**

The Site is in close proximity to:

- Castlereagh Nature Reserve, approximately 2.4 km NW, has had 135 species of bird recorded (URS, 2008);
- Wianamatta Regional Park, which just borders the site on the south west corner;
- Blue Mountains World Heritage Area, approximately 13 km NW;
- St Mary's Reserve, adjacent to the SW; and
- Marsden Park, adjacent to the East.

It is not expected that these sites would be affected by the proposed action.

### **3.3 (i) Tenure of the action area (eg freehold, leasehold)**

Other designated areas within the Site include:

- A road easement corridor which lies along the southern edge within the Site boundary.
- 4.1 ha is leased to Blacktown Pistol Club Ltd for a shooting range and club house.
- A Transgrid transmission easement which runs approximately NE-SW through the eastern quarter of the Site.

### **3.3 (j) Existing land/marine uses of area**

Access is permitted to the local ornithological club, but otherwise there is no authorised public access. Unauthorised access occurs leading to dog-walking, motor bike riding, car and rubbish dumping, arson and living/sheltering. To the north, plans are for a residential area to be developed (by 2013).

### **3.3 (k) Any proposed land/marine uses of area**

Representatives of the NSW Government have agreed in principle to incorporate the Site within the Wianamatta Regional Park that is gazetted under the NSW National Parks and Wildlife Act (1974). Incorporation into the Regional Park will ensure the natural and heritage values of the property are maintained.