



Office of
Environment
& Heritage

Your reference MP09_0028 MOD 3
Our reference: DOC15/200043
Contact Krister Waern 6640 2503

Chris Ritchie
Manager Industry Assessments
GPO Box 39
Sydney NSW 2001

Attention: Ms Rebecca Sommer

Dear Mr Ritchie

**Re: Modification Request for Cultural Events Site, North Byron Parklands, Yelgun
(MP09_0028 MOD 3)**

Thank you for your letter dated 3 June 2015 requesting comment from the Office of Environment and Heritage (OEH) in relation to the proposed modification for the Cultural Events Site at North Byron Parklands in Yelgun. I appreciate the opportunity to provide input and apologise for the delay in responding.

Although most of the proposed amendments in the modification request appear minor, the accumulation of the amendments result in an intensification of the existing approval and the use of the site. This is likely to increase direct and indirect impacts on biodiversity. The impacts on biodiversity associated with the operational activities at the site are well documented within the existing approval documents.

We note that the existing approval requires the rehabilitation of cleared lands, rehabilitation of existing native vegetation areas, and dedication of lands to OEH for addition to the National Park Estate. These areas are generally depicted within the Ecological Structure Plan which forms part of the existing approval documents.

OEH acknowledges that some work in line with the Ecological Structure Plan has been implemented by the proponent. However, the exact scope and timing of implementing the Ecological Structure Plan and other rehabilitation works are currently not clearly defined in enough detail to enable accurate auditing of the existing approval conditions.

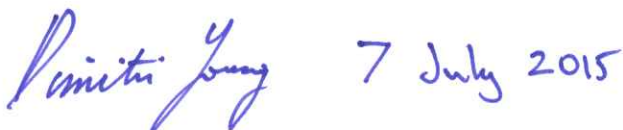
We consider that further increases in rehabilitation efforts should be implemented to absorb potential biodiversity impacts associated with the proposed intensification of the existing approval via the modification. To achieve this, any approval for this proposed modification should include conditions that clarify the requirements for rehabilitating the site and ensure these works are appropriately implemented for the remainder of the trial approval period.

OEH recommends the following conditions of approval for the modification proposal:

1. North Byron Parklands must develop an implementation schedule for all works associated with the Ecological Structure Plan and the current approval documents in consultation with the Regulatory Working Group and OEH.
2. The works to be implemented under the Ecological Structure Plan must be detailed in the implementation schedule for the remainder of the approved five year trial period.
3. The implementation schedule must be finalised to the satisfaction of the Department of Planning and Environment by 30 September 2015.
4. All works identified in the finalised implementation schedule must be completed by 31 December 2017.

If you require further information or clarification, please contact Mr Krister Waern, Senior Operations Officer, on 6640 2503.

Yours sincerely



DIMITRI YOUNG
Senior Team Leader Planning, North East Region
Regional Operations