

This a draft copy subject to the General Manager's signature.

Mr Howard Reed
Manager Mining Projects
Major Projects Assessment
Mining & Industry Projects
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Sir

**SECTION 75W PROJECT MODIFICATION APPLICATION - APEX GAS
EXPLORATION PROJECT - MP-2007/103/A**

The Environmental Assessment for the modification application for an additional borehole for gas exploration has been reviewed by Council.

The following comment are forwarded for information.

Environmental Matters

Council concurs with environmental safeguards recommended by Eco-engineering to minimise impact from the proposed activity.

To ensure that all the recommendations in the consultant's report are complied with, in relation to dust emission, soil contamination, soil erosion, water pollution, protection of the identified endangered fauna and floral species, protection of the upland swamp, protection of the shallow perched aquifer, it is recommended that all the proposed activities be supervised and certified by a qualified environmental consultant.

In addition it is noted that Condition 7 of Schedule 3 of the project approval (23/09/09) requires the production of "Vegetation Clearing and Rehabilitation Management Plan" (VCRMP) by a ".suitably qualified expert"

The VCRMP should include the requirement for an ecologist who is familiar with *Pultenaea aristata* and *Cryptostylis hunteriana* to be present on-site during clearing operations. Ideally, a rapid, pre-clearing survey should be carried out by the ecologist prior to commencement of clearing

The VCRMP should also refer to DECCW (2009) Infection of frogs by amphibian chytrid causing the disease chytridiomycosis and Threatened Species Management Information Circular No. 6 - Hygeine Protocol for the Control of Disease in Frogs. A Hygeine Protocol according to these publications should be included in the VCRMP.

Traffic Matters

It is recommended that visibility splays at the access entrance are to be maintained in accordance with AUSTROADS, "Guide to Traffic Engineering Practice, part 5: Intersections at Grade".

The proposed security gate at the intersection of the fire frail is to be located at least 12.5 metres back from the road to allow vehicles to wait safely without obstructing traffic while the gate is unlocked and opened. The proposed gate should be designed to open inwards so as not to obstruct a waiting vehicle.

Heritage

No additional comments.

Yours faithfully