



Office of
Environment
& Heritage

Date: 19 December 2017
Your reference: MP 11_0094 MOD 2
Our reference: DOC17/628838
Contact: Calvin Houlison
4224 4179

Nikki Matthews
Planning Officer, Industry Assessments
Department of Planning & Environment
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SYDNEY NSW 2001
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Dear Ms Matthews

**RE: Proposed Stormwater Diversion, Whytes Gully Waste & Resource Recovery Park, Kembla
Grange (MP 11_0094 MOD 2)**

Thank you for consulting us regarding the abovementioned proposal. We understand that the proposal comprises a new stormwater diversion, including stormwater pond and associated drainage works, to the east of the approved landfill area impacting Illawarra Subtropical Rainforest Endangered Ecological Community (EEC).

The Biodiversity Conservation Act 2017 was gazetted in August 2017, however the proposal is considered a transitional project for the purposes of the Biodiversity Conservation (Savings and Transitional) Regulation 2000. The proposal would impact upon 0.25 ha of the EEC in total, including direct impacts of clearing and indirect impacts as a result of temporary inundation from the proposed stormwater pond during severe rainfall events.

The proponent has previously consulted with our office regarding suggested methods of biodiversity assessment for the proposed modification in March 2016, with the intent of meeting the 'maintain or improve' standard required by the project DGR's. We endorsed a 'simulated biobank' approach in accordance with the NSW Framework for Biodiversity Assessment (FBA) applicable at the time, as outlined in the biodiversity assessment prepared by Biosis Pty Ltd (October 2017).

The approach that was endorsed by our office is summarised as follows:

- Undertake a standard non-FBA biodiversity assessment for the additional impact upon native vegetation, as supplemented by plot/transect data for the ISR TEC in accordance with the FBA
- Calculate the average credit requirement for additional impact on ISR TEC as based on the credit values for similar dry rainforest vegetation types
- Contribute the equivalent value of the estimated biodiversity credit impact to Wollongong City Council's conservation budget for projects within the LGA

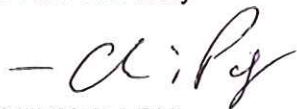
The proponent has undertaken the biobank simulation, which concludes that 15 SR662 (Whalebone Tree-Native Quince dry subtropical rainforest) credits would be required to be offset, equating to a total of \$25,185 based on advice from Biosis. It is proposed to provide these funds to Wollongong City Council's conservation budget for projects within Illawarra Subtropical Rainforest.

The approach to generate this offset is generally considered sound and in accordance with our previous advice. However, we note that there are now updated costings available for SR662 under the Offsets Payment Calculator, which underpins the biodiversity offsetting under the new legislation. This generates a significantly higher figure of \$117,912.86 than the costings suggested by Biosis, which were sourced from a comparable BioBank site in the Wollongong LGA site for this plant community type. The calculator figures are considered to provide a more accurate basis for establishing offset costs and are consistent with the recently introduced biodiversity reforms. Further detail including public access to the calculator can be accessed from the link below:

<http://www.environment.nsw.gov.au/biodiversity/paymentcalculator.htm>

Finally, we also recommend that Condition 49(d) of the project approval be updated to reflect that 0.25ha of the EEC is to be offset with a like-for-like credit type. Please contact Calvin Houlison, Senior Conservation Planning Officer on 4224 4179 or via e-mail calvin.houlison@environment.nsw.gov.au should you have any further queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Page', written over a horizontal line.

CHRIS PAGE

**Senior Team Leader, Planning (Illawarra)
South East Region**