



Our ref: DOC20/406715

Senders ref: DA27.93

Joel Herbert
Department of Planning, Industry and
Environment
GPO Box 39
SYDNEY NSW 2001

Via email: Joel.herbert@planning.nsw.gov.au

5 June 2020

Dear Mr Herbert

Subject: DA27/93 Mod 3 expansion of ancillary quarry - Carrathool

Thank you for your email dated 21 May 2020 about the above development application seeking input from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (the Department).

We have reviewed the application and consider that the documentation demonstrates that there is unlikely to be a significant impact on Aboriginal cultural heritage or biodiversity from the proposed development.

Biodiversity

BCD previously endorsed the applicant's approach to identifying Category 1 land which does not require assessment under the *Biodiversity Conservation Act 2016*. The majority of the development is proposed in areas identified as Category 1 land and where there is no mapped native vegetation. The minor clearing of chenopod shrubland proposed will not have a significant impact on threatened species. The modification report states that impacts on hollow-bearing trees will be avoided. A State Significant Development modification of this nature would typically seek a waiver for a Biodiversity Development Assessment Report. In this instance we are satisfied with the documentation presented for what is a minor modification to the original consent, which significantly pre-dates the 2016 biodiversity reforms.

Aboriginal cultural heritage

BCD considers that the Due Diligence assessment provides satisfactory conclusions about the risks of the development to Aboriginal cultural heritage (ACH). While State Significant Development typically requires a more comprehensive assessment, we are satisfied with this approach for what is a minor modification to the original consent which significantly predates reforms to ACH requirements.

If you have any questions about this advice, please contact Simon Stirrat, Senior Conservation Planning Officer, via rog.southwest@environment.nsw.gov.au or 03 5021 8930.

Yours sincerely

Andrew Fisher
Senior Team Leader Planning
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment