

Our ref: DOC22/237674
Your ref: SSD-9176045

Dr Mandana Mazaheri
Principal Planning Officer
Department of Planning and Environment
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Dear Mandana,

Environmental Impact Statement - Tomingley Gold Extension Project (SSD-9176045)

Thank you for your e-mail dated 25 February 2022 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning and Environment (DPE) inviting comments on the Environmental Impact Statement (EIS) for the Tomingley Gold Extension Project (SSD-9176045).

BCS concurs with the calculation of the project biodiversity credits as presented in the Biodiversity Development Assessment Report (BDAR) and supporting Biodiversity Assessment Method Calculator (BAM-C) report. BCS recommends that the requirement to retire the 1724 ecosystem credits in accordance with s7.14(4) of the *Biodiversity Conservation Act 2016* be included in the project consent conditions, should the project be approved.

Attachment A includes recommendations to assist with:

1. Determination of whether there are any additional appropriate measures that will minimise impacts to *Fuzzy Box Woodland on alluvial Soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions*; listed as Endangered and, an entity identified as being at risk of serious and irreversible impact.
2. The development of management plans for the project, including but not limited to the Biodiversity Management Plan.

If you require any further information regarding this matter, please contact Rowan Murphy, Senior Conservation Planning Officer, via rowan.murphy@environment.nsw.gov.au or 0400 337 662.

Yours sincerely,



Samantha Wynn
Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

28 March 2022

Attachment A – BCS's recommendations

BCS's recommendations

Tomingley Gold Extension Project – Environmental Impact Statement

Table 1: Acronyms and terms used.

Acronym / term	Definition
BAM	Biodiversity Assessment Method
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BCS	The Biodiversity, Conservation and Science Directorate of the Department of Planning and Environment
BDAR	Biodiversity Development Assessment Report
BMP	Biodiversity Management Plan
PCT	Plant Community Type
SAIL	Serious and Irreversible Impacts
TEC	Threatened Ecological Community

1. Mitigation of potential serious and irreversible impact to Fuzzy Box Woodland

Plant Community Type (PCT) 201: *Fuzzy Box Woodland on alluvial brown loam soils mainly in the NSW South Western Slopes Bioregion* is part of the threatened ecological community (TEC) *Fuzzy Box Woodland on alluvial Soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions* (Fuzzy Box Woodland); listed as Endangered under the *Biodiversity Conservation Act 2016*.

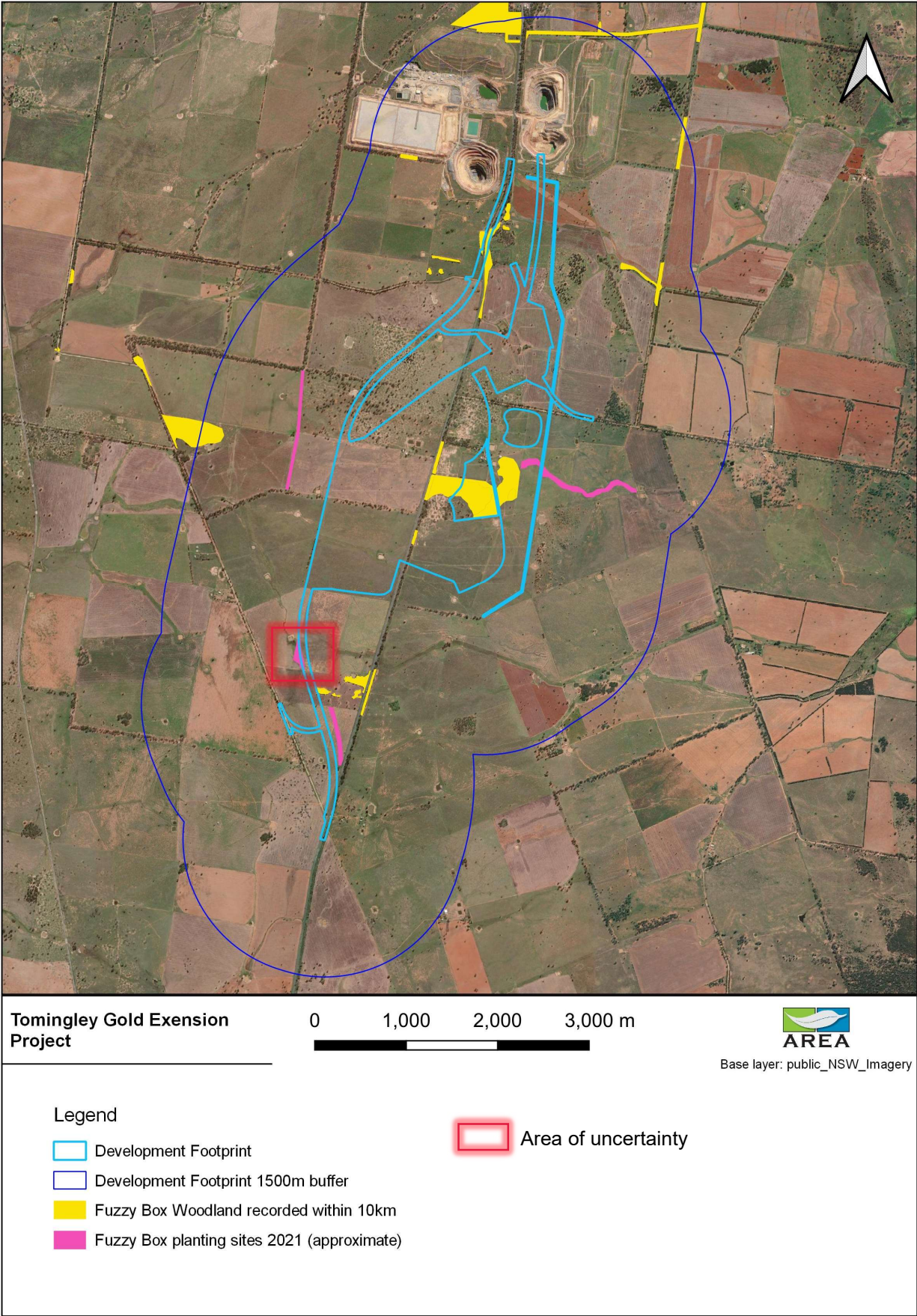
The Fuzzy Box Woodland TEC has been identified as meeting the criteria to be considered at risk of serious and irreversible impacts (SAIL). The proposal will impact 10.8 hectares of an approximate total of 233 hectares recorded within 10 kilometres of the subject land. The obligation to retire 426 ecosystem credits for the Fuzzy Box Woodland TEC is detailed in Section 7.1 and Appendix D of the BDAR.

BCS note that Tomingley Gold Operations currently manages an existing local offset site comprising at least five hectares of remnant PCT 201 as well as 26 hectares of “*remnant extension (protection and ameliorative planting)*” associated with the Tomingley Gold Project (Application Number: 09_0155). It is unclear whether the proposed project will impact on these areas (see **Figure 1**).

While the BDAR clearly demonstrates measures taken to avoid impacts to Fuzzy Box Woodland TEC and other native vegetation, additional information should be provided on the specific actions that will be taken on-site which will contribute towards the recovery of the TEC. As an example, this could include retaining functional components such as tree hollows, fallen logs, and the seed bank from the impacted area for re-use as part of on-site rehabilitation, remnant extension, and ameliorative planting.

BCS notes that the detail associated with such actions may form part of a broader post-consent management plan. However, summarising the actions proposed to contribute to the recovery of the TEC upfront will assist the consent authority when considering the serious and irreversible nature of impact resulting from the project.

Figure 1: Proposed impact to Fuzzy Box Woodland TEC



Recommendations

1. That the BDAR clarify any proposed impacts to planted *Eucalyptus conica* with reference to the NSW Scientific Committee determination for Fuzzy Box Woodland TEC.
2. The BDAR be updated to include additional management actions proposed to contribute to the recovery of Fuzzy Box Woodland TEC.

2. Management actions summarised in the BDAR will require adherence with SMART principles and associated triggers for remedial action in post-consent management plans

The Environmental Impact Statement (at Appendix 18, Table 18.2) proposes that the applicant prepare and implement a Biodiversity Management Plan (BMP). Table 6-8 of the BDAR provides recommended mitigation measures which would inform the management actions proposed for the BMP.

The proponent should note, when preparing the post-consent management plan for the project, that all residual and indirect impact mitigation strategies summarised in the BDAR will require adherence to SMART (Specific, Measurable, Achievable, Realistic, Timebound) principles and will require triggers for remedial action leading to adaptive management, in accordance with Section 2.6 of the *BAM Operational Manual Stage 2*.

Recommendation

3. The proponent should note when preparing a post consent management plan for the project that the requirements for all strategies of mitigation for residual and indirect impact should adhere to SMART Principles, inclusive of triggers for remedial actions through adaptive management.

This advice is for the proponent information only and requires no further action relating to the content of the BDAR.