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Your ref: SSI-22338205

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Dear Dr Mazaheri

Subject: Kurri Kurri Lateral Pipeline Project (SSI-223382505) – Review of new information

Thank you for your e-mail dated 12 December 2022 in which the Planning and Assessment (PA) of the Department of Planning and Environment (the Department) invited the Biodiversity and Conservation Division (BCD) for advice in relation to the 'Kurri Kurri Lateral Pipeline Project (SSI-223382505).

The advice sought is in relation to new information provided by the proponent in a letter dated 9 December 2022, prepared by Umwelt (Australia) Pty Limited. This letter was in response to BCD's two letters dated 7 December 2022 which gave a review of a revised Biodiversity Development Assessment Report (BDAR) (Umwelt (Australia) Pty Limited, 25 November 2022), and GIS shapefiles (provided on 13 December 2022) and of the information provided for the assessment of Matters of National Environmental Significance for the Bilateral Assessment. BCD identified unmet information requirements and has reviewed the letter dated 9 December 2022 in that context.

BCD is satisfied with the additional information provided but has identified two minor errors in the BDAR which are described below, with their solutions.

1. No credit retirement obligation is provided for the large-leafed Monotaxis

Table 5.14 of Section 5.5.1.6 'Species Assumed present in Additional Refined Areas' of the BDAR includes the large-leafed Monotaxis (*Monotaxis macrophylla*), however no credits were generated for it in the BDAR (Table 11.2 'Species credit class and matching credit profile' and Appendix E 'Credit Report'), or in the current BAM calculator file. In the absence of targeted surveys in the new development footprint areas the species is assumed to be present in 2.91 hectares of potential habitat. The species is associated with Plant Community Type (PCT) 1600 'Spotted Gum – Red ironbark – Narrow-leaved ironbark – Grey Box shrub-grass open forest of the lower Hunter', which occurs in two vegetation zones of differing vegetation condition, at the site of the proposed gas storage component of the project. BCD has estimated the approximate credit value to be offset for this species by splitting its assumed area of habitat evenly between both vegetation zones and then applying Equation 2 'Determine the number of fauna species credits or flora species credits required for the impact of development, activity, clearing or biodiversity certification' from Section 10.1.3 of the Biodiversity Assessment Method 2020 (DPIE, 2020). BCD estimates that *Monotaxis macrophylla* generates about 173 species credits to be offset for the project but recommends that that credit figure is generated by re-running the BAM calculator at a time when further targeted surveys have been undertaken.

2. The credit yield for the EPBC Act-listed River-flat Eucalypt Forest CEEC is overstated

Table 6.1 'Ecosystem and Species-credit species credits Relevant for Impacted MNES' gives the ecosystem requirement to offset impacts to River-flat Eucalypt Forest CEEC as 59 credits, for the clearing of 1.2 hectares of PCT 1594 'Cabbage Gum – Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter.' However, the 59 ecosystem credits is for the clearing of PCT 1594 in both its 'thinned/disturbed' condition (Vegetation Zone 8, 1.2 hectares) and in 'low condition (Vegetation Zone 9, 1.1 hectares) (as shown in Table 10.2 'Impacts that require an offset – ecosystem credits' in the BDAR). The EPBC Act CEEC component of PCT 1594 instead generates 50 ecosystem credits. This has been noted in the updated the Bilateral Assessment for this project which is provided as **Attachment A**.

If you require any further information regarding this matter, please contact Robert Gibson, Senior Regional Biodiversity Conservation Officer, via huntercentralcoast@environment.nsw.gov.au or 02 4927 3154.

Yours sincerely



Steven Crick
Acting Director
Hunter Central Coast Branch
Biodiversity and Conservation Division

15 December 2022

Enclosure: Attachment A