Department of Climate Change, Energy, the Environment and Water

Your ref: PAE-96418227
Our ref: DOC25/878531

Deana Burn
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By email: deana.burn@planning.nsw.gov.au

Dear Deana

Hunter Central Logistics Estate (SSD-64738258) – Response to Submissions

Thank you for your Major Projects Portal request dated 13 October 2025 seeking advice from the Conservation Programs, Heritage & Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on Response to Submissions (RTS) for the Hunter Central Logistics Estate (SSD-64738258) project.

We have reviewed the RTS against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning, Housing and Infrastructure to the proponent on 5 December 2023 and CPHR's advice on the Environmental Impact Statement (EIS) provided to you on 2 July 2025 (DOC25/332906).

CPHR considers issues 4, 5, 8, 9 and 10 addressed. Further work on the remaining issues is required for the proponent to meet the Secretary's requirements for avoiding impacts to biodiversity.

CPHR recommends that the proponent:

- avoid and minimise impacts to biodiversity values within the subject land
- consider impacts to habitat connectivity
- further assess potential impacts on Hunter Valley Delma (*Delma vescolineata*)
- address incomplete microbat assessment

Detailed advice and recommended actions are provided at **Attachment 1.**

All plans required as a Condition of Approval that relate to biodiversity, flooding or coastal management should be developed in consultation with, and to the satisfaction of, CPHR.

If you have any further questions about this issue, please contact the Hunter Central Coast Planning Team at huntercentralcoast@environment.nsw.gov.au

Yours sincerely

Joe Thompson
Director Hunter Central Coast
Conservation Programs, Heritage & Regulation Group (CPHR)
29 October 2025

Enclosure: Attachment 1

Attachment 1 - CPHR Comments on Hunter Central Logistics Estate (SSD-64738258) – Response to Submissions

In preparing this advice CPHR has reviewed the following documents:

- Appendix C3, Biodiversity Development Assessment Report (BDAR), Hunter Central Logistics Estate (HCLE), prepared by MJD Environmental, for PPIP Pty Ltd, October 2025.
- Response to Submissions Report, Hunter Central Logistics Estate (HCLE) Prepared by Barr Planning for PPIP Pty Ltd, October 2025

Key Assessment Issues

CPHR Issue 1 ***Inadequate avoidance and minimisation of Biodiversity issues – BAM (2020) Stage 2***	The BDAR does not adequately address the avoid, minimise and offset hierarchy as per section 6.3A of the *Biodiversity Conservation Act 2016* (BC Act), as the current proposal intends to impact 100% of vegetation present within the subject land. Though CPHR acknowledges the historic VPA, under current legislative provisions, land which is zoned for conservation cannot be used as an avoidance measure within a Development Application, as avoidance must occur within land zoning where the proposed development is permissible. Therefore, further avoidance is required, with clear demonstration of how biodiversity constraints have informed design of the proposal. The BDAR must demonstrate how the following biodiversity constraints have informed the design of the proposal and how direct impacts have been avoided and minimised: • identified candidate species, • potential SAII entities, • habitat features such as stags and hollow bearing trees utilised by Masked Owls and Squirrel Gliders, • impacts to the Watagan Stockton Link Biodiversity Corridor and Lower Hunter Koala Population, and • 48.66 ha of BC Act listed Endangered *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions.* Consideration of prescribed impacts are required with regard to avoidance and minimisation of biodiversity issues, as the current proposal will impact habitat connectivity, specifically the Watagan Stockton Link Biodiversity Corridor (as discussed in CPHR issue 2). **Recommendation:** • Demonstrate further avoidance of biodiversity impacts. Additional consideration of measures to maintain corridor connectivity, including north to south, should be explored. • Updates to the project design, BDAR, BAM-C and spatial package required as appropriate.

CPHR Issue 2 ***Prescribed impacts have not been adequately assessed*** ***Impacts to Biodiversity Corridors not adequately avoided*** ***Potential impacts to the Lower Hunter Koala Population must be considered***	Prescribed additional biodiversity impacts (prescribed impacts) must be assessed as part of the Biodiversity Offset Scheme (BOS), in line with clause 1.6 and 6.1 of the Biodiversity Conservation Regulation 2017 (BC Regulation). Clause 1.4 of the BC Regulation notes habitat connectivity as a prescribed additional biodiversity impact. The BDAR assessment must consider impacts to connectivity as per Section 6.1.3 and 8.3 of BAM (2020). CPHR acknowledges that connectivity is discussed within sections 3.2.3, 6 and 7.1.1 of the BDAR. However, the BDAR does not adequately assess the role of this connectivity within the wider landscape, which should in part inform the Avoidance and Minimisation assessment, as per CPHR issue 1. Specifically, CPHR recommends consideration of impacts to the Watagan Stockton Green Corridor, linking the proposal to Mt Sugarloaf Conservation Area and ultimately Watagans State Forest and National Park. A significant Koala population has recently documented within the Sugarloaf State Conservation Area. The subject land forms part of the Lower Hunter Koala Population and forms a connection to the Port Stephens Koala Population to the northeast. **Recommendation:** • Additional consideration of connectivity required within prescribed impacts assessment, ensuring that impacts to connectivity is minimised where possible. • Updates to the BDAR, BAM-C and spatial package as appropriate.

CPHR Issue 3 ***Candidate species, Delma impar, to be to Delma vescolineata (the Hunter Valley Delma)***	CPHR notes that the BDAR has updated Candidate species, *Delma impar,* to be to *Delma vescolineata* (the Hunter Valley Delma) The justification for the exclusion of *D. vescolineata* from further assessment is not considered adequate. CPHR acknowledges that the NSW Profile for the species states '*the known distribution is within a narrow 25 km wide corridor between Maitland and Muswellbrook'* as this is a newly described species (only being named in 2022) the distribution of the species is still being defined. Noting that proposals being located within both known and predicted ranges of threatened entities still requires assessment. As there is no geographic limitation listed within the BAM-C, no habitat constraint listed within the Threatened Biodiversity Database Collection (TBDC) and the species was generated based on subIBRA and PCT association further survey or justification for its exclusion is required. The species is known to occur in degraded sites, including mine rehabilitation and pastoral areas subject to cattle grazing. **Recommendation:** • Additional survey works conducted, evidence-based justification for species exclusion or assumed presence is required. • Updates to the BDAR, BAM-C and spatial package required.

CPHR Issue 6 ***Issue Areas of PCT 3433_Pasture need to be included in assessment within the BDAR***	CPHR acknowledges additional justification included within the BDAR in Tables 11 and 12 regarding exclusion of areas of PCT 3433_Pasture for each relevant candidate species. However, should further survey be required for *Delma vescolineata,* CPHR notes that the species is known to occur in degraded grassland areas and therefore should be considered. Updates to the prescribed impact assessment may also be required as a result. **Recommendation:** • Updates to BAM-C, BDAR and spatial package required where appropriate.

CPHR Issue 7 ***Insufficient microbat surveys conducted across the subject land. No evidence of harp trapping provided.*** ***SAII assessment may be required***	CPHR notes that roost searches were conducted to inform the habitat assessment as described within Section 2.4 of the BDAR, rather than completion of Harp Trap surveys. As per *'Species credit' threatened bats and their habitats; NSW guide for the Biodiversity Assessment Method (2021)*, '*roost searches for some [microbat] species are cryptic and very rarely found despite searches (Pennay 2008). For these reasons roost searches should only be conducted in addition to other recommended survey methods'*. Noting that roost searches may be conducted as a supplementary method. The guide notes that roost searches of artificial structures may be conducted for species such as *Myotis macropus* as a supplementary method to targeted survey, with a listed survey effort per structure. The BDAR does not list survey effort associated with roost searches within Table 16 of the BDAR. Evidence of roost searches are shown within Figure 12 by way of waypoint and tracks. Please describe the time spent at each structure as per the guide. Harp trapping conducted during 2019 cannot be relied upon to rule out the presence of Southern Myotis (*Myotis macropus*). *Active detection* may be used to determine the habitat utilisation by Southern Myotis however must be applied as per the methodology described within section 2.8 of the guide. Any amendments to survey methods outside of the BAM or related survey guidelines, the Accredited Assessor should seek endorsement from the BOS helpdesk prior to implementation and BDAR lodgement. Breeding habitat for all four detected microbat species is a potential Serious and Irreversible Impact (SAII) and must be assessed accordingly. **Recommendation:** • Further evidence is required to demonstrate that surveys for the microbat species have been conducted as per the guide. Potential actions are outlined above. • Determination of breeding individuals required for each listed potential Serios and Irreversible Impacts (SAII) species. If not conducted, assume potential SAII and prepare a SAII statement, or engage a species expert.

Pennay M 2008, A maternity roost of the Large-eared Pied Bat *Chalinolobus dwyeri* (Ryan) (Microchiroptera: Vespertilionidae) in central New South Wales Australia, *Australian Zoologist*, vol.34, pp.564–569.