

Our Ref: 16015 Ecological Advice Persoonia MOD 14 17-8-2020
Via: email

Date: 17 August 2020

Attn: Glenn Swan
LWP Property Group Pty Ltd
1 Triton Boulevard
Nth Rothbury NSW 2335

Dear Glenn

RE: ECOLOGICAL ADVICE PERSOONIA PAUCIFLORA, MOD 14, HUNTLEE

This ecological advice has been prepared by MJD Environmental to provide additional information with regard to *Persoonia pauciflora* (North Rothbury Persoonia) in relation to matters raised by the Department of Planning, Industry and Environment (DPIE) in their assessment for the S4.55 2 Modification Application (MOD 14) to Project Approval MP10_0137, specifically:

[Provide] strong justification for the removal of open space in the north-eastern corner of the site and how impacts on the Persoonia pauciflora will be managed noting that:

- *Section 3.3 of the Huntlee DCP states that existing Persoonia pauciflora plants are to be conserved in situ with a 30m curtilage of existing native vegetation and incorporated into public open space networks and riparian corridors and not within private property*
- *Condition C10 requires a 30m buffer to these plants (even after the mature plant dies to allow for potential future grow)*

Background

In order to address the DPIE submission, this ecological advice considers the following:

- Review RPS EAR (2010) with regard to the nature and extent of *Persoonia pauciflora* and any other relevant ecological information relating to the site which is the subject of the current MOD application.
- Review of the Persoonia Report (2010) that formed part of the ecological documentation assessed for the major project.
- Review of major project approval conditions.
- Additional surveys carried out to monitor the Huntlee *Persoonia pauciflora* population since approval.

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Results

In brief, the review identified the following:

- 1) Approval conditions allow for the retention of individual plants in a 30m buffer, harvesting and ultimately development of the northern *P. pauciflora* population on Huntlee. This approval condition recognizes the species life cycle and overall life expectancy of 12 to 15 years for an individual plant. Specifically, when a plant dies, there is no longer a requirement to maintain a 30m buffer and the area can be developed.
- 2) At the time of approval in 2010, the *P. pauciflora* population in the subject area accounted for 3 individual plants of which 1 had been recorded as 'not present/ dead' in the report dated 27-9-2010. The remaining individuals were generally characterized as follows:
 - a. 1 had been grazed and/or were small and of poor to moderate health
 - b. 1 were established healthy plants
- 3) All known plants had been protected by a minimum buffer of 30m to each plant where any grazing by domestic animals/ slashing had ceased following issue of the major project approval.
- 4) A survey carried out by Huntlee ecology consultant and OEH [former] officers 2015/2016 confirmed the plants as detailed in Item 2, with an update the 1 plant was no longer present. Generally these individuals were those referred to in 2)a.
- 5) A survey carried out by Huntlee ecology consultant during 2018/19, aided by Differential GPS with sub-meter accuracy, determined that all remaining plants (including the 2 individuals in the Wine Country Drive Road Reserve – not Huntlee's plant) had all senesced. A review of plant age using the Huntlee Persoonia Report (2010) determined the death of these plants was consistent with the species ecology and expected life expectancy.
- 6) No new individuals have been recorded on site during the time since major project approval issued 2010. With due regard to climatic factors this period extends through non-drought and drought seasons.
- 7) Additional matters relating to the *Persoonia pauciflora* that have occurred since the time of approval, namely:
 - a. The propagation of *P. pauciflora* using genetic material (cuttings) taken from a representation of healthy donor individual across North Rothbury including Huntlee plants.
 - b. The planting of propagated individuals into conservation reserves being former Huntlee Offset lands. Plantings have been carried out primarily by the Saving our Species program and facilitated by NPWS in the conservation offsets. Planting has occurred in several tranches following a successful translocation trial. The trial established planting plots in the Persoonia Park and a neighbouring property, where the landowner had established a conservation reserve. Larger planting blocks have been successfully established and are being managed collaboratively by DPIE-SoS and NPWS using funding primarily sourced from the Huntlee approval.
 - c. The establishment of a new private conservation reserve in the former Hanwood Estate development area immediately north of the MOD 14 subject site. This conservation reserve is managed by a mine as an offset relating to mining expansion activities in the Hunter Valley.

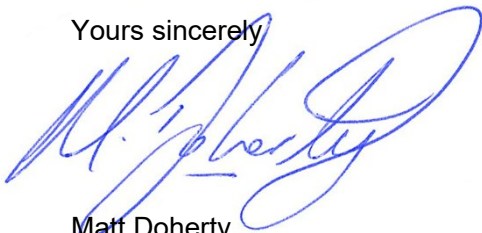
Conclusion

In summary, known *P. pauciflora* individuals on the subject land have senesced and are no longer present. No new individuals have established during the time since the approval was awarded in 2010 on the subject land. Activities around the establishment and management of new *P. pauciflora* in conservation reserves based on offset and funding arrangements relating to the Huntlee project, provides confidence and security for the species that is underpinned by the species recovery plan.

On balance and with due consideration of additional matters relating to *P. pauciflora* presented herewith, in our opinion it would be reasonable to amend Condition 10 through MOD 14 to undertake a final survey of the site consistent with the, *NSW Guide to Surveying Threatened Plants. Prepared by OEH 2016*. Evidence to be provided to the consent authority to satisfy the condition prior to lodgement of a DA over the land. Subject to no individual *Persoonia pauciflora* being recorded the encumbrance would be removed from the land and the area could be developed in a similar fashion to the northern population. Subsequently the Section 3.3 of the DCP should also be amended to avoid reasonable doubt subject to provision of satisfactory evidence in relation to amended Condition 10.

We trust this is sufficient for your purposes, however should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Matt Doherty', written over a light blue circular background.

Matt Doherty
Director
MJD Environmental