



Office of
Environment
& Heritage

Your reference: SSD 4966
Our reference: DOC15/81519-01
Contact: Steve Lewer, 4908 6814

Mr Colin Phillips
Senior Planner, Mining & Industry
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Phillips

**RE: COMMENTS ON REVISED CONDITIONS FOR STRATFORD EXTENSION PROJECT (SSD-4966) –
STRATFORD COAL PTY LTD**

I refer to your email dated 11 March 2015 requesting comments on the Revised Conditions of Consent for the Stratford Extension Project (SSD-4966), located at Stratford in the Gloucester local government area.

The Office of Environment and Heritage (OEH) has undertaken a review of the revised conditions of approval and has provided detailed comments in **Attachment A**. OEH's comment specifically relate to matters of biodiversity. With respect to Aboriginal cultural heritage and flooding, we have no further comment.

If you have any further questions in relation to this matter, please contact Steve Lewer, Regional Biodiversity Conservation Officer, on 4908 6814.

Yours sincerely

23 MAR 2015

RICHARD BATH
Senior Team Leader Planning, Hunter Central Coast Region
Regional Operations

ATTACHMENT A: COMMENTS AND SUGGESTED CHANGES TO REVISED CONDITIONS OF CONSENT – STRATFORD EXTENSION PROJECT (SSD-4996)

BIODIVERSITY

In general, OEH is of the opinion that the draft conditions of approval adequately address OEH's previous advice, however, OEH offers specific comments and/or recommended changes on the following draft conditions:

Condition 36 – Cabbage Gum Open Forest

OEH supports the establishment of vegetation which characterises the floristic composition of the 'Cabbage Gum Open Forest community' (i.e. 'Cabbage Gum Paperbark Sedge / Grass Forest' as described in Section 3.1.4 of Appendix E – Flora Assessment of 'Stratford Extension Project Environmental Impact Statement') within the Biodiversity Offset Area and Biodiversity Enhancement Area. However, the Condition should specifically reference the community definition from the Environmental Impact Statement so that there is a base description with a list of characteristic species to which any revegetation program can adhere. Furthermore, given that OEH was of the opinion that this community represented the 'Subtropical coastal floodplain forest of the NSW North Coast bioregion' endangered ecological community it may also be useful to reference the Final Determination in the condition to further assist any revegetation program.

Condition 37 – Long Term Security of Offset

OEH notes that the conservation mechanism for securing the biodiversity offset in perpetuity has not been determined. OEH's preference is that the biodiversity offset be secured under a BioBanking Agreement under the *Threatened Species Conservation Act 1995*. Please note that OEH no longer supports public positive covenant under s88E of the *Conveyancing Act 1919* as an appropriate conservation mechanism to secure and/or manage biodiversity offsets.

Condition 39 – Squirrel Glider Management Plan

OEH supports the development of a management plan to help secure and manage the Squirrel Glider populations / family groups on the proposed Biodiversity Offset Area (including Property 44 if secured), Biodiversity Enhancement Area and within the project area in general.

OEH notes that the vegetation which is to be retained to the south east of the Bowen Road North Pit contains a record of a Squirrel Glider. This parcel of vegetation appears to be fragmented and isolated from other patches of suitable habitat where Squirrel Gliders have been recorded (i.e. to the west near Stratford). To facilitate movement between these patches and the previously mentioned parcel, OEH recommends that installation of glider crossings (such as 'gliding poles'). OEH notes that Condition 39 stipulates crossings for major movement impediments associated with The Bucketts Way and the Main Northern Railway, and as such recommends that such crossing be provided for the Bowen Road North patch of vegetation. Additionally plantings that contain suitable feed trees may also help to assist movement in these areas.

OEH – MARCH 2015