



Office of Environment & Heritage

Your reference: SSD 5248
Our reference: DOC15/200304
Contact: Rachel Lonie 9995 6837

Ms Kate Macdonald
Team Leader Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Robert Byrne

Dear Ms Macdonald

I refer to your correspondence dated 3 June 2015 seeking comment from the Office of Environment and Heritage (OEH) on the Response to Submissions provided on behalf of the proponent Gazcorp Pty Ltd for the Gazcorp Industrial Estate at 813 -819 Wallgrove Road, Horsley Park (SSD 5248).

Section 4.3 of the planning proposal report refers to the Biobanking Assessment determining the following required offsets:

- 173 ecosystem credits for Shale Hills Woodland (HN529)
- 56 ecosystem credits for Shale Plains Woodland (HN528)
- 30 ecosystem credits for Alluvial Woodland (HN526) and
- 36 species credits for Southern Myotis (potential breeding habitat).

The report states the ecosystem credits are available on the market although the species credits are not currently available.

The planning report states that the biodiversity offset strategy is to purchase and retire the total 259 biodiversity credits. The report however refers to investigating "alternative means" to achieve an equivalent biodiversity offset. These are for:

- Purchase by Gazcorp of land to be maintained in accordance with an agreed management plan or deed of agreement management in perpetuity (noting that biobanking the land is not specified)
- Land held by a third party to be maintained in accordance with an agreed management plan or deed of agreement management (again, biobanking not specified) of property belonging to a third party, and
- Contribution of money to the NSW Biodiversity Offsets Fund Offset Fund.

OEH does not consider the first two options, whereby land would be managed under a management plan or a deed of agreement, are equivalent to the purchase and retirement of biobanking credits under the Biobanking scheme which provides in-perpetuity protection and management. OEH would not support these options.

The third option refers to a fund that is not yet established. Despite the commitment to a state-wide offset fund there is no legislation yet in place and no current mechanism for accepting funds. OEH therefore could not currently support this as an alternative means of securing the required offsets.

OEH recommends that the proponent provide the required offsets in accordance with the Framework for Biodiversity Assessment (FBA) and the Offsets Policy. Recommended conditions are:

1. Offsets are to be secured prior to the impacts occurring, i.e. before the site is cleared of vegetation.
2. The applicant shall purchase and retire 173 ecosystem credits for the Biometric Vegetation Type HN529 or HN526 in the Cumberland – Hawkesbury/Nepean IBRA subregions or any adjoining IBRA subregion.
3. The applicant shall purchase and retire 56 ecosystem credits for the either Biometric Vegetation Type HN528 or HN526 in the Cumberland – Hawkesbury/Nepean IBRA subregions or any adjoining IBRA subregion.
4. The applicant shall purchase and retire 30 ecosystem credits for the Biometric Vegetation Type HN526 in the Cumberland – Hawkesbury/Nepean IBRA subregions or any adjoining IBRA subregion.
5. The applicant shall purchase and retire 36 species credits for the species Southern Myotis (*Myotis macropus* - breeding habitat).
6. Should any of these credits not be available for purchase, the applicant shall:
 - Place an expression of interest for the purchase of those credits.
 - Liaise with OEH and councils to obtain a list of potential sites that meet the requirements for offsetting.
 - Consider properties for sale in the required area.
7. If credits can still be not found, the applicant shall provide evidence of why offset sites are not feasible and propose an alternative in an offset strategy to be approved by the Secretary.

If you have any queries regarding this matter please contact Rachel Lonie, Senior Operations Officer, on 9995 6837.

Yours sincerely

S. Harrison 23/06/15

SUSAN HARRISON
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