



Mr Jeff Champion
Champions Quarry 2 Pty Ltd
c/- Cath Champion
Via email: championsquarry_cath@yahoo.com.au

Dear Jeff,

**Champions Quarry MOD 2
Biodiversity Offset Strategy**

The Department has considered your modification application (MOD 2), including your proposal to amend the boundaries of the Biodiversity Offset Areas (BOA) and Protected Revegetation Areas (PRA), and further described in your Response to Submissions (RTS). This matter has been the subject of previous correspondence between yourself and the Department, such as in the Department's letter dated 13 January 2015 relating to the Landscape Management Plan and long term security of the offsets. The Department identified inconsistencies between the BOA contained in the Landscape Management Plan and proposed section 88E positive covenant instrument and requested that these be amended to reflect what is approved, as illustrated conceptually in Appendix 6 of project approval 09_0080 (PA 09_0080).

MOD 2 is seeking to amend PA 09_0080 to include the revised BOA and PRA as they were proposed in the Landscape Management Plan and proposed section 88E positive covenant instrument. The Department is not satisfied that the areas as proposed satisfy the intent of the Biodiversity Offset Strategy. The intent is to contain the higher quality vegetation on site within the BOA and the lower quality vegetation on site within the PRA, and for these areas to satisfy the total area in hectares as required of condition 40 of PA 09_0080.

The revised areas proposed in MOD 2 satisfy the minimum area requirements of condition 40. However the proposed boundaries would result in:

- the BOA would contain larger areas of lower quality vegetation;
- the PRA would contain larger areas of higher quality vegetation and less area suitable for revegetation;
- areas of higher quality vegetation that are currently identified in PA 09_0080 as being contained within the BOA would no longer be contained within either the BOA or the PRA; and
- overall there appears to be a reduction in the total area of higher quality vegetation protected.

From a discussion between Cath Champion and Michelle Kirkman from the Department on 3 May 2016, we now understand that the key drivers for the location of the proposed boundaries are the maintenance of a 50 metre buffer from the extraction areas (to satisfy condition 37) and the alignment of the western boundaries with existing cadastre boundaries and existing fencing, as well as the straightening of boundary lines for ease of fencing. We note that condition 37 requires *"that the edge of the Southern Extraction Area is setback at least 50 metres from the mapped Dry Rainforest/Lowland Rainforest Endangered Ecological Community (EEC) on site."* Providing a 50 metre buffer between the BOA boundaries and the extraction area does not satisfy this condition because the buffer needs to be provided to the actual Dry Rainforest/Lowland Rainforest EEC.

The Department requires that Champions Quarry revise the offset boundaries such that the following is achieved:

- the minimum size requirements for the BOA and PRA contained in condition 40 are met or exceeded;
- the BOA contain the higher quality vegetation on site;
- the PRA contain the lower quality vegetation on site, suitable for revegetation works;
- Area 1 includes all of the higher quality vegetation consistent with what is currently identified in Appendix 6 of PA 09_0080;
- Area 2 includes the pocket of higher quality vegetation in the north easterly corner consistent with what is currently identified in Appendix 6 of PA 09_0080;
- A more substantial corridor is provided to connect Areas 1 and 2, expanding towards the south east from the location proposed in MOD 2 and, if feasible, encompassing the dam that has been constructed between Areas 1 and 2.

The Department is willing to consider reducing the buffer required of condition 37 to enable this to be achieved without compromising the extent of the Southern Extraction Area. In addition, assuming the minimum area requirements of condition 40 is met, the Department would also be willing to consider limiting the BOA and PRA on the western edge to the cadastral boundary and existing fence line.

Please submit a revised figure of the BOA and PRA that satisfy the above requirements, along with appropriate documentation to demonstrate that the minimum requirements of condition 40 have been met. If you would like to discuss this matter further please contact Michelle Kirkman via the details shown above.

Yours sincerely,

 06/05/16

Colin Phillips

Team Leader, Resource Assessments