

Our ref: DOC19/1039938
Senders ref: Enirgi Battery Recycling Facility Modification 1

Mr Bruce Zhang
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Via email: bruce.zhang@planning.nsw.gov.au

16 December 2019

Dear Mr Zhang

Subject: Enirgi Battery Recycling Facility MOD 1 (SSD-6619-Mod-1)

Thank you for your email dated 27 November 2019 seeking feedback from the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment (the Department) on the proposed modification to Enirgi Battery Recycling Facility.

The Biodiversity and Conservation Division has statutory responsibilities relating to biodiversity (including threatened species, populations, ecological communities, or their habitats), Aboriginal cultural heritage and flooding. For matters relating to national parks estate matters please refer these to the National Parks and Wildlife Service.

We have reviewed the documents supplied and provide the following comments:

Biodiversity

We concur with Section 4.2.2 of the second Environmental Assessment (November 2019) in that the subject land is biodiversity certified consistent with Part 8 of the *Biodiversity Conservation Act 2016*, and that the proposal does not involve clearing any vegetation that is subject to the conditions listed at Schedule 2 of the Order conferring biodiversity certification. In this way a Biodiversity Development Assessment Report is not required and the impact of the activity on biodiversity can be disregarded.

Aboriginal Cultural Heritage

The Environmental Assessment prepared, including Appendix M, the Archaeological Assessment Report, is consistent with the assessment approach and requirements clarified in our correspondence dated 11 September 2019.

We have minor comments on Recommendation 2: Contingency plan as follows:

1. If unanticipated and previously unrecorded Aboriginal objects are identified during proposed works, they must be registered on AHIMS in accordance with Section 89A of the *National Parks and Wildlife Act 1974*.

2. If cultural heritage or human remains of Aboriginal origin are identified, the Albury Office should be notified (instead of Queanbeyan) via Environment Line on 131 555.

If you have any questions regarding this matter, please contact Marcus Wright, Senior Conservation Planning Officer on 02 6983 4917 or via rog.southwest@environment.nsw.gov.au.

Yours sincerely



Andrew Fisher
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Biodiversity and Conservation Division
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