

APPENDIX J

Eryn Bath

From: Miranda Kerr <Miranda.Kerr@environment.nsw.gov.au>
Sent: Monday, 24 August 2015 12:42 PM
To: Eryn Bath
Cc: Peter Ewin; daniel@proten.com.au; Thomas Piovesan (thomas.piovesan@planning.nsw.gov.au); Jeremy Pepper; John Gilding
Subject: FW: Euroley - Follow-up from site visit

Hi Eryn

We appreciated the opportunity to meet with ProTen and SLR on-site last week. There were various discussions about the biodiversity and archaeological issues that we had raised in the OEH submission, and we provide further clarification to these matters below. DP&E are the consent authority, so the following is our suggested approach for assessment and offsetting. We are happy to discuss any ensuing matters with DP&E, SLR and the proponent.

- It is now our understanding that the siting of residences and their access tracks, roads, and other project-related infrastructure will avoid disturbing or clearing individual trees and patches of open-woodland, particularly those that are not shown on figure 7 or figure 8 of the Biodiversity Assessment Report. SLR have agreed to use the 'Central Southern NSW' vegetation mapping to guide location of infrastructure to avoid biodiversity impacts.
- There is a requirement to undertake further pedestrian archaeological survey, particularly associated with road works and PPU 5. The site inspection has confirmed that survey will not be necessary prior to development approval, but will be required before clearing occurs. The results of this survey will then need to be incorporated into any required management plans.
 - Our archaeologist noted two scar trees while driving around the site. It was unclear at the time if the trees were within the development footprint or the area impacted by associated services such as power lines. The presence of scattered scar trees is evidence of occupation and justifies our requirement for pedestrian survey where linear impacts traverse suitable landforms.
 - At the time of our site visit, ground cover vegetation was relatively dense in paddocks that had not recently been cropped resulting in poor visibility of the ground surface.

Biodiversity Offset Strategy

The current biodiversity credit requirement to offset impacts of the proposal is 16 ecosystem credits. As described in the Biodiversity Assessment report (Section 7), there are no available like-for-like credits available to the proponent. The small credit requirement, the cost of establishing a BioBanking site for such a small area and lack of available matched ecosystem credits means that, the most appropriate option in this case would be use of the offset fund if it is available. The offset fund is under development and we expect it to be available to proponents in the near future.

The site visit confirmed that mapping used in the biodiversity assessment does not include all native vegetation present on the site. It is likely that a greater number of credits would be required if the assessment was revised based on more complete vegetation mapping across the property. There is a patch of remnant vegetation in the north-west corner of Lot 41/750898 that is likely to represent Sandhill Pine Woodland EEC. During the site visit we were not able to assess the vegetation due to access constraints, however we consider that the protection and improvement in condition of this area (approximately 18 ha) could provide a long-term contribution to regional biodiversity values.

We consider that the following actions would provide an acceptable outcome for loss of biodiversity values if Option 2 (as described in Section 7.4 of the BAR) does not result in the purchase and retirement of the 16 credits.

Suggested Biodiversity Offset Strategy Actions:

- A contribution is made to the offset fund when it is available, and credits are retired.
- In the meantime, and to provide a short-term option in the event that the offset fund is delayed or it's development ceases:
 - ProTen/SLR confirm that the patch of vegetation in north-west corner of Lot 41/750898 is Sandhill Pine Woodland EEC and undertake a BioBanking plot(s) to determine its condition and to identify appropriate management actions.
 - ProTen erect a temporary fence to exclude stock and rabbits from the patch of Sandhill Pine Woodland EEC. Any site management actions undertaken by ProTen that benefit biodiversity after fencing will be considered when the offset strategy is finalised.
 - SLR/ProTen will contact NPWS to discuss the possibility of adding the vegetated north-west corner of Lot 41/750898 into the national park reserve system. The relevant contact is:
Mr Robin Mares
Manager, Mid West Area
Ph 02 6966 8104
robin.mares@environment.nsw.gov.au

Please contact me or Peter Ewin (ph. 6022 0606) if you have any questions or comments

Kind regards

Miranda

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From: Eryn Bath [<mailto:ebath@slrconsulting.com>]

Sent: Wednesday, 19 August 2015 8:07 AM

To: Ewin Peter

Cc: Kerr Miranda; Daniel Bryant; Jeremy Pepper

Subject: Euroley - Follow-up from site visit

Hi Peter,

I should firstly introduce myself.... I am now managing the Euroley development application with ProTen following Nicole Armit's departure from SLR.

Thank you for taking the time to undertake the site visit last week. I hear it was beneficial. Sorry I could not make it.

In speaking to DP&E's Thomas Piovesan (our assessment officer) yesterday, I am wondering if it would be possible to outline the outcomes and OEH's advices/requirements from the site visit in writing (letter or email) for both biodiversity and Aboriginal heritage? It will assist us in preparing our formal Response to Submissions, along with confirming the scope of additional work. It will also assist the DP&E when reading and assessing the Response to Submissions in terms of ensuring we have addressed the OEH's issues.

Please don't hesitate to contact me if you would like to discuss this further.

Thanks again Peter.

Regards
Eryn

Eryn Bath

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