



Office of
Environment
& Heritage

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Ms Margaret Kirton
Senior Planner – Resource Assessments
Department of Planning and Environment
via email: Margaret.Kirton@planning.nsw.gov.au

Dear Ms Kirton

Gunlake Quarry extension project, Response to Submissions (SSD 7090)

Thank you for referring the Response to Submissions (RTS) for Gunlake Quarry Extension Project (SSD 7090) to the Office of Environment and Heritage (OEH) on 26 September 2016 for our review.

In regards to biodiversity matters, OEH has been working closely with your Department and the proponent's consultants to resolve the Striped Legless Lizard, offsetting and Framework for Biodiversity (FBA) issues. This included an on-site meeting and inspection on 15 September 2016, where many of these issues were resolved. OEH considers there are a few outstanding issues in the offset proposal that should be resolved either prior to consent, or through specific conditions of consent. These issues are detailed in attachment one.

In regards to Aboriginal cultural heritage, the recommendations previously made by OEH have been incorporated. OEH supports the proposal that an updated AHMP will be prepared in consultation with OEH and the Registered Aboriginal Parties and submitted to DPE within six months of the project approval.

Should you require any additional assistance or wish to discuss the matter further please contact Suzie Lamb on (02) 6229 7117 or by email susan.lamb@environment.nsw.gov.au.

Yours sincerely

ALLISON TREWEEK
Senior Team Leader Planning - South East
Regional Operations Group – South

7/10/16

Enclosure:

ATTACHMENT 1 – Biodiversity comments on the Gunlake Quarry extension project RTS

Attachment One: OEH's Biodiversity comments on the Gunlake Quarry extension project RTS

Striped Legless Lizard

Based on the site visit, OEH considers that additional surveys are not required for this species in the impact area. OEH considers that because the area consists primarily of poor structured derived native grassland areas, which would likely have been forested in the past, that the habitat is unlikely to be suitable for this species.

Finalising the offsets for this project

There are a few outstanding aspects of the offset proposal that will need to be amended to ensure the offsets can categorically compensate for the loss of biodiversity on the impact areas – and ensure full compliance with the Framework for Biodiversity (FBA). Most of these matters could be resolved post-approval, if the consent conditions were carefully worded.

a) Number of vegetation plots

The consultants undertook the additional plots in the impact areas as part of their RTS to ensure they had a sufficient number of vegetation plots to comply with the FBA. These plots resulted in modifications to the vegetation mapping for the project.

Similar to the issue in the impact area – the same issue applies for the offset area. Now the potential offset areas have been identified, it appears that there are an insufficient number of vegetation plots in the offset area to comply with the FBA. Undertaking the additional plots in the offset could result in improvements to the vegetation mapping, similar to the revised vegetation mapping in the impact area.

According to figure 5.2 in the RTS, up to ten plots were done in the offset area. This figure includes plots that are in the offset areas 1 and 2 for previous approvals. The FBA requires at least 4 vegetation plots in each vegetation zone (~17 plots in total) across the newly proposed offset area.

The results from these plots must also be used in the calculations of the offset requirements in the Major Projects Offset Calculator as this will affect the credit calculations.

b) Gunlake's Rehabilitation and Biodiversity Offset Management Plan (October 2015)

Although this plan states that OEH was consulted during its creation, OEH was not been involved in the review and approval of this document. OEH would like to discuss possible ways to appropriately draft conditions of consent for the SSD project with DP&E - to ensure previously agreed and future offset requirements are secured in the conditions.

c) Management actions for the future offset areas

As most of the offset areas are comprised of derived native grasslands, OEH recommends that direct planting of saplings take place to bring back the canopy in these areas. Especially in areas where there is no natural regeneration. This will become a management action in the BioBanking Agreement.

It's important that the areas that are derived from Box Gum Woodland are regenerated with suitable species such as Yellow Box and Blakely's Red Gum to ensure this endangered ecological community persists on the site and isn't dominated by Dry Forest species' regeneration.

d) Inspecting offset areas

It should be noted that OEH did not inspect the newly proposed offset areas during the site meeting on 15 September 2016. As part of the BioBanking agreement (covenant) process, the vegetation mapping will be verified by OEH.