



Office of Environment & Heritage

Ms Kendal Caynes
Environment Officer
Central Coast Council
kendal.caynes@centralcoast.nsw.gov.au

Dear Ms Caynes

CSR Hebel site Somersby Industrial Park

Thank you for your email dated the 1 July 2016, regarding the development application by CSR Hebel for its site at the Somersby Industrial Park.

I note that Somersby Industrial Park is covered by a Plan of Management for which the Department of Environment and Conservation (NSW) (now OEH) issued an assumed concurrence in relation to threatened species under the provisions of the *Environmental Planning and Assessment Regulation* 2000 in November 2005. That the plan of management provided for conservation areas for both threatened species and Aboriginal cultural heritage. One of those conservation areas is located on land owned by CSR Hebel, and was identified primarily for the Somersby mint bush. The assumed concurrence provided for approval for activities outside the conservation areas without requiring the Director-General's concurrence, however for proposed activities that would impact upon the conservation zones the Director-General's concurrence could not be assumed.

I note that subsequent to the issuing of the assumed concurrence the Land and Environment Court issued a consent order for the land in 2009 that permitted development of some of the conservation zone, but retained the residual of the conservation area.

During 2014 and 2015 there were numerous meetings regarding CSR Hebel's proposed Line 2 extension of the plant on the site. That extension would have impacted on the remaining conservation zone. OEH worked closely with Gosford City Council, CSR and their consultants on seeking a solution in the form of finding an offset for the impacts. On 28 January 2016 CSR consultants Catalyst Project Consulting wrote to Gosford City Council outlining their efforts in seeking a solution but were unsuccessful. OEH was subsequently advised that the company had been able to reconfigure the extension to avoid impacts upon the remaining conservation area.

Your email of 1 July 2016 confirms that Central Coast Council is considering a development application for the revised layout of the plant which will largely be located on the area subject to the Land and Environment Court consent order and will not impact upon the remaining conservation area. OEH is supportive of that outcome given any impacts upon the original conservation zoning were consented to by the Land and Environment Court back in 2009 and the conservation area remains unaffected. Given the proposed development will not result in additional impacts to threatened species or their habitat, other than those already approved, OEH's concurrence is not required.

OEH encourages CSR Hebel to commit to the active management of the conservation area which would include the removal pine trees and their ongoing control on the site. To this end OEH has meet with representatives of CSR to discuss the conservation management of the Somersby mint bush as part of the NSW Government's Save Our Species program.

If you have any further questions or wish to discuss the matter further please contact me on 4927 3118.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'AMcIntyre', followed by the date '5/7/2016'.

ANDREW MCINTYRE
Regional Manager, Hunter Central Coast
Regional Operations Group

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cc: Chris Leck, Catalyst Project Consulting