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EMAIL TRANSMISSION

TO: Lucie Clifton EMAIL: lucie.clifton@bathurst.nsw.gov.au

ORGANISATION: Bathurst Regional Council DATE: 11 October 2016

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SUBJECT: Review of Draft Conditions for DA 2016/202 (Rowling Quarry)

Confidential Please Reply For Follow-up Urgent For your information

MESSAGE:

Having reviewed the Notice to Applicant of Determination of Development Application (DA) 2016/202, the Applicant has no objection to the majority of conditions.

We make one comment on **Condition 2** and request removal or modification of **Condition 3**.

Condition 2

The Applicant notes that while ecological field survey of the Project Site, completed by OzArk Environment & Heritage P/L (OzArk EHM), was completed in early December, this survey confirmed the subject site as extensively impacted by prior agricultural and quarrying activities. No native vegetation communities were mapped and only two native species identified. Based on this survey, OzArk EHM did not consider any threatened flora species as likely to occur.

The above very low likelihood of Duramana Fingers occurring on the Project Site notwithstanding, the Applicant will complete the requested targeted survey within the next 3 to 4 weeks.

Condition 3

The Applicant believes that the EIS, which does not include landscape plantings on the eastern and southern boundaries of the Project Site, demonstrates visual impacts would be managed through progressive rehabilitation, dust management and overall quarry practices. The progressive rehabilitation works would be identified within a *Rehabilitation Plan* which is required by Condition 1.

The recommended condition references the use of tree species associated with box-gum woodland. However, this does not take into account the following.

- The southern boundary of the Project Site is subject to waterlogging which would constrain the successful establishment of box-gum woodland tree species.
- A box-gum woodland vegetation community is a grassy woodland formation, i.e. predominantly native grasses with interspersed individual trees, or 'clumps' of trees, and a similarly low density shrub layer (if present). The suggested tree spacing is not conducive to the establishment of box-gum woodland with tree growth likely to be constrained as a result.

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- The tree species of box-gum woodland are generally slow growing which would reduce the effectiveness for screening the quarry operations.

The Applicant believes that progressive rehabilitation would be more effective in managing the visual impact of the Quarry. The Applicant therefore requests that this condition be removed on the basis that progressive rehabilitation would prove far more effective in managing the visibility of the Quarry than the nominated vegetation screen.

Should Council require a vegetation screen, it is suggested that the prescriptive nature of species and spacing be reconsidered. There are other native species which we believe would be more effective as a vegetation screen. For example, a species such as Deane's Wattle (*Acacia Deanei*), which is an associated shrub species of box-gum woodland, would likely be more effective in screening views of the Quarry, in particular from Vale Road. Deane's Wattle is an evergreen, multi-stemmed (from or near ground level), fast growing shrub which can reach a height of 4m. Deane's Wattle is often found near watercourses and can tolerate occasional waterlogging and a wide range of soil types.

The planting and maintenance schedule for such plantings could form part of the *Rehabilitation Plan* required by Condition 1.

We respectfully request that Council consider the request to remove or modify Condition 3 and look forward to receiving feedback. Should you wish to discuss further the distribution list or proposed approach to distribution of information, please do not hesitate to contact me.

Regards



Alex Irwin
Senior Environmental Consultant

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