

From: [Andrew Fisher](#) on behalf of [ROG South West Region Mailbox](#)
To: [Terri O'Brien](#)
Subject: DPIE BCD Response RE: DA: 10.2017.35776.1 - 208 Winchester Lane - Rockwood Quarry - updated conditions of consent
Date: Tuesday, 21 April 2020 8:31:40 AM
Attachments: [image001.png](#)
[image002.jpg](#)

Hi Terri,

As requested, here are the updated consent conditions recommended by the Biodiversity & Conservation Division of the Department of Planning, Industry and Environment for DA10.2017.35776.1:

Aboriginal cultural heritage

1. Works must avoid the AHIMS site 55-6-0064 (Mungabareena-mm1). A *minimum* 10 metre buffer must be placed around the tree to protect the tree root zone to mitigate any potential harm. This buffer must be clearly defined through the installation of fencing around the tree.
2. All ground disturbance activities must be confined to the assessed areas. Should modification (a change or increase) to the area of impact be required, then further assessment will be required.
3. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - Not further harm the object
 - Immediately cease all work at the particular location
 - Secure the area so as to avoid further harm to the Aboriginal object
 - Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location
 - Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment.

In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department of Planning, Industry and Environment contacted.

Biodiversity

4. A Biodiversity Offset Management Plan be prepared prior to clearing to the satisfaction of Albury City Council that includes:
 - objectives for biodiversity offset areas, including ecological outcomes
 - a description of the existing condition and baseline ecological data for the offset areas
 - details of vegetation communities to be established in the revegetation areas and completion criteria for vegetation composition, structure and habitat.
 - management actions for improving biodiversity values in the biodiversity offset areas including, but not limited to: controlling pests and weeds, stock grazing, protecting and promoting the growth of native plants, fire management, fauna habitat enhancement, and access
 - a seasonally-based program to monitor and report on the effectiveness of these measures against detailed ecological performance measures and completion criteria that adhere to SMART principles (specific, measurable, achievable, repeatable, time-bound)
 - sufficient monitoring sample sites to represent ecological variation throughout the biodiversity offset areas
 - a comprehensive list of monitoring actions for the biodiversity offset areas and details

the frequency of monitoring for each action, who is responsible and reporting procedures

- list of risks, triggers for adaptive management and corrective actions if monitoring targets are not being met
- details of who would be responsible for monitoring, reviewing and implementing the plan and timeframes for completion of actions.

Regards

Andrew Fisher

Senior Team Leader, Planning – South West

Biodiversity and Conservation | Department of Planning, Industry and Environment

T 02 6022 0623 | **M** 0427 562 844 | **E** andrew.fisher@environment.nsw.gov.au

PO Box 1040, 512 Dean St, Albury, NSW 2640

www.dpie.nsw.gov.au

Contact the South West Planning Team about biodiversity and Aboriginal cultural heritage planning and regulation matters by emailing rog.southwest@environment.nsw.gov.au.

cid:image003.jpg@01D6012F.134F8ECO



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Terri O'Brien [mailto:TOBrien@alburycity.nsw.gov.au]

Sent: Wednesday, 15 April 2020 10:37 AM

To: Andrew Fisher

Cc: David Christy

Subject: HPE CM: RE: HPE CM: DPIE BCD Response RE: DA: 10.2017.35776.1 - 208 Winchester Lane - Rockwood Quarry - further revised ACH

Hi Andrew

Thanks for that advice.

Given that the applicant appears to have addressed your earlier concerns and you have recommended an additional condition to implement Recommendation 1, can you supply a copy of your updated recommended conditions for attachment to any Development Consent issued, please?

Thanks

Terri O'Brien

Senior Town Planner

City Development

553 Kiewa Street

Albury NSW 2640

M 0407 028 352

alburycity.nsw.gov.au

AlburyCity



This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: [Andrew Fisher](#) on behalf of [ROG South West Region Mailbox](#)
To: [Terri O'Brien](#)
Cc: [Daniel Clegg](#)
Subject: DPIE BCD Response RE: DA: 10.2017.35776.1 - 208 Winchester Lane - Rockwood Quarry - further revised ACH
Date: Tuesday, 14 April 2020 3:35:05 PM
Attachments: [image001.jpg](#)
[image002.png](#)

Hi Terri,

BCD have completed a review of the additional information provided in relation to in relation to Aboriginal cultural heritage for DA 10.2017.35576.1 at Rockwood Quarry.

We note that in accordance with our previous advice, further survey of the subject site has been carried out in order to ground-truth the existence of AHIMS site 55-6-0064 (Mungabareena-mm1) which had been previously identified as 'destroyed' by the proponent. Accordingly, the site has been identified through additional assessment in consultation with Registered Aboriginal Parties and ground-truthing confirms this site does occur and was not destroyed.

We also note that an update has been provided to the AHIMS Registrar to restore the sites validity within the AHIMS database and the ACHAR amended accordingly.

We note that no harm to this site (55-6-0064 Mungabareena-mm1) is anticipated as it occurs outside the development impact zone and support Recommendation 1 that a clearly defined buffer (fence) of no less than 10m around the tree to protect the root zone to mitigate any potential harm.

Provided Recommendation 1 is implemented we have no further advice in relation to this development application.

The proponent should be reminded that all ground disturbance activities must be confined to areas assessed. Should modification (a change or increase) to the area of impact be required, then further ACH assessment will need to be undertaken.

Let me know if you have any questions about this response.

Regards

Andrew Fisher

Senior Team Leader, Planning – South West

Biodiversity and Conservation | Department of Planning, Industry and Environment

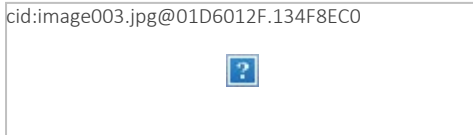
T 02 6022 0623 | **M** 0427 562 844 | **E** andrew.fisher@environment.nsw.gov.au

PO Box 1040, 512 Dean St, Albury, NSW 2640

www.dpie.nsw.gov.au

Contact the South West Planning Team about biodiversity and Aboriginal cultural heritage planning and regulation matters by emailing rog.southwest@environment.nsw.gov.au.

cid:image003.jpg@01D6012F.134F8ECO



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Jenny Rowland [mailto:jrowland@alburycity.nsw.gov.au]

Sent: Wednesday, 25 March 2020 1:17 PM

To: ROG South West Region Mailbox

Cc: Terri O'Brien

Subject: DA: 10.2017.35776.1 - 208 Winchester Lane - Rockwood Quarry

Attention Andrew Fisher, Miranda Kerr and Daniel Clegg

Please find attached further information received in relation to the above development application for your consideration. Please provide response to Council's assessing officer Terri O'Brien.

Regards

Jenny

Planning & Environment Administrator - City Development

553 Kiewa Street

Albury NSW 2640

T 02 6023 8111

alburycity.nsw.gov.au

AlburyCity



This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL