



Planning &  
Environment

## Memorandum

**To** Karen Harragon, Director Social and Other Assessments  
**From** Michael Young, Senior Planner, Transport Assessments  
**Date** 31 May 2016 **File no** 16/06942 **File** SSI 6788

**Subject: WestConnex New M5 — Biodiversity Offset Strategy**

### Purpose

To consider the Progress Report on the implementation of the Biodiversity Offset Strategy for the WestConnex New M5 project.

### Background

The WestConnex New M5 project was approved by the Minister on 20 April 2016 under Part 5.1 of the *Environmental Planning and Assessment Act 1979* and involves a new multi-lane road between the M5 East Motorway (east of King Georges Road, Beverly Hills) and St Peters.

Condition B12 requires Roads and Maritime Services (the Proponent) to prepare a report detailing progress made towards securing offsets described in the Biodiversity Offset Strategy. The report must be submitted for the Secretary's approval prior to commencement of work that may impact the vegetation communities and Green and Golden Bell Frog and its habitat (**Tab A**).

### Issue

On 11 May 2016 the Proponent submitted information demonstrating its compliance with condition B12 for the Secretary's approval (**Tab B**). Further information on the offset sites was provided on 20 and 27 May 2016 (**Tab C**).

### Consideration

The Biodiversity Offset Strategy (the Strategy) stated two vegetation communities and one threatened species required offsets

Out of Scope

Out of Scope

The purpose of condition B12 is to provide certainty that progress is being made towards securing the required offset credits prior to the vegetation communities and the Green and Golden Bell Frog being impacted.

The Proponent has advised that Green and Golden Bell Frog credits can be fully retired at the **Out of Scope** (**Tab D**). The landowner and the Office of Environment and Heritage (OEH) are currently finalising a Biobanking agreement for the site. The Proponent states that it has reached agreement with the landowner to purchase the 203 Green and Golden Bell Frog credits once the Biobanking agreement has been executed and the credits established. The Proponent has advised that finalisation of the Biobanking agreement is imminent.

Out of Scope

has been identified by the Proponent for provision of credits to offsets impacts to the *Cooks River Castlereagh Ironbark Forest* ecological community (**Tab E**). The Proponent has prepared a Biobank Agreement Credit Assessment Report of the proposed conservation area, which would be submitted to OEH for its review, which is expected to take 3 months.

Out of Scope

Department of Planning & Environment

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**Memorandum**

Out of Scope

Out of Scope

Out of Scope The site at Out of Scope has a Biobanking agreement with OEH Out of Scope and has credits available to offset this ecological community (Tab F). The Out of Scope (Tab D) is listed on the OEH Expression of Interest register as a potential offset site. Out of Scope

Out of Scope

The OEH has advised that it is appropriate to use credits from *Paperbark Swamp Forest* from other Interim Biogeographic Regionalisation for Australia (IBRA) subregions to offset the impacts of the New M5 project (Tab G).

The Department notes the progress to date in identifying potential credits to offset impacts to the ecological communities and Green and Golden Bell Frog. The Green and Golden Bell Frog offset site is the most advanced in terms of the purchase of credits. Out of Scope

Out of Scope

The Department is satisfied that the identification of the proposed offset sites is consistent with the *NSW Biodiversity Offsets Policy for Major Projects* (OEH, 2014) and considers that progress has been made to deliver the offsets identified in the Biodiversity Offset Strategy. Information on the number of biodiversity offsets required, the identified biodiversity offsets credits and supplementary measures would be contained in the Biodiversity Offsets Package required by condition B13. The Package must be submitted for the Secretary's approval within 12 months of the commencement of construction.

Accordingly it is recommended that the Secretary notes that progress has been made to deliver the credits in accordance with the Biodiversity Offset Strategy. Out of Scope

Out of Scope

**Recommendation**

It is recommended that the Director Social and Other Assessments (as the Nominee of the Secretary) note the progress that Roads and Maritime Services has achieved to date, to deliver the offsets in the Biodiversity Offset Strategy, subject to the above recommendations.

A letter has been drafted to this effect and is attached (Tab H).

WestConnex Stage 2 – New M5  
SSI 6788

A

- B12 The Proponent must prepare a report which details the progress made towards securing the offsets described in the Biodiversity Offset Strategy presented in the document referred to in condition A2(b) and required by conditions B10 and B11. The report must be submitted to the Secretary for approval prior to the commencement of any works that may impact on the vegetation communities and Green and Golden Bell Frog and its habitat.
- B13 Within 12 months of the commencement of construction, unless otherwise agreed by the Secretary, the Proponent must develop and submit to the Secretary for approval, a **Biodiversity Offset Package**. The Package must be prepared in consultation with OEH and DoE and confirm how the impacts of the SSI will be offset. The Package must be consistent with the biodiversity offset strategy requirements of the *NSW Biodiversity Offsets Policy for Major Projects* (OEH, 2014). The Package must include, but not necessarily be limited to:
- (a) identification of the number of biodiversity credits required to offset the impacts of the SSI;
  - (b) details on the biodiversity credits identified to offset the impacts of the SSI and evidence that they can be attained and secured in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*; and
  - (c) for offsets not secured through the retirement of biodiversity credits, details on the supplementary measures that would be implemented to offset the residual impacts, in accordance with Appendix B of the *NSW Biodiversity Offsets Policy for Major Projects* and the *Framework for Biodiversity Assessment* (OEH, 2014).

All required offsets must be secured within two years of the commencement of construction unless otherwise agreed by the Secretary, in consultation with the OEH and DoE. The Proponent must submit to the Secretary and DoE a copy of the credit retirement report issued by the OEH once the offsets are secured, within one month of receiving the report.

Should supplementary measures be proposed, the Package must also provide details on:

- (a) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including -
  - (i) the monitoring of condition of species and ecological communities at offset (including translocation) locations,
  - (ii) the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites,
  - (iii) provisions for the annual reporting of the monitoring results to the Department, OEH and DoE and the public for a set period of time, as determined in consultation with OEH and DoE, and
  - (iv) timing and responsibilities for the implementation of the supplementary measures; and
- (b) processes and/or measures that would be implemented to ensure that any land offsets are protected and managed in perpetuity.

The supplementary measures must be implemented by the Proponent according to the timeframes set out in the Biodiversity Offset Package, unless otherwise agreed by the Secretary.

- B14 The Proponent must prepare and submit to the Secretary for approval an updated **Green and Golden Bell Frog Plan of Management** for the Arncliffe population of Green and Golden Bell Frog prior to commencing construction at the Arncliffe construction compound. The Plan must be developed from the Green and Golden Bell Frog Management Plan presented in the document referred to in condition A2(b), by a suitably qualified and experienced frog specialist, in consultation with OEH. The updated Plan must include, but not necessarily be limited to:
- (a) an adaptive monitoring program to assess the effectiveness of the construction and operational mitigation measures and ongoing survival of the Arncliffe population at the Kogarah Golf Course. The monitoring program must -
    - (i) detail the monitoring that would be undertaken during construction to ascertain the effectiveness of the on-site management and mitigation measures at limiting impacts on the Green and Golden Bell Frogs,



Transport  
Roads & Maritime  
Services



11 May 2016

Karen Harragon  
Director, Social and Other Infrastructure Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

**ATTENTION: Jacqui McLeod**

Dear Ms Harragon,

**WestConnex New M5 Project Infrastructure Approval (SSI 6788)**

In relation to the requirement for the Proponent to provide a progress report which details the progress made towards securing the offsets described in the Biodiversity Offset Strategy presented in the document referred to in condition A2(b) and required by condition B12 please see our response below demonstrating compliance with this condition. Please note that further correspondence will be provided addressing condition B10 in the near future.

**1) Green & Golden Bell Frog Biodiversity Credits**

WCX M5 AT Pty Ltd ('Asset Trustee') has, on behalf of RMS (the Proponent), initiated a process of obtaining biodiversity credits for the Green and Golden Bell Frog pursuant to the requirements of the Biodiversity Offset Strategy referred to in the New M5 Environmental Impact Statement (November 2015).

In this regard, the Asset Trustee is currently negotiating a contract for sale of biodiversity credits (Contract for Sale) with [REDACTED] Out of Scope



We understand that [REDACTED] is in the process of finalising its Biobanking Agreement with the Office of Environment and Heritage (OEH). An application for a biobanking agreement and supporting assessments have been reviewed and approved by OEH and we understand that the credits are ready for issue. In order to finalise the Biobanking Agreement, [REDACTED] need to provide a minor piece of advice to OEH and subsequently undertake the execution process. We understand that once [REDACTED] and OEH sign the Biobanking Agreement, [REDACTED] will receive the credits issued within two weeks of execution.

**Roads and Maritime Services**

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Confirmation from [REDACTED] of the above is included within Attachment 1.

In relation to the other offset credits required, being the Ironbark and Paperbark Swamp Forest, the Proponent, via the [REDACTED] Contractor, [REDACTED] has engaged [REDACTED] from [REDACTED] as its accredited bio-banking assessor to progress the investigation and procurement of the ecosystem credits for the vegetation impacted.

Further details for each of these credits are included below:

**2) Cooks River/Castlereagh Ironbark Forest Endangered ecological community (PCT 725)**

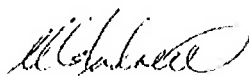
- The EEC remnant at Beverly Grove is 1.8 hectares in size.
- The new M5 Biodiversity Assessment Report (BAR) identified a credit requirement for this EEC at 31 credits based on direct impacts to the 1.4 hectares of vegetation.
- The approval condition B10 requires that the entire remnant be offset inclusive of 0.4 hectares of indirect impacts based on a pro-rata assessment of the credits required for the direct impacts.
- This means that an additional 9 credits above 31 credits identified in the BAR is required to meet the approval conditions. This totals 40 credits.
- Other PCT's cannot be used as this vegetation type is also listed under the Commonwealth EPBC Act
- The [REDACTED] Out of Scope has a site with the PCT
- A Biobank Agreement Credit Assessment Report has been prepared by [REDACTED] on behalf of the landholder, and is anticipated to be submitted to Office of Environment and Heritage (OEH) shortly.
- Once submitted OEH will need to review the assessment. The time required for the assessment is variable, but is estimated to indicatively be 3 months. This site would have adequate credits as 637 of this type are expected to be available from this site.
- [REDACTED] Out of Scope has expressed an interest in continuing the sale negotiations of the required credits.
- CDS-JV, is planning to enter into an Options Agreement for purchase, subject to the details of such an agreement.

**3) Paperbark swamp forest endangered ecological community (PCT 1064)**

- The biodiversity assessment report identified that 27 credits were required to offset impacts on this EEC.
- [REDACTED] Out of Scope
- [REDACTED] Out of Scope Follow up is currently being undertaken to discuss a possible sale.
- [REDACTED] Out of Scope
- [REDACTED] Out of Scope Discussions with the landholder continue.

Further information in relation to the above can be provided upon request. We trust that the above is acceptable to the Secretary for approval in response to this condition.

Yours faithfully



Mark Andrew  
A/General Manager, Motorway Projects



**Planning &  
Environment**

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Email: [michael.young@planning.nsw.gov.au](mailto:michael.young@planning.nsw.gov.au)

Our ref: SSI 4963

Mr Mark Andrew  
A/General Manager, Motorway Projects  
Roads and Maritime Services  
Locked Bag 928  
North Sydney NSW 2059

Dear Mr Andrew

**WestConnex New M5 (SSI 6788) – Biodiversity Offset Strategy Progress Report  
(Condition B12)**

I refer to your letter of 11 May 2016 providing information to the Secretary on progress with securing the offsets described in the Biodiversity Offset Strategy in Appendix T of the New M5 Environmental Impact Statement (November 2015).

The Department has reviewed the above information and additional information provided on 20 and 27 May 2016, and notes the current position of the proposed offsets for the two vegetation communities and the Green and Golden Bell Frog threatened species. Roads and Maritime Services has advised that discussions are **Out of Scope**

**Out of Scope** to satisfy the ecosystem credits for the New M5 project. I note that biodiversity assessments and Biobanking agreements need to be made with the Office of Environment and Heritage in order for the ecosystem credits to be retired.

I therefore approve the progress report on the delivery of the offsets in the Biodiversity Offset Strategy in accordance with condition B12 of the Infrastructure Approval, subject to Roads and Maritime Services providing the Secretary with three-monthly updates on progress with the finalisation of the offset sites/credits for the impacted vegetation communities and the Green and Golden Bell Frog, until such time as the Biodiversity Offset Package is finalised, or as required by the Secretary.

Should you have further queries regarding this matter, please contact Michael Young on (02) 9228 6437.

Yours sincerely

31/5/2016

Karen Harragon  
Director Social and Other Assessments  
As Nominee of the Secretary





## Memorandum

**To** Karen Harragon, Director Social and Other Assessments  
**From** Michael Young, Senior Planner, Transport Assessments  
**Date** 4 August 2016 **File no** 16/06942 **File** SSI 6788

**Subject: WestConnex New M5 — Biodiversity Offset Credits for the Cooks River/Castlereagh Ironbark Forest**

### Purpose

To review advice relating to the identification and achievability of obtaining biodiversity offset credits for the Cooks River/Castlereagh Ironbark Forest at Kingsgrove.

### Background

The WestConnex New M5 project was approved by the Minister on 20 April 2016 under Part 5.1 of the *Environmental Planning and Assessment Act 1979* and involves a new multi-lane road between the M5 East Motorway (east of King Georges Road, Beverly Hills) and St Peters.

Condition B10 requires the entire community of Cooks River/Castlereagh Ironbark Forest at Kingsgrove to be offset. Construction works involving impacts to the community must not commence until the offsets required have been identified and evidence provided that they should be achievable (**Tab A**).

On 27 July 2016, [Out of Scope] for the Proponent, submitted a letter detailing progress on the identification and achievement of the required offsets (**Tab B**).

### Consideration

The New M5 project is required to provide 40 ecosystem credits to offset direct and indirect impacts on the Cooks River/Castlereagh Ironbark Forest community at Beverly Grove in Kingsgrove.

Five potential providers of the credits have been identified. Of these, two providers [Out of Scope] and [Out of Scope] are well advanced in the process of generating the credits. A Biobanking Agreement has been assessed and reviewed by the Office of Environment and Heritage (OEH) for the [Out of Scope] site and a Biobanking Agreement credit assessment has been completed for the [Out of Scope] site, however the draft Biobank Agreement has not yet been submitted to OEH.

Discussions have occurred with the other three potential providers [Out of Scope], [Out of Scope] for the provision of credits, however, no Biobanking Assessment has been made of the threatened ecological community.

The progress report states that contact will be maintained with [Out of Scope] and the [Out of Scope] to create the credits should they choose to. Contact will also continue with the alternative providers, and should they be interested in a Biobanking Agreement, a formal offer may be made.

The Department considers that progress has been made in identifying potential offset credits, however, decisions as to whether the credits would be made available to other parties has yet to be made by [Out of Scope] and the [Out of Scope]. The provision of credits by the alternative providers is less certain with a Biobanking Agreement assessment of the vegetation required.

**Memorandum**

Notwithstanding, the Department is satisfied that progress towards the securing of the biodiversity offset credits has been made and that the Proponent has complied with condition B10. However, it is recommended that the Proponent provide the Department with updates every second month on progress with the purchase of the required ecological credits.

**Recommendation**

The Department recommends that the Proponent provide bi-monthly updates on the identification and purchase of credits to offset impacts of the New M5 project on the Cooks River/Castlereagh Ironbark Forest community.

A letter has been drafted to this effect and is attached (**Tab C**).



WestConnex Stage 2 – New M5  
SSI 6788



- B8 Prior to operation, the Proponent must install permanent signage at each tunnel entrance and use variable messaging signage provided at regular intervals throughout the tunnel to instruct tunnel users to close windows and turn on recirculated air.

Relevant information about this instruction is to be provided on a website, operated by the Proponent, which is maintained throughout operation of the SSI.

#### **Air Quality Community Consultative Committee**

- B9 Prior to finalising the detailed design of the SSI and establishing the ambient air quality monitoring stations required under condition E10 the Proponent must establish an **Air Quality Community Consultative Committee (AQCCC)** to provide input prior to and during the operation of the SSI. The AQCCC must:
- (a) be comprised of -
    - (i) two representatives from the Proponent and tunnel operator,
    - (ii) one representative from each of the relevant councils, whose attendance is only required when considering matters relevant to their respective local government area,
    - (iii) three representatives from the local community adjacent to the St Peters ventilation facility or three representatives from the local community adjacent to the Kingsgrove ventilation facility or three representatives adjacent to the Arncliffe ventilation facility whose attendance is only required when considering matters relevant to their respective local area, and whose appointment has been approved by an expression of interest process conducted by the Proponent in consultation with the Secretary, and
    - (iv) a Chair who is an independent party put forward by the Proponent and approved by the Secretary;
  - (b) meet at least four times a year, or as otherwise agreed by the chair and the Secretary;
  - (c) review and provide advice on the location of the air quality monitoring stations required under condition E10, operation environmental management plans and other operation stage documents, compliance tracking reporting, audit reports, or complaints as they relate to air quality; and
  - (d) provide advice on the dissemination of monitoring results and other information on air quality issues.

The AQCCC must operate for up to two years after commencement of operation, or as otherwise approved or directed by the Secretary, in consultation with the Chair.

#### **BIODIVERSITY**

- B10 The Proponent must offset the entire community of the *Environmental Protection and Biodiversity Conservation Act 1999* listed Cooks River/Castlereagh Ironbark Forest Critically Endangered Ecological Community located at the site adjacent to Rosebank Avenue between Beverly Grove and Canterbury Golf Course. Construction works involving impacts to the listed community must not commence until the offsets required have been fully identified and evidence provided that they should be achievable. All ecosystem credits proposed to provide biodiversity offsets for this community must be generated by native vegetation meeting the definition of this ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*.

Calculation of the credits required for that part of the community not directly impacted by the project (approximately 0.4 hectares) is to be calculated using a pro-rata assessment (i.e. approximate 0.4 hectares divided by area of community directly impacted).

- B11 The Proponent must offset impacts to the Paperbark Swamp Forest and Green and Golden Bell Frog in accordance with the requirements of the Framework for Biodiversity Assessment.



**Planning &  
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Our ref: SSI 4963

Mr Mark Andrew  
A/General Manager, Motorway Projects  
Roads and Maritime Services  
Locked Bag 928  
North Sydney NSW 2059



Dear Mr Andrew

**WestConnex New M5 (SSI 6788) – Cooks River/Castlereagh Ironbark Forest (Condition B10)**

I refer to correspondence received on 27 July 2016 submitting the progress report on the identification and provision of biodiversity offset credits for the New M5 project in accordance with condition B10 of the Infrastructure Approval.

The Department has reviewed the information and notes the current position on the provision of the required 40 ecosystem credits to offset impacts to the Cooks River/Castlereagh Ironbark Forest at Beverly Grove in Kingsgrove. It is noted that five potential providers have been identified, with two sites well advanced in the generation of the credits required. The other three potential providers are less advanced with Biobanking Agreement assessments of the vegetation required to be undertaken.

I am satisfied that progress towards the identification and securing of the biodiversity offset credits has been made and note that compliance with condition B10 has been achieved. However, it is requested that the Proponent provide the Department with updates every second month on progress with the identification and purchase of the required ecological credits.

Should you have further queries regarding this matter, please contact Michael Young on (02) 9228 6437.

Yours sincerely

4/08/2016

Karen Harragon  
**Director Social and Other Assessments**  
As Nominee of the Secretary



Planning &  
Environment

## Memorandum

**To** Karen Harragon, Director, Social & Other Infrastructure Projects  
**cc.** Jacqui McLeod - Team Leader, Infrastructure Management (IM)  
 Swati Sharma, Senior Planning Officer, IM  
**From** Tracy Bellamy, Planning Officer, IM  
**Date** 14 September 2016

### WestConnex Stage 2 New M5 (SSI 6788) – Reporting Intervals for Conditions B10 and B12

#### Purpose

To consider the proposed standardised reporting intervals across conditions B10 and B12 (**Tab A**).

#### Background

On 20 April 2016, the Minister for Planning granted approval under Section 115ZB of the *Environmental Planning and Assessment Act 1979* for the WestConnex New M5 project.

The project includes a new 9km long multi lane twin motorway tunnel extending the M5 East Motorway, a new road interchange, upgrade of local roads to connect to the existing road network, bridge structures, and ancillary facilities. Its footprint is from east of King Georges Road in Beverly Hills to Campbell Street St Peters.

On 31 May 2016, the Department approved the progress report on the delivery of the offsets in the Biodiversity Offset Strategy under condition B12, subject to RMS providing the Secretary with three-monthly progress updates (**Tab B**).

On 4 August 2016, the Department was satisfied that progress towards the identification and securing of the biodiversity offset credits required for the Cooks River/Castlereagh Ironbark Forest Critically Endangered Ecological Community has been made under condition B10. The Department also noted that compliance with condition B10 was achieved but requested RMS provide the Department with updates every second month on the progress with the identification and purchase of the required credits (**Tab C**).

**Out of Scope** on behalf of RMS has requested standardised progress reporting across conditions B10 and B12, being at 3 monthly intervals (**Tab D**). The first combined progress report will be due mid-October 2016.

#### Consideration

The Department notes that B12 is the overarching condition for biodiversity offsets for the project, with the progress report under that condition approved by the Department subject to three-monthly reporting updates provided to the Department. The Department therefore considers that standardised progress reporting at 3 monthly intervals for conditions B10 and B12 is practical and reasonable.

The Department therefore endorses the 3 monthly reporting timeframe for conditions B10 and B12.

#### Recommendation

That the Director – Social and Other Infrastructure Assessments, as nominee of the Secretary, endorse the 3 monthly reporting timeframe for conditions B10 and B12, by signing the attached letter (**Tab E**).

Tracy Bellamy  
 Planning Officer  
 Infrastructure Management

**TAB A****BIODIVERSITY**

- B10 The Proponent must offset the entire community of the *Environmental Protection and Biodiversity Conservation Act 1999* listed Cooks River/Castlereagh Ironbark Forest Critically Endangered Ecological Community located at the site adjacent to Rosebank Avenue between Beverly Grove and Canterbury Golf Course. Construction works involving impacts to the listed community must not commence until the offsets required have been fully identified and evidence provided that they should be achievable. All ecosystem credits proposed to provide biodiversity offsets for this community must be generated by native vegetation meeting the definition of this ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*.

Calculation of the credits required for that part of the community not directly impacted by the project (approximately 0.4 hectares) is to be calculated using a pro-rata assessment (i.e. approximate 0.4 hectares divided by area of community directly impacted).

- B11 The Proponent must offset impacts to the Paperbark Swamp Forest and Green and Golden Bell Frog in accordance with the requirements of the Framework for Biodiversity Assessment.
- B12 The Proponent must prepare a report which details the progress made towards securing the offsets described in the Biodiversity Offset Strategy presented in the document referred to in condition A2(b) and required by conditions B10 and B11. The report must be submitted to the Secretary for approval prior to the commencement of any works that may impact on the vegetation communities and Green and Golden Bell Frog and its habitat.

**Memorandum**

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**TAB B**

Department letter dated 31 May 2016



**Planning &  
Environment**

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Our ref: SSI 4963

Mr Mark Andrew  
A/General Manager, Motorway Projects  
Roads and Maritime Services  
Locked Bag 928  
North Sydney NSW 2059

Dear Mr Andrew

**WestConnex New M5 (SSI 6788) – Biodiversity Offset Strategy Progress Report  
(Condition B12)**

I refer to your letter of 11 May 2016 providing information to the Secretary on progress with securing the offsets described in the Biodiversity Offset Strategy in Appendix T of the New M5 Environmental Impact Statement (November 2015).

The Department has reviewed the above information and additional information provided on 20 and 27 May 2016, and notes the current position of the proposed offsets for the two vegetation communities and the Green and Golden Bell Frog threatened species. Roads and Maritime Services has advised that discussions Out of Scope

[REDACTED] to satisfy the ecosystem credits for the New M5 project. I note that biodiversity assessments and Biobanking agreements need to be made with the Office of Environment and Heritage in order for the ecosystem credits to be retired.

I therefore approve the progress report on the delivery of the offsets in the Biodiversity Offset Strategy in accordance with condition B12 of the Infrastructure Approval, subject to Roads and Maritime Services providing the Secretary with three-monthly updates on progress with the finalisation of the offset sites/credits for the impacted vegetation communities and the Green and Golden Bell Frog, until such time as the Biodiversity Offset Package is finalised, or as required by the Secretary.

Should you have further queries regarding this matter, please contact Michael Young on (02) 9228 6437.

Yours sincerely

31/5/2016

Karen Harragon  
Director Social and Other Assessments  
As Nominee of the Secretary

**Memorandum**

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## **TAB C**

Department letter dated 4 August 2016





Planning &  
Environment

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Our ref: SSI 4963

Mr Mark Andrew  
A/General Manager, Motorway Projects  
Roads and Maritime Services  
Locked Bag 928  
North Sydney NSW 2059

Dear Mr Andrew

**WestConnex New M5 (SSI 6788) – Cooks River/Castlereagh Ironbark Forest (Condition B10)**

I refer to correspondence received on 27 July 2016 submitting the progress report on the identification and provision of biodiversity offset credits for the New M5 project in accordance with condition B10 of the Infrastructure Approval.

The Department has reviewed the information and notes the current position on the provision of the required 40 ecosystem credits to offset impacts to the Cooks River/Castlereagh Ironbark Forest at Beverly Grove in Kingsgrove. It is noted that five potential providers have been identified; with two sites well advanced in the generation of the credits required. The other three potential providers are less advanced with Biobanking Agreement assessments of the vegetation required to be undertaken.

I am satisfied that progress towards the identification and securing of the biodiversity offset credits has been made and note that compliance with condition B10 has been achieved. However, it is requested that the Proponent provide the Department with updates every second month on progress with the identification and purchase of the required ecological credits.

Should you have further queries regarding this matter, please contact Michael Young on (02) 9228 6437.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'KH', with a date '4/08/2016' written next to it.

Karen Harragon  
**Director Social and Other Assessments**  
As Nominee of the Secretary



## Planning & Environment

Mr Mark Andrew  
General Manager Motorway Projects  
Roads and Maritime Services  
Locked Bag 928  
NORTH SYDNEY NSW 2059

Our ref: SSI 6788

Dear Mr Andrew

**WestConnex Stage 2 New M5 (SSI 6788) – Standardised Progress Reporting Intervals for Conditions B10 and B12**

I refer to correspondence from CPB DS JV dated 24 August 2016, seeking to standardise the progress reporting under the abovementioned conditions B10 and B12 to 3 monthly intervals.

On 31 May 2016 the Department approved the progress report on the delivery of the offsets in the Biodiversity Offset Strategy under condition B12, subject to the provision of three-monthly progress updates being provided to the Secretary.

On 4 August 2016 the Department found that progress towards identifying and securing the biodiversity offset credits for Cooks River/Castlereagh Ironbark Forest CEEC was made and requested the Department be provided with updates every second month on the progress with the identification and purchase of the required credits.

The Department has reviewed your request and considers that standardised progress reporting at 3 monthly intervals is reasonable.

The Department therefore endorses the 3 monthly reporting timeframe for conditions B10 and B12. Please ensure the first combined progress report is provided by 17 October 2016.

If you have any queries or require clarification on this matter, please contact Swati Sharma on 9228 6221.

Yours sincerely

Karen Harragon  
Director

14/9/2016

**Social & Other Infrastructure Projects**  
as nominee of the Secretary

Copy provided to: [Howard.Chemney@newm5.com.au](mailto:Howard.Chemney@newm5.com.au)  
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