

s22

From: Tregurtha, James
Sent: Tuesday, 17 June 2014 2:37 PM
To: s47F
Cc: s22
Subject: Burnside [SEC=UNCLASSIFIED]
Attachments: 2011-6063_PD - Request.pdf; 2011-6063 - Client Service Charter.docx

Hi s47F

Further to our teleconference last week and in response to your emails, I can provide the following summary of our discussions.

As discussed, the Department is broadly supportive of the Spiny Rice-flower propagation trial, subject to a commitment to avoid and protect stages 18PS, 21 and 22 until such time as the propagation trial is deemed successful and independently verified by a suitably qualified botanist. In the interim, an impact on 7 Spiny Rice-flower plants in advance of the propagation trial being successful, without a direct offset may be considered although the Department would likely require a contingency that the 7 plants are offset through the success of the trial or, in the event the trial proved unsuccessful, by finding a direct offset for the 7 plants.

The Department notes the discussion concerning the Dennis Family Corporation's property Quandong within the Western Grassland Reserve to compensate for impacts on the Natural Temperate Grassland of the Victorian Volcanic Plain ecological community. Given the measures proposed to avoid impacts on the majority of the Spiny Rice-flower through the staged approach to the proposal, the Department considers that it may be a possibility to apply the *Policy Statement for Melbourne urban development proposals needing consideration under Parts 7, 8 and 9 of the EPBC Act* (MUD policy) if the current residual impacts of proceeding in the manner described in the paragraph above, are less than 10 hectares and as such fall within the MUD policy parameters.

With regards to outstanding requirements, the Department notes the draft preliminary documentation (BLA Report No. 7045 (6.5)) provided in July 2012 (attached) broadly addresses the Department's requirements set out in the preliminary documentation request of 13 September 2011 and comments of 2 March 2012. The Department further notes that the key outstanding item from earlier comments was around refining and providing further details on the Spiny Rice-flower propagation trial, which has now been largely addressed. Given this, the Department is available to review a revised version of the preliminary documentation (that incorporates the additional Spiny Rice Flower trial information) at your convenience.

You should note, that the Department will still need to review your preliminary documentation for adequacy prior to publication. To provide further guidance and a summary of next steps, including both parties' responsibilities, I have also attached a proposed client service charter for your consideration. It would be appreciated if you could complete the highlighted areas, including contact details for the Burnside Residential development proposal and return a signed copy to the Department for co-signing.

I look forward to progressing this project further. Should you have any further questions related to the specifics of this proposal please direct your queries to s22 in the first instance.

My apologies we were unable to get this information to you earlier.

Regards
James

James Tregurtha
Assistant Secretary
South-Eastern Australia Environment Assessments
Department of the Environment