

Table 1: Responses/Actions by Capital Ecology to DPE-BCD comments on BCAR Draft 04. The resulting draft is Draft 05.

Outstanding items to address for final prior to submission back to DPE-BCD for approval are in blue text.

Report Reference	DPE-BCD Comment	CE Response/Actions
P. 7	PCT1093 Zone 5 referred to, should be Zone 6	Changed to Zone 6.
P. 14	Certified Land doesn't match the earlier figure – 355.35 vs 355.43	Certified Land area has been changed to 355.43 throughout.
P. 61	refers to PCT3376, please ensure the correct PCT is used through the report, it appears there are reference to both the new and old PCT number	All references to PCTs have been made consistent.
P. 85	refers to the GCC protecting 162ha (31%) of the subject land, this is 158.11ha (30%) on P5	162 ha is correct, this has been updated on pg.5.
P. 86	states that 36.4ha of Aprasia habitat will be protected by the GCC. This figure should be 35.83 (as 36.4 includes the additional Avoided land, which is stated additionally in the next paragraph). This also doesn't match the figure given in the table on page 12, which is 16.1	The correct number is 33.63 ha, which has been updated throughout the report. The table on pg.12 is based on previous mapping done to inform the establishment of the GCC, which has since been updated.
P. 91	refers to Jerrabomberra Creek	Corrected to refer to Ginninderra Creek and Murrumbidgee River.
P. 112	the table states that 3.44ha of EPBC Act Box Gum is present, it should be 3.22ha as PCT1330 Z2 is not EPBC Act Box Gum. It also states that 0.22ha of EPBC Act Box Gum will be certified, whereas it states on p4 that PCT1330 Z2 is not EPBC Act Box Gum, and also on p86 that 100% of the EPBC Act Box Gum will be retained/avoided.	There was inconsistency throughout the report as to whether PCT1330 Zone 2 meets the EPBC Act criteria. I have updated several sections to reflect that Zone 2 does NOT meet the EPBC Act criteria.
P. 113	the table states that 3.05ha of EPBC Act NTG is present, it should be 3.3ha, being the sum of PCT3415 Zones 1, 2 and 3, which it states on P3 are the zones that contain EPBC Act NTG.	On pg.3 it was stated that PCT3415 Zones 1, 2 and 3 meet the EPBC criteria for NTG-SEH, whereas this should have been only Zones 1 and 2 as stated on pg.60 (s.2.2.5).
P. 113	the table states that 26.75ha of Keyacris habitat will be removed (this is matched in the credit report). This figure is given as 33.59ha on P6 and P7.	The correct area should be 26.53 ha, which has been updated throughout the report.

Protection of the HBTs	<p>The report has gone from 68 to 88 HBT being 'impacted' or 'retained if possible'. We are unable to determine how the number increased and can only identify 20 that are being retained.</p> <p>We are also unable to determine a way for these to be protected in the current form. I think it would be beneficial to have a further discussion regarding the mechanism to protect these trees within the certified land. We may be able to reference them in the agreement and order.</p>	<p>The additional 20 trees were missing from earlier versions of the report but should have been included. A total of 108 trees were identified in the surveys, of which 20 will be retained in the Avoided Land and 88 are within the Certification Area.</p> <p>Given the early stages of the urban design at this stage, the proponent is not able to provide detailed plans or guarantees for how these trees will be protected beyond a commitment to avoid them where possible (see s.3.3.2 for a description of how this has been achieved in previous stages of the Ginninderry development).</p> <p>Further discussion will be required to find a suitable mechanism/agreement, however we don't think that it will be possible to refer in the Biodiversity Certification Agreement or the Biodiversity Conservation Order to specific remnant trees, or a specific number of remnant trees, this being due to the inability for the proponent to make such commitments at this stage in the design.</p>
Tracks within the corridor	<p>We are still waiting on correspondence regarding the tracks within the corridor from Penny. We seek some clarification as to what approval/planning pathway the tracks within the corridor will be constructed. A further discussion about the tracks and management trials maybe required.</p>	<p>We will have to discuss this further with DPE-BCD to determine what NSW approval pathway will be required. We note that this would need to consistent with the existing EPBC Act approval conditions (i.e. consistent with the Plan of Management). Who is Penny?</p>