

Matthew Sprott - Drayton South Coal Project NSW EPBC 2011/5911 [SEC=UNCLASSIFIED]

From: "Jenkins, Mark" <Mark.Jenkins@environment.gov.au>
To: 'Matthew Sprott' <Matthew.Sprott@planning.nsw.gov.au>
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Subject: Drayton South Coal Project NSW EPBC 2011/5911 [SEC=UNCLASSIFIED]

Mr Matthew Sprott
Planning Officer/Mining Projects
Department of Planning & Infrastructure
23-33 Bridge Street SYDNEY 2000

Dear Mr Sprott

Drayton South Coal Project NSW EPBC 2011/5911

Thank you for the opportunity to provide further comments on the Environmental Assessment (EA) for the Drayton South Coal Project. The department notes that whilst the EA identifies specific offsets, further information is required to satisfy the requirements of the EPBC Act and the *EPBC Act environmental offsets policy* (October 2012). In particular, the proposed offsets must be assessed using the EPBC Offsets Calculator. Information requirements for EPBC Act offset proposals are detailed below.

Please contact me on 02 6274 1558 if you wish to discuss this matter.

Mark Jenkins
EPBC Assessment Officer
NSW Section
South-Eastern Australia Environment Assessments
SEWPaC

Information requirements for EPBC Act offset proposals

- Details in relation to the proposed offsets package, including:
 - the location and size, in hectares, of any offset site(s);
 - maps clearly showing for each offset site:
 - the relevant ecological features;
 - the landscape context; and
 - the cadastre boundary.
 - the current tenure arrangements (including zoning and ownership) of any proposed offset sites;
 - confirmed records of presence (or otherwise) of relevant protected matter(s) on the offset site(s); and
 - detailed information regarding the presence and quality of habitat for relevant protected matter(s) on the offset site. The quality of habitat should be assessed in a manner consistent with the approach outlined in the document titled *How to use the offset assessment guide* available at:
<http://www.environment.gov.au/epbc/publications/environmental-offsets-policy.html>.

- Provide information and justification regarding how the offsets package will deliver a conservation outcome that will maintain or improve the viability of the protected matter(s) consistent with the *EPBC Act environmental offsets policy* (October 2012) including:
 - management actions that will be undertaken that improve or maintain the quality of the proposed offset site(s) for the relevant protected matter(s). Management actions must be clearly described, planned and resourced as to justify any proposed improvements in quality for the protected matter(s) over time;
 - the time over which management actions will deliver any proposed improvement or maintenance of habitat quality for the relevant protected matter(s);
 - the risk of damage, degradation or destruction to any proposed offset site(s) in the absence of any formal protection and/or management over a foreseeable time period (20 years). Such risk assessments may be based on:
 - presence of pending development applications, mining leases or other activities on or near the proposed offset site(s) that indicate development intent;
 - average risk of loss for similar sites; and
 - presence and strength of formal protection mechanisms currently in place.
 - the legal mechanism(s) that are proposed to protect offset site(s) into the future and avert any risk of damage, degradation or destruction.
- Provide information regarding how the proposed offsets package is additional to what is already required, as determined by law or planning regulations, agreed to under other schemes or programs or required under an existing duty-of-care.
- The overall cost of the proposed offsets package; including costs associated with, but not limited to:
 - acquisition and transfer of lands/property;
 - implementation of all related management actions; and
 - monitoring, reporting and auditing of offset performance.

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