

Subject: Cobaki Concept Plan Approval MP 06_0316 Modification 9 – Response to Submissions - TSC Reply

Attachments: TSC Cobaki Mod 9 Comments.pdf; Cobaki Concept Plan MP 06_0316 Modification 9 _Response to Submissions 6pdf

Importance: High

Dear Jane,

I refer to your email of 7 September 2017 requesting further comments on the proposed Cobaki Concept Plan Mod 9.

Please be advised that Council officers have reviewed Leda's Response to Submissions (RTS) and provide the following comments.

Council's initial submission dated 18 August 2017 remains unchanged. In addition to those initial comments and following a review of the RTS, the following additional points are provided for the Department's consideration.

1. Swamp Sclerophyll offset

Council maintains that any further reduction in Swamp Sclerophyll offsets is significant. The proposed reduction is a direct loss of 22% of the existing onsite obligation and is further compromised by the non-specific nature of the proposed modified offset. As the total original and contemporary offset obligation remain unresolved, the contention remains that based on the quantum of offset indicated by Condition C19, that a reduction in offset obligation is apparent. Offsets in general, and offsite offsets in particular, are applied as the last option once all measures to avoid and mitigate impacts are exhausted. Onsite offsets have a far greater biodiversity benefit when strategically and competently delivered and thus the proportionate shift from onsite to offsite offsets has additional ecological impact beyond that considered by the Concept Plan approval.

2. Site-wide offset strategy

Council maintains that the issue of consideration of offsets in relation to the site in its entirety is necessary, timely and of relevance to consideration of any individual matter that affects the overall outcomes for the site. In response to the proponent's comment on this specific matter, it is noted that the offset principles proposed are based on peer reviewed scientific literature and existing national, state and local policy.

Council officers would welcome a meeting with all relevant stakeholders to discuss this matter further prior to determination.

Regards,
Colleen

Colleen Forbes

Team Leader Development Assessment
Planning and Regulation

 **TWEED SHIRE COUNCIL**