



Our ref: DOC20/937319

Senders ref: SSI 10040

Iwan Davies
Planning and Assessment
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Via email: iwan.davies@planning.nsw.gov.au

15 December 2020

Dear Mr Davies

Subject: EnergyConnect (NSW - Western Section) – SSI 10040 – Matters of National Environmental Significance

You have requested comments from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (the Department) on the Environmental Impact Statement (EIS) for the EnergyConnect (Western Section) project (SSI 10040), in relation to Matters of National Environmental Significance (MNES).

We have completed an initial assessment of MNES under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) in accordance with the bilateral agreement (EPBC 2020/8673).

BCD considers that:

- All relevant EPBC Act-listed threatened species and communities have been identified
- The Biodiversity Assessment Method (BAM) has been applied to all relevant EPBC Act-listed threatened species and communities
- The EIS assesses all of the relevant EPBC Act-listed threatened species in accordance with the SEARs

In order for BCD to complete the MNES assessment, additional information is required on:

- Avoidance and mitigation of impacts
- Biodiversity offsets.

The offsetting requirements for all EPBC-Act listed species will be addressed through the credit calculations under the NSW Biodiversity Offset Scheme. However the exact nature of these impacts has yet to be finalised (avoid and minimise considerations) and this means that the quantum of credits has also not been finalised. Further detail on the Biodiversity Offset Strategy for the EnergyConnect (Western) project is required for BCD to provide the Commonwealth Government with certainty that the offsets proposed to address impacts to EPBC Act-listed entities are in accordance with the requirements under the EPBC Act.

The proponent should provide clarification and explanation in response to BCD's EIS and BDAR comments (DOC20/886017) as part of the Response to Submissions.

BCD will then be able to provide a complete MNES assessment, consistent with draft conditions prior to project approval.

If you have any questions about this advice, please contact Andrew Fisher, Senior Team Leader - Planning, via rog.southwest@environment.nsw.gov.au or 02 6022 0623.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Graeme Enders', written in a cursive style.

Graeme Enders
Director
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment