



APPENDIX B

Director-General's Requirements



B





Planning & Infrastructure

Major Development Assessment Mining & Industry

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SYDNEY NSW 2001

Mr John Trotter
Environmental Superintendent
Vale Integra Coal Operations Pty Ltd
653 Bridgman Road
SINGLETON NSW 2330

Our ref.: 08_0101 MOD 2 and 08_0102 MOD 2

Dear Mr Trotter

Integra Mine Director General's Requirements – Proposed s75W Modification

I have attached a copy of the revised Director-General's requirements for the proposed modification to the project approval for the Integra Mine.

These requirements were revised to reflect changes to the project description outlined in a letter from EMM dated 20 July 2012. The requirements incorporate comments received from the Office of Environment and Heritage in relation to the biodiversity components of the modification (included as Attachment 2). Please note that the Director-General may alter these requirements at any time.

The Department will review the Environmental Assessment (EA) in consultation with the relevant agencies to determine if it adequately addresses the Director-General's requirements, and may require you to revise it prior to public exhibition.

The Department also advises that key policy and planning documents that are relevant to the project are currently being finalised. These include the Strategic Regional Land Use Plan for the Hunter, the Government's Aquifer Interference Policy and guidelines for the preparation of Agricultural Impact Statements. Therefore, these DGRs may be amended to reference these additional documents, to ensure that any are appropriately considered during the preparation of the EA.

The modification may require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Department encourages you to confirm whether such an approval will be required as soon as possible. If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGRs may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you intend to submit the EA for the proposed modification. This will enable the Department to determine the:

- applicable fee (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- number of copies (hard-copy and CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

If you have any enquiries about these requirements, please contact Deana Burn on 9228 6569 or deana.burn@planning.nsw.gov.au

Yours sincerely

D Kitto 27/7/12

David Kitto
Director
Mining & Industry
as delegate for the Director-General

Director-General's Requirements

Section 75W of the *Environmental Planning and Assessment Act 1979*

Application Number	08_0101 MOD 2 and 08_0102 MOD 2
Proposed Modifications	<p>Changes to the project approval for Integra Mine, including:</p> <ul style="list-style-type: none"> • removal of requirement to construct an overland conveyor from the underground surface facilities to the Coal Handling and Preparation Plan (CHPP) and continuation of truck haulage; • extension of time to establish the appropriate mechanism for securing offset areas for the long term; • extension of operating hours; and • updating land ownership details and project approval boundaries.
Location	Approximately 10km northwest of Singleton in the Hunter Valley
Proponent	Integra Coal Operations Pty Ltd
Date of Issue	July 2012
General Requirements	<p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> • an executive summary. • a detailed description of: <ul style="list-style-type: none"> - existing and approved mining operations, infrastructure, biodiversity and heritage offset areas; - the proposed modification; - need for and justification of the proposed modification; and - plans of any proposed building works. • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment included in the Preliminary EA for the proposed modification, which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of the modification, including any cumulative impacts, taking into consideration any relevant laws, policies, guidelines and plans; and - a description of the measures that would be implemented to avoid, minimise, and if necessary offset the potential impacts of the modification. • a statement of commitments, summarising the proposed environmental management and monitoring measures; • a conclusion justifying the modification, taking into consideration: the suitability of the site; the economic, social and environmental impacts of the project as a whole; and whether the modification is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; and • a signed statement from the author of the EA, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<p>The EA must include a detailed assessment of the following key issues:</p> <ul style="list-style-type: none"> • Air Quality – including: <ul style="list-style-type: none"> ◦ a quantitative assessment of potential air quality impacts, including a comparison of the impacts of the modification with the approved project;

	<ul style="list-style-type: none"> ◦ assessment of cumulative impacts with reference to the Camberwell Cumulative Impact Study; ◦ details of any changes to existing acquisition and management zones, mitigation measures, monitoring programs or operating practices (including the real-time monitoring system). • Greenhouse Gases – including: <ul style="list-style-type: none"> ◦ a quantitative assessment of potential Scope 1, 2 and 3 greenhouse gas emissions; ◦ a comparison of the impacts of the modification with the approved project; and ◦ an assessment of reasonable and feasible measures to minimise greenhouse gas emissions and ensure energy efficiency; • Noise, Vibration & Blasting - including a quantitative assessment of potential: <ul style="list-style-type: none"> ◦ construction, operational and transport noise impacts, including a comparison of the impacts of the modification with the approved project; ◦ blasting impacts on people, livestock and property; ◦ cumulative impacts, with reference to the Camberwell Cumulative Impact Study; and ◦ any changes to existing acquisition and management zones, mitigation measures, monitoring programs or operating practices (including the real-time monitoring system and predictive meteorological forecasting); • Social & Economic – including: <ul style="list-style-type: none"> ◦ an assessment of the costs and benefits of the modification relative to the approved project, including consideration of the potential impacts on the local and regional community; • Traffic & Transport – including: <ul style="list-style-type: none"> ◦ accurate predictions of the road and rail traffic generated by the modification; ◦ comparison of the impacts of the modification and the approved project; ◦ a detailed description of any measures required to maintain and/or improve the capacity, efficiency and safety of the road and rail networks in the surrounding area; • Biodiversity – including details of any modifications to the approved offset strategy and mechanisms for its implementation.
References	<p>The environmental assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this project.</p>
Consultation	<p>During the preparation of the EA, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners.</p> <p>In particular you must consult with the:</p> <ul style="list-style-type: none"> • Commonwealth Department of Sustainability, Environment, Water, Population and Communities; • Office of Environment and Heritage (including the Heritage Branch); • Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services; • Department of Primary Industries (including the NSW Office of Water; NSW Forestry, Agriculture and Fisheries sections; Catchments and Lands (Crown Lands Division));

	<ul style="list-style-type: none">• NSW Health; and• Singleton Council. <p>The consultation process, and the issues raised during this process, must be described in the EA.</p>
Deemed refusal period	60 days

ATTACHMENT 1 Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Assessment. This list is not exhaustive and not all of these guidelines may be relevant to your proposal. Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Greenhouse Gas	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
Noise & Blasting	
	NSW Industrial Noise Policy (DECC)
	Environmental Noise Management – Assessing Vibration: a technical guide (DEC)
	NSW Road Noise Policy (DECCW)
	Interim Guidelines for the Assessment of Noise From Rail Infrastructure Projects (DECC)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZECC)
	Australian Explosives Industry Safety Group Code of Practice - Prevention and Management of Blast Generated NOx Gases in Surface Blasting 2011
Social and Economic	
	Draft Economic Evaluation in Environmental Impact Assessment (DOP)
	Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)
	Singleton Council Draft Community Strategic Plan: <i>A Blueprint for 2022</i>
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Biodiversity	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	NSW Groundwater Dependent Ecosystem Policy (DLWC)
	Principles for the use of biodiversity offsets in NSW (EPA 2011)

Biobanking Assessment Methodology and Credit Calculator Operational Manual (DECCW, 2009)

Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)

Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW, 2008)

Threatened Species Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DEC, 2004)

Threatened Species Assessment Guideline – The Assessment of Significance (DECCW, 2007)

Policy & Guidelines - Fish Friendly Waterway Crossings (NSW Fisheries)

Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)

ATTACHMENT 2
Requirements of the Office of Environment and Heritage



ENVIRONMENT PROTECTION AUTHORITY

Mr Scott Brooks
Department of Planning and Infrastructure
PO Box 3145
SINGLETON NSW 2330

Your reference: MP 08_0101, MP 08_0102
& MP 08_0073
Our reference: DOC11/50903;
LIC08/100-04
Contact: Robert Gibson,
(02) 4908 6851

Dear Mr Brooks

Integra Biodiversity Offset Areas for MP 08_0101, MP 08_0102 and MP 06_0073

Reference is made to your email of 4 November 2011 to the Environment Protection Authority (EPA). Your email included a copy of a letter dated 3 November 2011 from Integra Coal Operations Pty Ltd to the Department of Planning and Infrastructure, and the link to the 'Preliminary Environmental Assessment' ('PEA') by EMGA Mitchell McLennan (2011). These documents relate to proposed modifications to existing consent conditions for the Integra Coal Operations including:

- an extended timeframe to secure biodiversity offsets;
- the way in which offset land will be secured; and
- a means replacing current offset areas with other offset areas, if and when required.

The EPA has reviewed the documents and provides the following comments.

Current Consent Requirements

The Biodiversity Offset Area shown in Figure 1.3 in the PEA comprises most of the biodiversity requirement for the Integra Underground Project (MP 08_0101) and the Integra Open Cut Project (MP 08_0102) for which consent was granted in a single approval instrument on 26 November 2010 (Department of Planning 2010). Figure 1.3 shows all but the Bridgman Offset area. The EPA notes the offsets depicted in Figure 1.3 are also offsets for the Camberwell Open Cut Project (MP 06_0073).

Consent Condition 30 of Camberwell Open Cut Project requires that the offset strategy is fully implemented by **2 December 2011** including the appropriate long term security of the offset land.

Consent Condition 43 for the Integra Underground Project and the Integra Open Cut Project states that the proponent must make '*...suitable arrangements to provide appropriate long term security for all the areas of the revised offset strategy...*' by **31 December 2011**. The proponent is now asking for an extension until 30 September 2012 to meet this condition. In doing so the proponent would not meet condition 30 of Camberwell Open Cut Project consent requirements.

The EPA is guided by its '*Principles for the use of biodiversity offsets in NSW*' (EPA, 2011) in which principle number '8' ('Offsets should be agreed prior to the impact occurring') states that '*legal commitments to the offset actions should be entered into prior to the commencement of works under approval*'. The EPA does not support prolonged timeframes for securing agreed offsets due to the lack of certainty this introduces into achieving this outcome.

Accordingly, the EPA does not support the granting of any additional time to the proponent in securing the agreed offsets.

Mechanism to Secure Biodiversity Offsets

The EPA notes the proponent is proposing to use covenants under section 88B-E of the *Conveyancing Act 1918* to secure the areas in perpetuity. The proposed wording of the proposed covenants that are intended to be applied to the offset land give the Department of Planning and Infrastructure, or its successor, the authority to release, vary or modify the instrument applied to the offset land.

The proposed actions for the required covenants may meet the conditions of consent for MP 06_0073, MP 08_0101 and MP 08_0102, however the EPA does not consider instruments under section 88B-E of the *Conveyancing Act 1918* to be appropriate means for securing offsets due to the lower level of long term security provided by these agreements compared to other available mechanisms.

Any future offsets for Integra Coal Operation Pty Ltd would need to be secured by other means, such as by a BioBanking Agreement under Part 7A of the *Threatened Species Conservation Act 1995*, dedication of land to National Park Estate (along with resources for its management in perpetuity), or a Conservation Agreement under section 69 of the *National Parks and Wildlife Act 1974*.

Variation to Proposed Offset Areas

The proponent is proposing to develop part of the current offset land for mining activities in the future. The proponent commits to providing alternative, equivalent offset sites as part of any current or future modification applications.

The PEA proposes to extend mining activities in the North Open Cut outer pit dump into the area known as 'Area 11' (Figure 1.2). It is noted that this extension is proposed to enable continued mining operations beyond 2015. It is also noted that Area 11 comprises approximately half of the existing Southern Biodiversity Offset area.

The Northern Biodiversity Offset, Western Biodiversity Offset and the Supplementary Biodiversity Offset areas have recently been found to overlie substantial coal resources (PEA, p. 10).

The proponent has raised the possibility of future development applications being lodged to mine some of these now-identified coal resources underneath the agreed offset land, and thereby clearing some of these offset areas.

The proposed variation to condition 41 of Integra Underground Project and the Integra Open Cut Project approvals, if approved, would allow the proponent to provide an alternative biodiversity offset area for 'Area 11' and potentially more of the offset areas in the event that a future consent is granted to mine coal within the offset areas.

The EPA does not support the mining of agreed biodiversity offsets.

The proponent was aware that coal seams underlay at least some of the agreed offset lands as shown by the seven proposed longwall panels in the Barrett Seam (e.g. Figure 3.2 in ERM (2009)) under the 'Northern', 'Western' and 'Supplementary' Biodiversity Offset Areas. It appears that the proponent has not given full consideration to its obligations in protecting biodiversity when formulating the offset packages for MP 06_0073, MP 08_0101 and MP 08_0102.

Future Biodiversity Surveys

The PEA indicates additional biodiversity surveys will be carried out by the proponent. The EPA recommends that any additional biodiversity surveys are conducted at the appropriate time of year when threatened species are most likely to be detected and identifiable. This is particularly important for seasonal plants, and fauna that are less active in the cooler months. Further details are provided in Attachment A.

If you require any further information regarding this matter please contact Robert Gibson in this office on (02) 4908 6851.

Yours sincerely

Rebecca Scrivener 29/11/11

REBECCA SCRIVENER
A/Head Regional Operations Unit – Hunter
Environment Protection Authority

Encl. Attachment A: Biodiversity survey, reporting and offsets for the preparation of an EA

References:

- Department of Planning (2010) Project Approval Integra Underground Project (MP 08)0101 and Integra Open Cut Project (MP 08_0102). NSW Department of Planning, Sydney. <https://majorprojects.affinitylive.com/public/25f0221a23308d4da10342c038cc3a07/Project%20Approval.pdf> [accessed 11 November 2011]
- Department of Planning (2008) Project Approval Camberwell Open Cut Project (MP 06_0073). NSW Department of Planning, Sydney. <https://majorprojects.affinitylive.com/public/51a663a72ecf377c43e2d157b6936674/Project%20Approval.pdf> [accessed 11 November 2011]
- EMGA Mitchell McLennan (2011) Integra Mine Complex Modification, Preliminary Environmental Assessment, Prepared for Integra Coal Operations Pty Limited. 21 October 2011. EMGA Mitchell McLennan, St Leonards.
- ERM (2009) Proposed Integra Underground Coal project: Environmental Assessment for Integra Coal Operations Pty Ltd., July 2009. Environmental Resources Management Australia Pty Ltd, Thornton. [http://integra.valeaustralia.com.au/uploads/127/cms/files/integraugea-vol1-chapters1to10\(1\).pdf](http://integra.valeaustralia.com.au/uploads/127/cms/files/integraugea-vol1-chapters1to10(1).pdf) [accessed 11 November 2011]
- OEH (2011) 'Principles for the use of biodiversity offsets in NSW'. Updated 17 June 2011. NSW Office of Environment and Heritage, Sydney. <http://www.environment.nsw.gov.au/biocertification/offsets.htm> [accessed 1 November 2011]

Attachment A: Biodiversity survey, reporting and offsets for the preparation of an EA

Biodiversity impacts can be assessed using either the BioBanking Assessment Methodology (Scenario 1) or a detailed biodiversity assessment (Scenario 2). The requirements for each of these approaches are detailed below.

The BioBanking Assessment Methodology can be used either to obtain a BioBanking statement, or to assess impacts of a proposal and to determine required offsets without obtaining a statement. In the latter instances, if the required credits are not available for offsetting, appropriate alternative options may be developed in consultation with EPA officers and in accordance with EPA policy.

Scenario 1 - Where a proposal is assessed using the BioBanking Assessment Methodology (BBAM):

1. Where a BioBanking Statement is being sought under Part 7A of the *Threatened Species Conservation Act 1995* (TSC Act), the assessment must be undertaken by an accredited BioBanking assessor (as specified under Section 142B (1)(c) of the TSC Act 1995) and done in accordance with the *BioBanking Assessment Methodology and Credit Calculator Operational Manual* (DECC, 2009b). To qualify for a BioBanking Statement a proposal must meet the 'improve or maintain' standard.
 - 1a. The EA should include a specific Statement of Commitments that reflects all requirements of the BioBanking Statement including the number of credits required and any DG approved variations to impact on Red Flags.
 2. Where the BioBanking Assessment Methodology is being used to assess impacts of a proposal and to determine required offsets, and a BioBanking Statement is not being obtained, the EA should contain a detailed biodiversity assessment and all components of the assessment must be undertaken in accordance with the *BioBanking Assessment Methodology and Credit Calculator Operational Manual* (DECC, 2009b).
 - 2a. The EIS should include a specific Statement of Commitments which:
 - is informed by the outcomes of the proposed BioBanking assessment offset package;
 - sets out the ecosystem and species credits required by the BioBanking Assessment Methodology and how these ecosystem and/or species credits will be secured and obtained;
 - if the ecosystem or species credits cannot be obtained, provides appropriate alternative options to offset expected impacts, noting that an appropriate alternative option may be developed in consultation with EPA officers and in accordance with EPA policy;
 - demonstrates how all options have been explored to avoid red flag areas;
 - includes all relevant 'BioBanking files (e.g. *.xml output files), data sheets and documentation (including maps, aerial photographs, GIS shape files, other remote sensing imagery etc.) to ensure that the EPA can conduct an appropriate review of the assessment.
3. Where appropriate, likely impacts (both direct and indirect) on any adjoining and/or nearby NSW estate reserved under the *National Parks and Wildlife Act 1974* or any marine and estuarine protected areas under the *Fisheries Management Act 1994* or the *Marine Parks Act 1997* should be considered. Please refer to the *Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water* (DECCW, 2010).
4. With regard to the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, the assessment should identify and assess any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or already determined to be a controlled action.

Scenario 2 - Where a proposal is assessed outside the BioBanking Assessment Methodology:

1. The EA should include a detailed biodiversity assessment, including assessment of impacts on threatened biodiversity, native vegetation and habitat. This assessment should address the matters included in the following sections.
2. A field survey of the site should be conducted and documented in accordance with relevant guidelines, including:
 - the *Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna - Amphibians* (DECCW, 2009a);
 - *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC, 2004); and
 - Threatened species survey and assessment guideline information on www.environment.nsw.gov.au/threatenedspecies/surveyassessmentgdlns.htm.

If a proposed survey methodology is likely to vary significantly from the above methods, the proponent should discuss the proposed methodology with the EPA prior to undertaking the EIS, to determine whether the EPA considers that it is appropriate.

Recent (less than five years old) surveys and assessments may be used. However, previous surveys should not be used if they have:

- been undertaken in seasons, weather conditions or following extensive disturbance events when the subject species are unlikely to be detected or present; or
- utilised methodologies, survey sampling intensities, timeframes or baits that are not the most appropriate for detecting the target subject species,

unless these differences can be clearly demonstrated to have had an insignificant impact upon the outcomes of the surveys. If a previous survey is used, any additional species listed under the TSC Act since the previous survey took place, must be surveyed for.

Determining the list of potential threatened species for the site must be done in accordance with the *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC, 2004) and the *Guidelines for Threatened Species Assessment* (Department of Planning, July 2005). The EPA Threatened Species website <http://www.environment.nsw.gov.au/threatenedspecies/> and the *Atlas of NSW Wildlife* database must be the primary information sources for the list of threatened species present. The BioBanking Threatened Species Profile Database, the Vegetation Types databases (available on the EPA website at <http://www.environment.nsw.gov.au/resources/biobanking/08267tspd.pdf> and <http://www.environment.nsw.gov.au/biobanking/vegtypedatabase.htm>, respectively) and other data sources (e.g. PlantNET, Online Zoological Collections of Australian Museums (<http://www.ozcam.org/>), previous or nearby surveys etc.) may also be used to compile the list.

3. The EA should contain the following information as a minimum:
 - a. The requirements set out in the *Guidelines for Threatened Species Assessment* (Department of Planning, July 2005);
 - b. Description and geo-referenced mapping of study area (and spatial data files), e.g. overlays on topographic maps, satellite images and /or aerial photos, including details of map datum, projection and zone, all survey locations, vegetation communities (including classification and methodology used to classify), key habitat features and reported locations of threatened species, populations and ecological communities present in the subject site and study area;
 - c. Description of survey methodologies used, including timing, location and weather conditions;
 - d. Details, including qualifications and experience of all staff undertaking the surveys, mapping and assessment of impacts as part of the EA;
 - e. Identification of national and state listed threatened biota known or likely to occur in the study area and their conservation status;
 - f. Description of the likely impacts of the proposal on biodiversity and wildlife corridors, including direct and indirect and construction and operation impacts. Wherever possible, quantify these

- impacts such as the amount of each vegetation community or species habitat to be cleared or impacted, or any fragmentation of a wildlife corridor;
- g. Identification of the avoidance, mitigation and management measures that will be put in place as part of the proposal to avoid or minimise impacts, including details about alternative options considered and how long term management arrangements will be guaranteed;
 - h. Description of the residual impacts of the proposal. If the proposal cannot adequately avoid or mitigate impacts on biodiversity, then a biodiversity offset package is expected (see the requirements for this at point 6 below); and
 - i. Provision of specific Statement of Commitments relating to biodiversity.
4. An assessment of the significance of direct and indirect impacts of the proposal must be undertaken for threatened biodiversity known or considered likely to occur in the study area based on the presence of suitable habitat. This assessment must take into account:
- a. the factors identified in s.5A of the EP&A Act; and
 - b. the guidance provided by *The Threatened Species Assessment Guideline – The Assessment of Significance* (DECCW, 2007) which is available at: <http://www.environment.nsw.gov.au/resources/threatenedspecies/tsaguide07393.pdf>
5. Where an offsets package is proposed by a proponent for impacts to biodiversity (and a BioBanking Statement has not been sought) this package should:
- a) Meet the EPA's *Principles for the use of biodiversity offsets in NSW*, which are available at: www.environment.nsw.gov.au/biocertification/offsets.htm.
 - b) Identify the conservation mechanisms to be used to ensure the long term protection and management of the offset sites.
 - c) Include an appropriate Management Plan (such as vegetation or habitat) that has been developed as a key amelioration measure to ensure any proposed compensatory offsets, retained habitat enhancement features within the development footprint and/or impact mitigation measures (including proposed rehabilitation and/or monitoring programs) are appropriately managed and funded.
6. Where appropriate, likely impacts (both direct and indirect) on any adjoining and/or nearby NSW estate reserved under the *National Parks and Wildlife Act 1974* or any marine and estuarine protected areas under the *Fisheries Management Act 1994* or the *Marine Parks Act 1997* should be considered. Refer to the *Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water* (DECCW, 2010).

With regard to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, the assessment should identify any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or already determined to be a controlled action.

References:

- DEC (2004) Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities. Working Draft. November 2004. NSW Department of Conservation, Sydney. <http://www.environment.nsw.gov.au/resources/nature/TBSAGuidelinesDraft.pdf> [accessed 28 November 2011]
- DECC (2007) threatened species assessment guidelines: The assessment of significance. August 2007. NSW Department of Environment and Climate Change, Sydney. <http://www.environment.nsw.gov.au/resources/threatenedspecies/tsaguide07393.pdf> [accessed 28 November 2011]
- DECC (2009a) BioBanking Assessment Methodology and Credit Calculator Operational Manual. .March 2009. NSW Department of Environment and Climate Change, Sydney. <http://www.environment.nsw.gov.au/resources/biobanking/09181bioopsman.pdf> [accessed 28 November 2011]
- DECC (2009b) Threatened species survey and assessment guidelines: field survey methods for fauna: Amphibians. April 2009. NSW Department of Environment and Climate Change, Sydney. <http://www.environment.nsw.gov.au/resources/threatenedspecies/09213amphibians.pdf> [accessed 28 November 2011]
- DECCW (2010) Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water. June 2010. NSW Department of Environment, Climate Change and Water, Sydney. <http://www.environment.nsw.gov.au/resources/protectedareas/10509devadjdeccw.pdf> [accessed 28 November 2011]
- EPA (2011) 'Principles for the use of biodiversity offsets in NSW'. Updated 17 June 2011. NSW Environment Protection Authority, Sydney. <http://www.environment.nsw.gov.au/biocertification/offsets.htm> [accessed 1 November 2011]

