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SSD-5157

Ms Phillipa Duncan  
Senior Planner - Resource Assessments  
Department of Planning and Environment  
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Dear Ms Duncan

**Nyngan Scandium Project – Environmental Impact Statement (EIS) Exhibition**

I refer to your request dated 25 May 2016 seeking comment from the Office of Environment and Heritage (OEH) on the Environmental Impact Statement (EIS) for the Nyngan Scandium Project.

The Secretary's Environmental Assessment Requirements (SEARs) issued for the Nyngan Scandium Project clearly state that biodiversity impacts related to the proposed project are to be assessed and documented in accordance with the Framework for Biodiversity Assessment (FBA). The exhibited EIS fails to apply the FBA and has not included a Biodiversity Assessment Report or a Biodiversity Offset Strategy which are compliant with the requirements of the FBA. In addition the submitted proposal in the Biobanking Credit Calculator has been conducted incorrectly. OEH is unable to assess the project proposal in its current form and requests that the Proponent review the SEARs and resubmit a proposal which meets these requirements.

To satisfy the requirements of the FBA the Proponent needs to rectify the following deficiencies:

- supply a Biodiversity Assessment Report compliant with Appendix 7 of the FBA,
- supply a Biodiversity Offset Strategy compliant with Appendix 7 of the FBA,
- supply a proposal in the Biobanking Credit Calculator using the Major Project (FBA) module which correctly calculates the biodiversity credits lost, and the offset credit requirement, at the development site,
- supply a second proposal in the Biobanking Credit Calculator using the Biobank module which correctly calculates the credits generated by proposed offset site(s),
- assess native vegetation using the procedures outlined in chapter 5 of the FBA including stratifying the vegetation type on the site into zones based on vegetation condition,

- assess threatened species using the procedures outlined in chapter 6 of the FBA,
- include digital shapefiles for all maps and spatial data, and
- include plot and transect field data.

If necessary OEH is willing to meet with representatives of the Proponent and consultants to outline the correct procedures under the FBA.

If you have any questions regarding this matter please contact Terry Mazzer on 6883 5302 or [terry.mazzer@environment.nsw.gov.au](mailto:terry.mazzer@environment.nsw.gov.au).

Yours sincerely



**STEVEN COX**  
**Senior Team Leader Planning, North West Region**  
**Regional Operations**

24 June 2016

Contact officer: TERRY MAZZER  
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