



EPBC Ref: 2011/5973

Ms Christine Chapman
Senior Planner
Major Projects Assessment
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Chapman

**Merit Review of Environmental Assessment
Additions to Awaba Waste Disposal Facility (MP 10_0139)**

Thank you for your invitation to comment on the Environmental Assessment (EA) report for the proposed additions to the Awaba Waste Disposal Facility, NSW (MP 10_0139; EPBC 2011/5973).

Please find below the department's comments, as requested. This advice is provided on a without prejudice basis to assist in the environmental assessment of the proposed action and should not be used for any other purpose.

The proposed action involves the direct removal of 2,302 individuals of black-eyed susan (*Tetratheca juncea*), which equates to approximately 17% of the local population that is estimated at 13,047. Please require the proponent to advise whether any other direct, indirect or facilitated impacts, relevant to the black-eyed susan, are likely to be unknown, unpredictable or irreversible (e.g. unknown hydrological impacts either on-site or off-site that may arise due to subsidence disrupting proposed landfill cells).

The department notes that the direct cumulative impacts of this proposal and the adjacent proposed Alternative Waste Treatment facility, which proposes to remove 871 black-eyed susan individuals, equates to a total of 3,173 clumps to be removed, or 24% of the estimated local population.

Before an approval decision can be considered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), further information about the proposed offsets under the NSW biobanking scheme, to compensate for the unavoidable impacts to matters of national environmental significance, is required.

Please note that the adequacy of proposed offsets, for the purpose of the EPBC Act, cannot be determined on biobanking calculations alone. Please require the proponent to conduct an assessment of how the proposed offset is consistent with the new Commonwealth EPBC Act Environmental Offsets Policy (October 2012), available at <http://www.environment.gov.au/epbc/publications/environmental-offsets-policy.html>.

Further information regarding proposed offsets must include details of:

- the size of all the proposed offset sites (in hectares) and a map of the areas that will form the offsets proposed for this development (rather than the total

number of Biobanking credits which includes excess credits that may be used for other developments);

- the quality of the proposed offset sites, including consideration of the site condition, site context and species stocking rates as described in the EPBC Act Environmental Offsets Policy (October 2012);
- the current status/risk/threats to the black-eyed susan on the proposed offset sites (e.g. How is the land currently being used? What is the current risk that the black-eyed susan on site will be lost in the future? Any imminent proposals for development / change in land use? Any current trends in relation to site degradation?);
- the timeframe in which proposed offsets will be secured;
- the timeframe in which proposed offsets will be managed;
- how the proposed offset sites will be managed, including how offset site quality will be maintained or improved. Please include descriptions of how each site will be monitored in the long-term (to ensure the management aims are being achieved), detail thresholds that will prompt corrective actions, and what those will be. Describe the type of management activities proposed as they relate to the relevant threats (i.e. weed control, fencing, hydrological regimes) and the timeframe for these management activities.
- the expected future status/risk/threats to the black-eyed susan in the event offsets are secured and managed as intended under the proposed biobanking agreement;
- the estimated funds required to acquire and manage the proposed offset sites; and
- the contingencies in place, should the proposed properties be unable to be secured as an offset for the project.

If you have any questions about the department's advice on the EA, please contact Crystal Bradley on (02) 6274 1468 or email crystal.bradley@environment.gov.au.

Yours sincerely,



Mahani Taylor
Director, NSW Section
South-Eastern Australia Environment Assessments
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