



Your reference:
Our reference: DOC14/133720
Contact: Erica Baigent 6883 5311
Date: 25 July 2014

Robert Byrne
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Mr Byrne,

**Re: Request for DGRs for Blayney Export Meats Smallstock Abbatoirs 137
Newbridge Road, Blayney.**

I refer to your email dated 17th July 2014 requesting environmental assessment requirements for the above proposal from the Office of Environment and Heritage (OEH).

The EIS should fully describe the proposal, the existing environment and impacts of the proposal. It is the responsibility of the proponent and consent authority to adequately consider the requirements under the *Environmental Planning and Assessment Act 1979*.

OEH can provide advice on the EIS where the EIS deals with natural and cultural heritage conservation issues. OEH may also comment on the legitimacy of the conclusions reached regarding the significance of impacts by the proposed development to these components of the environment.

OEH's general requirements for the environmental assessment of State Significant Development proposals are provided in Attachments 1 and 2. However please note that it is up to the proponent (and later the consent authority after appropriate consultation) to determine the detail and comprehensiveness of the surveys and level of assessment required to form legally defensible conclusions regarding the impact of the proposal. The scale and intensity of the proposed development should dictate the level of investigation. It is important that all conclusions are supported by adequate data.

Should you require further information please contact Erica Baigent, Conservation Planning Officer on (02) 6883 5311.

Yours sincerely,

SONYA ARDILL
Senior Team Leader Planning, North West Region
Regional Operations

Attachment 1

The OEH's Recommended Environmental Assessment Requirements for State Significant Development

1. Environmental impacts of the project

Impacts related to the following environmental issues need to be assessed, quantified and reported on:

- a. Cumulative impact
- b. Aboriginal cultural heritage
- c. Biodiversity
- d. OEH Estate (Land reserved or acquired under the NPW Act)
- e. Subsidence
- f. Greenhouse gas

Environmental assessments (EAs) should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at **Attachment 2**.

2. Cumulative impact

The cumulative impacts from any clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and OEH Estate need to be comprehensively assessed in accordance with the *Environmental Planning and Assessment Act 1979*.

This should include the cumulative impact of the proponent's existing and proposed development and associated infrastructure (such as access tracks etc) as well as the cumulative impact of other developments located in the vicinity. This assessment should include consideration of both construction and operational impacts.

3. Aboriginal cultural heritage

The EA report should contain:

1. A description of the Aboriginal objects and declared Aboriginal places located within the area of the proposed development.
2. A description of the sensitivity (in relation to cultural heritage) of different landforms present in the landscape affected by the project.
3. A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposed development, and the significance of these values for the Aboriginal people who have a cultural association with the land.
4. A description of how the requirements for consultation with Aboriginal people as specified in clause 80C of the *National Parks and Wildlife Regulation 2009* have been met.

5. The views of those Aboriginal people regarding the likely impact of the proposed development on their cultural heritage. If any submissions have been received as a part of the consultation requirements, then the report must include a copy of each submission and your response.
6. A description of the actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified.
7. A description of any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places.
8. A description of any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.
9. Documentation of discussions with the Aboriginal stakeholders regarding commitments from the proponent related to social, economic and/or conservation gains to offset any loss of cultural heritage.
10. A specific Statement of Commitment that the proponent will complete an Aboriginal Site Impact Recording Form and submit it to the Aboriginal Heritage Information Management System (AHIMS) Registrar, for each AHIMS site that is harmed through the proposed development.

In addressing these requirements, the proponent must refer to the following documents:

- a. ***Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation*** (Department of Planning, 2005). These guidelines identify the factors to be considered in Aboriginal cultural heritage assessments for development proposals under Part 3A of the EP&A Act.
- b. ***Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*** (DECCW, 2010) - This document further explains the consultation requirements that are set out in clause 80C of the National Parks and Wildlife Regulation 2009. The process set out in this document must be followed and documented in the Environmental Assessment Report. This document can be found at:
<http://www.environment.nsw.gov.au/licences/consultation.htm>.
- c. ***Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales*** (DECCW, 2010) - The process described in this Code should be followed and documented where the assessment of Aboriginal cultural heritage requires an archaeological investigation to be undertaken. This document can be found at:
<http://www.environment.nsw.gov.au/licences/archinvestigations.htm>.

Notes:

1. An **Aboriginal Site Impact Recording Form** must be completed and submitted to the Aboriginal Heritage Information Management System (AHIMS) Registrar, for each AHIMS site that is harmed through archaeological investigations required or permitted through these environmental assessment requirements. This form can be found at
<http://www.environment.nsw.gov.au/licences/DECCAHISSiteRecordingForm.htm>
2. Under section 89A of the *National Parks and Wildlife Act 1974*, it is an offence for a person not to notify DECCW of the location of any Aboriginal object the person becomes aware of, not already recorded on the **Aboriginal Heritage Information Management System** (AHIMS). An AHIMS Site

Recording Form should be completed and submitted to the AHIMS Registrar (<http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm>), for each Aboriginal site found during investigations.

4. Biodiversity

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 OEH officers and in accordance with the *'NSW OEH interim policy on assessing and offsetting biodiversity impacts of Part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects.'*

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](#) (DECCW, 2009). To qualify for a BioBanking Statement a proposal must meet the 'improve or maintain' standard.
 - 1a. The Environmental Impact Statement (EIS) 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 EIS 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](#) (DECCW, 2009).
 - 2a. The EIS should include a specific Statement of Commitments which:
 - a. is informed by the outcomes of the proposed BioBanking assessment offset package;
 - b. 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;
 - c. 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 OEH officers and in accordance with OEH policy;
 - d. demonstrates how all options have been explored to avoid red flag areas; and
 - e. includes all relevant BioBanking files (e.g. *.xml output files), data sheets, underlying assumptions (particularly in the selection of vegetation types from the vegetation types database), and documentation (including maps, aerial photographs, GIS shape

files, other remote sensing imagery etc.) to ensure that the OEH can conduct an appropriate review of the assessment.

3. Where the 'NSW OEH interim policy on assessing and offsetting biodiversity impacts of Part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects' is being used then the proponent must stipulate which level(s) of offset is being offered in relation to each of the vegetation communities and threatened species that require species credits. In accordance with the interim policy, justification must be provided as to why it is appropriate to apply the Tier 2 ('no net loss') or Tier 3 ('mitigated net loss') outcomes. In considering whether the mitigated net loss standard is appropriate, justification must be provided on: (i) whether the credits required by the calculator are available on the market; (ii) whether alternative offset sites (other than credits) are available on the market; and (iii) the overall cost of the offsets and whether these costs are reasonable given the circumstances'. This must be to satisfaction of, and in consultation with, OEH.
4. Where appropriate, likely impacts (both direct and indirect) on any adjoining and/or nearby OEH 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).
5. 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 EIS 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:
 - a. the [Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna -Amphibians](#) (DECCW, 2009);
 - b. [Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft](#) (DEC, 2004); and
 - c. Threatened species survey and assessment guideline information on www.environment.nsw.gov.au/threatenedspecies/surveyassessmenttgdlns.htm.
 - d. Commonwealth assessment requirements (birds, bats, reptiles, frogs, fish and mammals): <http://www.environment.gov.au/topics/environment-protection/environment-assessments>. These are relevant when species or communities listed under the *Environment Protection and Biodiversity Conservation Act* are present.

It is preferable for proponents to use the **Interim Vegetation Mapping Standard** data form to collect the vegetation plot data for the project site, and any offset site associated with the project. This will provide data that is useful for vegetation mapping as well as in the BioBanking Assessment Methodology. This is available at <http://www.environment.nsw.gov.au/research/VISplot.htm>.

If a proposed survey methodology is likely to vary significantly from the above methods, the proponent should discuss the proposed methodology with the OEH prior to undertaking the EIS, to determine whether the OEH 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:

- a. been undertaken in seasons, weather conditions or following extensive disturbance events when the subject species are unlikely to be detected or present, or
- b. 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 OEH 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 Database (<http://www.environment.nsw.gov.au/threatenedSpeciesApp/>), the Vegetation Types databases <http://www.environment.nsw.gov.au/biobanking/vegtypedatabase.htm>) and other data sources (e.g. PlantNET, Online Zoological Collections of Australian Museums (<http://ozcam.org.au/>), previous or nearby surveys etc.) may also be used to compile the list.

3. The EIS 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 associated 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 (using the plant community types from OEH's vegetation type database – see above), key habitat features and reported locations of threatened species, populations and ecological communities present in the subject site and study area. Separate spatial files (.shp format) to be provided to the OEH should include, at a minimum, shapefiles of the project site, impact footprint, vegetation mapping and classification for both the impact and any offset site(s);
- c. Description of survey methodologies used, including timing, location and weather conditions;
- d. Detailed description of vegetation communities (including classification and methodology used to classify) and including all plot data. The vegetation classification used needs to be matched with Biometric and Endangered Ecological Community classifications. The condition of vegetation needs to be documented including areas of derived grassland. Plot data should be supplied to the OEH in electronic format (eg MS-Excel) and organised by vegetation community;
- e. Details, including qualifications and experience of all staff undertaking the surveys, mapping and assessment of impacts as part of the EIS;

- f. Identification of national and state listed threatened biota known or likely to occur in the study area and their conservation status;
 - g. 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;
 - h. 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;
 - i. 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
 - j. 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 either the OEH's *Principles for the use of biodiversity offsets in NSW*¹, (www.environment.nsw.gov.au/biocertification/offsets.htm) or the 'NSW OEH interim policy on assessing and offsetting biodiversity impacts of Part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects';
 - b. Take account of landscape design principles such patch size and building onto and connecting existing remnants;
 - c. Identify the conservation mechanisms to be used to ensure the long term protection and management of the offset sites; and
 - d. 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

¹ Please note that the OEH's *Principles for the use of biodiversity offsets in NSW* ('the Principles') and the *NSW OEH interim policy on assessing and offsetting biodiversity impacts of Part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects* ('the Interim policy') require offsets to be based on a quantitative assessment of the loss in biodiversity from the proposal and the gain in biodiversity from the offset. The methodology must be based on the best available science, be reliable, and used for calculating both the impact and offset sites. Even where a proponent does not intend to use the BioBanking Assessment Methodology and Credit Calculator (Scenario 1), use of a suitable alternative metric, justified in the EA, is necessary to demonstrate that the proposal is consistent with the Principles or the Interim policy. Ultimately the proponent is expected to demonstrate quantitatively that the biodiversity losses associated with the project will be adequately compensated for by the improvement in vegetation condition and security expected from the offset site. This cannot be properly determined by a hectare comparison alone.

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 OEH 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](#) (DECC, 2010).
7. 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.

5. OEH estate

Where proposals are in the vicinity of land reserved or acquired under the National Parks and Wildlife Act 1974 (NPW Act) the EA should include:

1. Consideration of the matters identified in the *Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water* (DECCW 2010).
2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

6. GIS layers

The proponent must include with their Environmental Assessment to OEH spatial layer(s) that detail the:

- Application boundary;
- Development footprint;
- All ancillary Infrastructure;
- Boundary of any offset sites;
- Vegetation mapping for both the impact and any offset site(s); and
- Vegetation sample plot location for both the impact and offset site(s).

This information must be provided in an Esri geodatabase (9.3) or shapefile format, or any esri compatible dataset in GDA or MGA 94.

Distribution records for plants and animal species in a format suitable to upload to the NSW Wildlife Atlas. See <http://www.environment.nsw.gov.au/wildlifeatlas/about.htm#contribute>

Attachment 2 – Guidance Material

Title	Web address
<u>Relevant Legislation</u>	
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Fisheries Management Act 1994</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
<i>National Parks and Wildlife Act 1974</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
<i>Threatened Species Conservation Act 1995</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+101+1995+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<u>Aboriginal Cultural Heritage</u>	
Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (2005)	Available from DP&E
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	http://www.environment.nsw.gov.au/licences/consultation.htm
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	http://www.environment.nsw.gov.au/licences/archinvestigations.htm
Aboriginal Site Impact Recording Form	http://www.environment.nsw.gov.au/licences/DECCAHISSiteRecordingForm.htm
Aboriginal Heritage Information Management System (AHIMS) Registrar	http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm
<u>Biodiversity</u>	
BioBanking Assessment Methodology (DECC, 2008)	http://www.environment.nsw.gov.au/resources/biobanking/08385bbassessmethod.pdf
BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECCW, 2009)	http://www.environment.nsw.gov.au/resources/biobanking/09181biopsman.pdf
Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna -Amphibians (DECCW, 2009)	http://www.environment.nsw.gov.au/resources/threatenedspecies/09213amphibians.pdf
Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft (DEC, 2004)	http://www.environment.nsw.gov.au/resources/nature/TBSAGuidelinesDraft.pdf
Guidelines for Threatened Species Assessment (Department of Planning,	Draft available from DP&E

Title	Web address
July 2005)	
The OEH Threatened Species website	http://www.environment.nsw.gov.au/threatenedspecies/
Atlas of NSW Wildlife	http://www.bionet.nsw.gov.au/
BioBanking Threatened Species Database	http://www.environment.nsw.gov.au/threatenedSpeciesApp/
Vegetation Types databases	http://www.environment.nsw.gov.au/biobanking/vegtypedatabase.htm
PlantNET	http://plantnet.rbgsyd.nsw.gov.au/
Online Zoological Collections of Australian Museums	http://ozcam.org.au/
Threatened Species Assessment Guideline - The Assessment of Significance (DECCW, 2007)	http://www.environment.nsw.gov.au/resources/threatenedspecies/tsaguide07393.pdf
Principles for the use of biodiversity offsets in NSW	See Attachment 3
OEH Interim policy on assessing and offsetting biodiversity impacts of State Significant developments	URL not currently available
<u>OEH Estate</u>	
Land reserved or acquired under the NPW Act	
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
OEH Revocation of Land Policy	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/protectedareas/10509devadjdeccw.pdf

Attachment 3

NSW Biodiversity Offset Principles for Major Projects (State Significant Development and Infrastructure)

- 1. Before offsets are considered, impacts must first be avoided and unavoidable impacts minimised through mitigation measures. Only then should offsets be considered for the remaining impacts.**

Offsets sit within the hierarchy of 'avoid, minimise, offset'. The first priority in a development proposal is always to avoid any unnecessary impact to biodiversity. Where impacts cannot be avoided, a reasonable attempt should be made to minimise the impact as much as possible. After all feasible measures have been taken to avoid or minimise impacts to biodiversity, offsets should be used to compensate for any remaining impacts.

- 2. Offset requirements should be based on a reliable and transparent assessment of losses and gains.**

Offsetting decisions should be based on a reliable and transparent assessment of the loss in biodiversity due to the development proposal and the likely gain in biodiversity through the offset.

For terrestrial biodiversity, established assessment tools, such as the BioBanking Assessment Methodology, are currently considered best practice. This methodology is currently being reviewed and refined.

- 3. Offsets must be targeted to the biodiversity values being lost or to higher conservation priorities.**

Offsets should reflect the biodiversity values, including threatened species and their habitat, that are being lost. This should be on a like-for-like basis for NSW-listed species and ecological communities that are also nationally listed.

Like-for-like is preferable for ecological communities, threatened species and their habitat that are only listed in NSW. However, where offset sites that are exactly like-for-like are not reasonably available, offsets may include vegetation communities of a similar type or a type of a higher conservation priority, or threatened species of a higher conservation priority.

- 4. Offsets must be additional to other legal requirements.**

The biodiversity protection and management requirements of an offset must be in addition to any legal requirements already in place for biodiversity on that land. This includes, for example, any existing legal restrictions on clearing under the *Native Vegetation Act 2003*. Improvements in the condition of native vegetation not currently required by other legislation would count as an offset.

- 5. Offsets must be enduring, enforceable and auditable.**

Offset sites must be subject to good governance arrangements to ensure that they are not inadvertently developed in the future. This includes having an appropriate plan of management, resourcing for management, legal security and accountability mechanisms.

For terrestrial offsets, a BioBanking agreement or addition to the NSW national parks system are the preferred mechanisms for securing an offset site. The purchase and retirement of

biodiversity credits under the BioBanking Scheme, where appropriate credits are available, also meets the requirement for good governance arrangements.

Suitable offsets must be determined prior to approval. However the offset does not need to be finalised (eg be purchased or have relevant protection over it) prior to approval, providing it is subject to a suitable mechanism that will remain enforceable after the project has been completed.

6. Supplementary measures can be used in lieu of offsets.

For terrestrial offsets, supplementary measures can be used in lieu of offsets in situations where land-based offsetting is not feasible or practical. The supplementary measure must be relevant to the biodiversity value being impacted. The monetary value of a supplementary measure is to be determined by an appropriate method that is repeatable and transparent.

Examples of supplementary measures include the provision of funds for:

- Biodiversity research or surveys
- Recovery of threatened species
- Community education and awareness programs.

Supplementary measures may also be used to compensate for impacts on aquatic biodiversity.

7. Offsets can be discounted where significant social and economic benefits accrue to NSW as a consequence of the proposal.

While an outcome in which biodiversity values are improved or maintained is preferred, it is acknowledged that in some circumstances flexibility may be required, especially in the context of a project providing significant social or economic benefits to NSW.