

I would like to comment on aspects of the above Review.

The Threatened Species Act (TSC) 1995 has played a significant role in identifying and highlighting threats to biodiversity and important habitat.

It is of great importance that the role of the Scientific Committee under the TSC be retained in its entirety. This is an independent and professional body, and listing of threatened species must continue to be based on its advice.

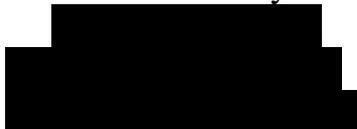
There are deficiencies in the way this issue is managed.

- Where a development has been assessed under the EP&A Act to have a potentially major harmful effect on the threatened species and /or its habitat, the development is allowed to proceed unhindered. The EP&A Act must be strengthened to act on the assessment.
- Consent authorities are not required to refuse development proposals even though environmental assessments have shown that there will be devastating impacts on threatened species, endangered ecological communities or their habitats. This too must change.
- There is no requirement for listings of threatened species or endangered ecological communities to trigger a consideration of these listings in making or reviewing Local Environmental Plans.

I would now like to discuss the issue of Offsets.

- There is a need for the Government to commit and act on clear biodiversity offsetting principles and framework which is then mandated across all government departments.
- The new Draft NSW Biodiversity Offsets Policy recently released represents a major shift away from established offsetting principles, including those previously enshrined in legislation. This is unacceptable.
- The 'Like for Like' offsetting principle is essential and must not be removed or weakened.
- The principles of avoidance and mitigation must be foremost in decision-making, with the use of offsets only employed as a last resort.
- Offsets must be protected in perpetuity. There have been countless occasions where offsets have been destroyed or severely damaged by further development.

Yours sincerely

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