

21 October 2011

Department of Sustainability, Environment, Water, Population and Communities  
GPO Box 787  
Canberra ACT 2601 Australia

Email: [epbc.reform@environment.gov.au](mailto:epbc.reform@environment.gov.au)

Dear Sir / Madam

### **Australian Government Biodiversity Policy & Environmental Offsets Policy – Consultation Drafts**

I am writing to you on behalf of the Energy Networks Association (ENA) in response to the release by the Department of Sustainability, Environment, Water, Population and Communities of the Australian Government Biodiversity Policy and Environmental Offsets Policy consultation drafts.

By way of background, the ENA is the peak national body for Australia's energy networks which provide the vital link between gas and electricity producers and consumers. ENA represents gas distribution and electricity network businesses on economic, technical and safety regulation and national energy policy issues.

Energy network businesses deliver electricity and gas to over 13.5 million customers, employ more than 40 000 people and contribute approximately 1.25 per cent to Australia's gross domestic product. Energy is delivered across Australia through approximately 48 000 kilometres of transmission lines, 800 000 kilometres of electricity distribution lines and 81 000 kilometres of gas distribution pipelines. Energy network businesses are valued at approximately \$60 billion and annually undertake an average investment of approximately \$6 billion in network operations, reinforcement, expansions and greenfields extensions.

ENA has consulted with its members regarding the consultation drafts and ENA and its members are generally supportive of the outlined approach, particularly in relation to:

- strengthening bilateral approvals and offsets with state and local governments;
- eliminating any double counting or duplication of offset and approval requirements for any particular habitat;
- improving guidelines to enable more accurate self assessment of potential impacts on EPBC values;
- acceptance of conditions for controlled actions, including minimising, mitigating and offsetting impacts; and
- mitigation measures and offsets to ensure that there is no net loss of environmental values of national significance.

However, ENA members have expressed concern that the state and local instruments can be overly complicated with the potential for overlap with federal requirements. It has also been noted that these state and local instruments are not necessarily suited to the business model of energy networks, which provide essential services and are financially regulated at a national level.

ENA has also identified some particular recommendations that it would like the Department to take into consideration in the review of the draft policies, these are as follows.

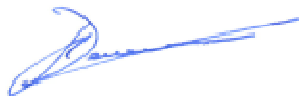
- The removal of existing assets from an area of national environmental significance should be considered an offset credit (e.g. voluntary removal and rehabilitation of powerlines from wet tropics areas should be considered an advanced offset).
- In order to reduce unnecessary offset investigation costs, the policy should articulate tenures that are currently considered unsuitable for EPBC offsets (e.g. mining leases).
- Where land is rehabilitated as part of a project's impact mitigation, the mature rehabilitated areas should be available for offsetting for future projects, providing they are of suitable ecological quality.
- The completion criteria for offsets should be consistent with State criteria.
- The provision of large strategic offsets rather than scattered small offsets should receive a "discount".
- It would also be advantageous if prior offsetting of future predicted impacts, particularly on regularly occurring individual EPBC listed species (e.g. Grey-headed Flying Foxes in south-east QLD), could be bundled to contribute to implementing a species recovery plan for that particular species.

ENA's member organisations would be interested in discussing the environmental offset and mitigation scenarios for the industry to ensure our members understand how the various policies and guides would be applied.

ENA would welcome the opportunity to meet with Department representatives to hold further discussions on the Government's draft environmental offsets and biodiversity policies, with a view to potentially developing an industry specific position or approach.

Please do not hesitate to contact ENA should you have any questions or wish to discuss this matter further.

Yours sincerely



John Devereaux  
**Acting Chief Executive**