



APPENDIX C STATUTORY COMPLIANCE



TABLE C-1 STATUTORY COMPLIANCE FOR THE PROJECT

Relevant Statute	Section Addressed	Project Compliance
Commonwealth Legislation		
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Section 4.3, Section 6.1, APPENDIX A and APPENDIX G	✓
<i>Native Title Act 1993</i>	Section 4.4, Section 6.2 and APPENDIX H	✓
<i>Civil Aviation Regulations 1988</i>	Section 4.4, Section 6.7.1 and APPENDIX L	✓
<i>Radio Communications Act 1992</i>	Section 4.4, Section 6.7.2 and APPENDIX M	✓
NSW Legislation		
<i>Environmental Planning and Assessment Act 1979</i>	Section 4	✓
<i>Protection of the Environment Operations Act 1997</i>	Section 3.3.7.3 and Section 4.4	✓
<i>Biodiversity Conservation Act 2016</i>	Section 4.5, Section 6.1 and APPENDIX G	✓
<i>Roads Act 1993</i>	Section 4.4, Section 6.5 and APPENDIX J	✓
<i>Water Management Act 2000</i>	Section 4.4, Section 6.8 and APPENDIX Q	✓
<i>Conveyancing Act 1919</i>	Section 4.4	✓
<i>Local Government Act 1993</i>	Section 4.4	✓
<i>Crown Land Management Act 2016</i>	Section 4.4 and Section 3.2.2	✓
<i>National Parks and Wildlife Act 1974</i>	Section 4.4 and Section 6.2	✓
<i>Heritage Act 1977</i>	Section 4.4 and Section 6.3	✓



Relevant Statute	Section Addressed	Project Compliance
<i>Rural Fires Act 1997</i>	Section 4.4, Section 6.7.4 and APPENDIX N	✓
<i>Fisheries Management Act 1994</i>	Section 4.4, Section 6.1, Section 6.8 and APPENDIX Q	✓
NSW Planning Policies		
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	Section 4.1, Section 4.5 and Section 4.5.1	✓
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Section 4.1, Section 4.2 and Section 4.5	✓
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Section 4.5, Section 6.7.5 and APPENDIX O	✓
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Section 4.5, Section 6.1 and APPENDIX G	✓
<i>State Environmental Planning Policy (Primary Production) 2021</i>	Section 4.5, Section 6.9 and APPENDIX Q	✓
<i>Wakool Local Environmental Plan 2013</i>	Section 4.5 and Section 4.5.1	✓



TABLE C-2 EP&A REGULATION PART 8, DIVISION 5, CLAUSE 190, 191 AND 192 REQUIREMENTS COMPLIANCE

Section	Requirement	Compliance Comment
190	An EIS must contain the following information: (a) the name, address and professional qualifications of the person who prepared the statement, (b) the name and address of the responsible person, (c) the address of the land— (i) to which the development application relates, or (ii) on which the activity or infrastructure to which the statement relates will be carried out, (d) a description of the development, activity or infrastructure, (e) an assessment by the person who prepared the statement of the environmental impact of the development, activity or infrastructure, dealing with the matters referred to in this Division. The person preparing the statement must have regard to: (a) for State significant development—the <i>State Significant Development Guidelines</i>, or (b) for State significant infrastructure—the <i>State Significant Infrastructure Guidelines</i>. An EIS must also contain a declaration by a relevant person that: (a) the statement has been prepared in accordance with this Regulation, and (b) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure, and (c) the information contained in the statement is not false or misleading, and (d) for State significant development or State significant infrastructure—the statement contains the information required under the <i>Registered Environmental Assessment Practitioner Guidelines</i>.	Certification Page of EIS
191	The EIS must comply with the environmental assessment requirements notified under section 176 or the Act, section 5.16(4).	APPENDIX A
192	An EIS must contain the following: (a) a summary of the environmental impact statement,	EXECUTIVE SUMMARY



ERM

Section	Requirement	Compliance Comment
	(b) a statement of the objectives of the development, activity or infrastructure,	Section 1
	(c) an analysis of feasible alternatives to the carrying out of the development, activity or infrastructure, considering its objectives, including the consequences of not carrying out the development, activity or infrastructure,	Section 2 and Section 2.3
	(d) an analysis of the development, activity or infrastructure, including: (i) a full description of the development, activity or infrastructure, and (ii) a general description of the environment likely to be affected by the development, activity or infrastructure and a detailed description of the aspects of the environment that are likely to be significantly affected, and (iii) the likely impact on the environment of the development, activity or infrastructure, and (iv) a full description of the measures to mitigate adverse effects of the development, activity or infrastructure on the environment, and (v) a list of the approvals that must be obtained under another Act or law before the development, activity or infrastructure may lawfully be carried out,	Section 3, Section 6.1 to 6.13, APPENDIX B
	(e) a compilation, in a single section of the EIS, of the measures referred to in paragraph (d)(iv),	APPENDIX B
	(f) the reasons justifying the carrying out of the development, activity or infrastructure, considering biophysical, economic and social factors, including the principles of ecologically sustainable development set out in section 193.	Section 2 and Section 7