

# ATTACHMENT 1

## Assessment Requirements Relevant to the *Environment Protection and Biodiversity Conservation Act 1999*

### Atlas-Campaspe Mineral Sands Mine Modification 6

(SSD-5012-Mod-6 / 2025/10354)

#### Introduction

1. On 22 December 2025, a delegate of the Commonwealth Minister for the Environment and Water (Commonwealth Minister) determined that Atlas-Campaspe Mineral Sands Mine Modification 6 was a controlled action under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act controlling provision for the proposed action is:
  - a) World Heritage properties (sections 12 and 15A)
  - b) National Heritage places (sections 15B and 15C)
  - c) listed threatened species and communities (sections 18 and 18A).
2. The proposed action will be assessed in accordance with the bilateral assessment agreement Amending Agreement No. 1. The assessment documentation must include:
  - a) an assessment of all impacts that the action is likely to have on each matter protected by a provision of Part 3 of the EPBC Act;
  - b) enough information about the proposal and its relevant impacts to allow the Commonwealth Minister to make an informed decision on whether or not to approve; and
  - c) information addressing the matters outlined in Schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (EPBC Regulations).
3. The Applicant must undertake an assessment of all protected matters that may be impacted by the development under the controlling provision identified in paragraph 1. The Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) considers that the proposed action is likely to have a significant impact on the following:
  - a) Willandra Lakes Region World Heritage Area / Willandra Lakes Region National Heritage Place
  - b) Mallee Bird Community of the Murray Darling Depression Bioregion
  - c) Pink Cockatoo (eastern) (*Lophochroa leadbeateri leadbeateri*)
  - d) South-eastern Hooded Robin (*Melanodryas cucullata cucullata*)
  - e) Southern Whiteface (*Aphelocephala leucopsis*)
  - f) Malleefowl (*Leipoa ocellata*)

- g) Corben's Long-eared Bat (*Nyctophilus corbeni*)
- h) Winged Peppercross (*Lepidium monoplocoides*)
- i) Mossgiel Daisy (*Brachyscome papillosa*)

4. The Applicant must consider each of the protected matters under the triggered controlling provision that may be impacted by the action.

Note that this may not be a complete list and it is the responsibility of the Applicant to undertake an analysis of the significance of the relevant impacts and ensure that all protected matters that are likely to be significantly impacted are assessed for the Commonwealth Minister's consideration.

### **General requirements**

#### *Relevant Regulations*

5. The modification report must address the matters outlined in Schedule 4 of the EPBC Regulations and the matters outlined below in relation to the controlling provisions.

#### *Project Description*

6. The title of the action, the background of the action and current status.
7. The location and description of all works to be undertaken (including associated offsite works and infrastructure), structures to be built or elements of the action that may have impacts on matters of national environment significance (MNES).
8. How the action relates to any other actions that have been or are being taken in the region affected by the action.
9. How the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts on MNES.

#### *Impacts*

10. The modification report must include an assessment of the relevant impacts<sup>1</sup> of the action on the matters protected by the controlling provisions, including:
- a) a description and detailed assessment of the nature and extent of the likely direct, indirect and consequential impacts, including short term and long term relevant impacts;
  - b) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
  - c) analysis of the significance of the relevant impacts; and
  - d) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

---

<sup>1</sup> Relevant impacts are those impacts likely to significantly impact on any matter protected under the EPBC Act

### *Avoidance, mitigation and offsetting*

11. For each of the relevant protected matters that are likely to be significantly impacted by the action, the modification report must provide information on proposed avoidance and mitigation measures to manage the relevant impacts of the action including:
  - a) a description, and an assessment of the expected or predicted effectiveness of the mitigation measures;
  - b) any statutory policy basis for the mitigation measures;
  - c) the cost of the mitigation measures;
  - d) an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing; and
  - e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.
12. Where a significant residual adverse impact to a relevant protected matter is considered likely, the modification report must provide information on the proposed offset strategy, including discussion of the conservation benefit associated with the proposed offset strategy.
13. For each of the relevant matters likely to be impacted by the action the modification report must provide reference to, and consideration of, relevant Commonwealth guidelines and policy statements including any:
  - a) conservation advice or recovery plan for the species or community;
  - b) relevant threat abatement plan for a process that threatens the species or community;
  - c) wildlife conservation plan for the species; and
  - d) any strategic assessment.

*[Note: the relevant guidelines and policy statements for each species and community are available from the Commonwealth DCCEEW Species Profiles and Threats Database: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>]*

### **Specific risks**

14. The key risk associated with the proposed action from the Commonwealth perspective includes:

#### *Impacts to World Heritage and National Heritage values*

- a) potential clearing, fragmentation and damage to habitat in moderate to good condition, important for the conservation of biological diversity associated with the biological and ecological values of the Willandra Lakes Region World Heritage Area and National Heritage Place;
- b) potential contribution to amenity impacts (night-time vista) on the Willandra Lakes Region World Heritage Area and National Heritage Place;

*Impacts to Listed threatened species and ecological communities*

- c) removal of foraging, roosting, breeding, dispersal and shelter habitat in moderate to good condition;
- d) fragmentation, loss of habitat connectivity and edge effects; and
- e) potential impacts from vehicle strike, noise, artificial light and dust.

**Other approvals and conditions**

15. Information in relation to any other approvals or conditions required must include the information prescribed in Schedule 4 Clause 5 (a) (b) (c) and (d) of the *EPBC Regulations 2000*.

**Information sources**

16. For information given in a modification report, the modification report must state the source of the information, how recent the information is, how the reliability of the information was tested; and what uncertainties (if any) are in the information.

**References and guidelines**

17. The international conventions, management plans and principles that must be considered in relation to this proposal include:

- a) Willandra Lakes Region World Heritage Area:
  - i. The Australian World Heritage management principles; or
  - ii. any management plan that has been prepared for the property under section 316 of the EPBC Act or as described in section 321 of the EPBC Act.
- b) Willandra Lakes Region National Heritage Place:
  - i. A management plan that has been prepared for the place under section 324S of the EPBC Act or as described in section 324X of the EPBC Act;
  - ii. the National Heritage management principles; or
  - iii. any agreement to which the Commonwealth is party in relation to a National Heritage place.
- c) Listed threatened species or ecological community:
  - i. Australia's obligations under the:
    - Convention on Biological Diversity (Biodiversity Convention);
    - Convention on Conservation of Nature in the South Pacific (Apia Convention);
    - the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); or
  - ii. a recovery plan or threat abatement plan.

18. The policies and plans that must be considered in relation to this proposal include:

- a) Relevant conservation advice and other relevant policies available on DCCEEW Species Profiles and Threats (SPRAT) Database.

- b) Bioregional plans.
  - c) Relevant strategic assessment reports
  - d) Any relevant plan prepared for the management of a declared World Heritage property
  - e) Any relevant plan prepared for the management of a National Heritage place.
19. Commonwealth listing advice, survey guidelines and referral guidelines contain information on threatened species and ecological communities which may provide further information for evaluating the significance of residual impacts on the action's controlling provisions. These documents may be found on the DCCEEW SPRAT Database
20. Guidance on the biodiversity offset scheme for a major project where there are predicted to be impacts on matters on MNES can be found via the NSW Department of Planning, Housing and Infrastructure website below.
- a) Key Guidance – Biodiversity:  
<https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines/key-guidance/biodiversity>  
Guidelines for matters of environmental significance:  
[https://www.planningportal.nsw.gov.au/sites/default/files/documents/2024/Guidance%20for%20Accredited%20Assessors%20-%20MNES%20form%20\\_0.pdf](https://www.planningportal.nsw.gov.au/sites/default/files/documents/2024/Guidance%20for%20Accredited%20Assessors%20-%20MNES%20form%20_0.pdf)
21. Other references
- a) *Environment Protection and Biodiversity Conservation Regulations 2000* Schedule 4.
  - b) *NSW Assessment Bilateral Agreement (2015)* - Item 18.1, Item 18.5, Schedule 1.
  - c) *Matters of National Environmental Significance - Significant impact guidelines 1.1 (2013) EPBC Act*.
  - d) Any relevant plan prepared for the management of a declared World Heritage property:  
<https://www.dcceew.gov.au/parks-heritage/heritage/places/world-heritage-list>
  - e) Any relevant plan prepared for the management of a National Heritage place:  
<https://www.dcceew.gov.au/parks-heritage/heritage/places/national-heritage-list>