

Appendix 13

Guidance for accredited assessors

Guidance for Accredited Assessors on the assessment of MNES

Purpose and Scope

This Guidance Note is intended for use by accredited assessors when preparing a Biodiversity Development Assessment Report (BDAR) for a major project where there are predicted to be impacts on matters of national environment significance (MNES) under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The BDAR Template, mandatory for major projects through SEARs, requires accredited assessors to complete a separate MNES Appendix (Appendix E on the template). This Guidance Note is designed to help accredited assessors prepare an Appendix E that is suitable for major project assessment.

Appendix E should cover both:

- where the NSW Biodiversity Offset Scheme's (BOS's) Biodiversity Assessment Method (BAM) (2020) can provide an adequate assessment of EPBC-listed threatened species and communities, and
- where the assessment of biodiversity-related MNES cannot be assessed by applying the BAM.

(Note: Planning does not expect accredited assessors to present assessments of non-biodiversity-related MNES within the BDAR).

Additional guidance regarding referencing

Accredited assessors are required to reference key information used in the preparation of Appendix E, including:

- Referral documentation from the Australian Government Department of Climate Change, Environment, Energy and Water (AG DCCEEW), including the referral decision brief
- Secretary's Environmental Assessment Requirements (SEARs) in relation to Commonwealth matters
- Supporting databases and directories (such as the NSW BioNet Vegetation Classification, NSW BioNet Threatened Biodiversity Data Collection, NSW BioNet Atlas, NSW BioNet (Mitchell) Landscapes, Commonwealth Species Profile and Threats Database and the Directory of Important Wetlands in Australia, and Biogeographic Regionalisation for Australia)
- Australian Government plans and agreements (such as International environmental obligations, Recovery Plans, Approved Conservation Advice and Threat Abatement Plans) <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>, and
- Other relevant NSW and Australian Government policies and guidelines (such as the Australian Government's Significant Impact Guidelines).

Summary Table (Attachment 1)

Accredited assessors are required to prepare a Summary Table (Attachment 1), that provides a summary of predicted impacts and offsets relating to MNES.

The Summary Table is required to form part of Appendix E of the BDAR.

Completion Checklist (Attachment 2)

Accredited assessors are required to complete a Completion Checklist (Attachment 2) to assist accredited assessors to confirm that Appendix E to the BDAR is complete, for all relevant EPBC matters.

The checklist establishes the minimum information requirements of Appendix E of the BDAR. The completed checklist does not need to be included in the BDAR documents but should be available for review if sought by Planning.

Attachment 1: Summary Table for assessment of predicted impacts on EPBC Act-listed Threatened Species and Communities

Description of Threatened Species / Community listed under EPBC Act	Description of PCTs associated with the ecosystem credit species / ecological community (if applicable)	Area of Predicted Impact (ha)	Credits Required	Offsetting Approach	Page references (EIS, BDAR)
Common Ancillary Features					
White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC	PCT 3376 - Good/Moderate	0.44	21	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund.	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR
	PCT 3376 - Moderate/Degraded	0.23	7		
south-eastern glossy black-cockatoo (<i>Calyptorhynchus lathami lathami</i>)	PCT 3376 PCT 3738	0.71	24	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR
gang-gang cockatoo (<i>Callocephalon fimbriatum</i>)	PCT 3376 PCT 3738	0.71	24	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR

Description of Threatened Species / Community listed under EPBC Act	Description of PCTs associated with the ecosystem credit species / ecological community (if applicable)	Area of Predicted Impact (ha)	Credits Required	Offsetting Approach	Page references (EIS, BDAR)
large eared pied bat (Chalinolobus dwyeri)	PCT 4063 PCT 3738 PCT 3376 PCT 3347	1.61	57	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR
Transmission Line					
south-eastern glossy black-cockatoo (Calyptrorhynchus lathami lathami)	PCT 3376 PCT 3738	0.71	24	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR
gang-gang cockatoo (Callocephalon fimbriatum)	PCT 3376 PCT 3738	0.71	24	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR
large eared pied bat (Chalinolobus dwyeri)	PCT 4063 PCT 3738 PCT 3376 PCT 3347	1.61	57	- land based offsets through the establishment of new Stewardship Sites or by retiring credits from existing Stewardship Sites - purchasing credits from the market, and/or - paying into the Biodiversity Conservation Fund	Section 7.0 of Appendix A Section 10 and Section 11 of the BDAR

Attachment 2: Completion Checklist for BDAR Appendix E, relating to assessment of predicted impacts on EPBC Act-listed Threatened Species and Communities

Initial when complete	Information required to be included in Appendix E	Comments
PART A		
Confirm that general information in Appendix E (MNES) of the BDAR is complete/sufficient		
✓	Appendix E clearly shows how operational and construction footprints , including clearing boundaries, structures to be built and elements of the action, are situated with regard to MNES (and/or references to where this detail is provided within the body of the BDAR).	Appendix A – MNES Report Figure 4.1 BDAR: Figure 1.3 Figure 1.4 Figure 4.3 Figure 5.1 Figure 5.2
✓	Appendix E includes a map(s) of the subject land boundary showing the proposal/disturbance footprint with respect to location of MNES, including links to or directory locations of GIS shape files (and/or references to where this detail is provided within the body of the BDAR).	Appendix A – MNES Report Figure 4.1 BDAR: Figure 1.3 Figure 1.4 Figure 4.3 Figure 5.1 Figure 5.2
✓	Appendix E identifies any other site constraints in selecting the location and design of the proposed development (such as bushfire protection requirements, flood planning levels, servicing constraints) (and/or references to where this detail is provided within the body of the EIS or BDAR).	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR

Initial when complete	Information required to be included in Appendix E	Comments
	Appendix E clearly depicts stages and timing of the action that may impact on MNES (and/or references to where this detail is provided within the body of the BDAR).	Section 2.0 of Appendix A – MNES Report Section 1.4 of the BDAR
Confirm that the BDAR and in particular Appendix E (MNES) contains the expected components		
✓	The BDAR Declarations (Section i) include an explicit statement that all EPBC Act listed threatened species and communities that occur on the subject land, or in the vicinity, have been identified in the BDAR/EIS including those that are ecosystem credit species.	Section 1.3 of Appendix A – MNES Report
✓	Appendix E contains a completed Summary Table	Table 6.3 of Appendix A – MNES Report
✓	Appendix E contains sufficient general information regarding the project's predicted impact on MNES	Section 6.0 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E contains (or references) a separate assessment for each threatened species and community that occurs on or near the site (containing minimum information requirements)	Appendix A3 of Appendix A – MNES Report
✓	Appendix E contains appropriate analysis and justification for any species and communities identified in the referral documentation (provided by the Australian Government) that have been ruled out because they don't occur on or near the site.	Appendix A2 of Appendix A – MNES Report
✓	Appendix E identifies any relevant Commonwealth guidelines and policy statements applicable to the proposed development, including but not limited to: • International environmental obligations; • Recovery Plans; • Approved Conservation Advice, and • Threat Abatement Plans	Appendix A3 of Appendix A – MNES Report

PART B (complete a separate Part B checklist for each threatened species / community listed under EPBC Act)		
Confirm that Appendix E (MNES) contains the following items for each EPBC Act listed threatened species and community on the site or in the vicinity		
White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC		
✓	Appendix E includes relevant information on the identification of White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC on the site or in the vicinity via: • Field based survey effort; • Published peer reviewed literature; • Local data, and • Supporting databases (such as the NSW BioNet Vegetation Classification, NSW BioNet Threatened Biodiversity Data Collection, NSW BioNet Atlas, Commonwealth SpeciesProfile and Threats Database search results).	Section 3.0 of Appendix A – MNES Report Section 2.2 of the BDAR Section 4.3 of the BDAR
✓	Appendix E includes appropriate mapping of White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC in accordance with the relevant Commonwealth Listing Advice	Section 4.3 of the BDAR Figure 4.3 of the BDAR
✓	Appendix E includes consideration of important populations and critical habitat as defined in Approved Listing Advice, Approved Conservation Advice, Threat Abatement Plans and Recovery Action Plans that relate to White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC.	Appendix A3 of Appendix A – MNES Report
✓	Appendix E identifies feasible alternatives and efforts to avoid and minimise predicted impacts on White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC (including direct, indirect and prescribed impacts) including an analysis of the following alternatives:	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	• Designs and engineering solutions; • Modes or technologies; • Routes and locations of facilities, and • Sites within the subject site.	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR

✓	Appendix E identifies feasible measures to mitigate and/or manage predicted impacts on White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC (including direct, indirect and prescribed impacts) including: • Techniques, timing, frequency and responsibility; • Identify measures for which there is a risk of failure; • Evaluate the risk and consequence of any residual impacts, and • Any adaptive management strategy proposed to monitor and respond to impacts	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies the residual adverse impacts likely to occur to White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC after the proposed avoidance and mitigation measures are taken into account, including: • Nature and consequences of impacts (i.e. direct and indirect); • Duration of impact (e.g. construction, operation, life of project); • Quantum of impact, and • Consequences of impacts on the species, the population and/or extent of the community at local, state and national scales	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E identifies the level of predicted residual impact, and provides adequate justification and evidence for the predicted level of impact, with reference to the Commonwealth's Significant Impact	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Guideline. Note. This will mean that the level of predicted impact is described as either: • High likelihood of significant residual impact (requiring offsets) or • Low likelihood of significant residual impact (not requiring offsets)	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E identifies plans for offsetting, including: • whether the MNES has been offset using the BAM; • how impacts requiring offsets correlate to MNES impacts; • whether ecological rehabilitation and/or biodiversity conservation actions are proposed for offsetting, and • whether any other offsetting approach is proposed, such as land-based offsets, retiring credits by payment into the Biodiversity Conservation Fund and/or through supplementary measures.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11 of the BDAR

✓	Appendix E identifies the number and type of (species/ecosystem) credits required for predicted residual adverse impacts to MNES.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11 of the BDAR
✓	Appendix E contains an explicit statement that confirms that the BAM (and BAM calculator) has been used correctly to identify the number and class of biodiversity credits that need to be offset to achieve a standard of 'no net loss' of biodiversity.	Declarations section within the BDAR
south-eastern glossy black-cockatoo (<i>Calyptorhynchus lathami lathami</i>)		
✓	Appendix E includes relevant information on the identification of glossy black cockatoo on the site or in the vicinity via: • Field based survey effort; • Published peer reviewed literature; • Local data, and • Supporting databases (such as the NSW BioNet Vegetation Classification, NSW BioNet Threatened Biodiversity Data Collection, NSW BioNet Atlas, Commonwealth SpeciesProfile and Threats Database search results).	Section 3.0 of Appendix A – MNES Report Section 2.2 of the BDAR Section 4.3 of the BDAR
✓	Appendix E includes appropriate mapping of glossy black cockatoo in accordance with the relevant Commonwealth Listing Advice	Not applicable to this species
✓	Appendix E includes consideration of important populations and critical habitat as defined in Approved Listing Advice, Approved Conservation Advice, Threat Abatement Plans and Recovery Action Plans that relate to glossy black cockatoo.	Appendix A3 of Appendix A – MNES Report
✓	Appendix E identifies feasible alternatives and efforts to avoid and minimise predicted impacts on glossy black cockatoo (including direct, indirect and prescribed impacts) including an analysis of the following alternatives:	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	• Designs and engineering solutions; • Modes or technologies; • Routes and locations of facilities, and • Sites within the subject site.	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies feasible measures to mitigate and/or manage predicted impacts on glossy black cockatoo (including direct, indirect and prescribed impacts) including: • Techniques, timing, frequency and responsibility; • Identify measures for which there is a risk of failure; • Evaluate the risk and consequence of any residual impacts, and	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR

	Any adaptive management strategy proposed to monitor and respond to impacts	
✓	Appendix E identifies the residual adverse impacts likely to occur to glossy black cockatoo after the proposed avoidance and mitigation measures are taken into account, including: - Nature and consequences of impacts (i.e. direct and indirect); - Duration of impact (e.g. construction, operation, life of project); - Quantum of impact, and - Consequences of impacts on the species, the population and/or extent of the community at local, state and national scales	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E identifies the level of predicted residual impact, and provides adequate justification and evidence for the predicted level of impact, with reference to the Commonwealth's Significant Impact	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Guideline. Note. This will mean that the level of predicted impact is described as either: - High likelihood of significant residual impact (requiring offsets) or - Low likelihood of significant residual impact (not requiring offsets)	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E identifies plans for offsetting, including: - whether the MNES has been offset using the BAM; - how impacts requiring offsets correlate to MNES impacts; - whether ecological rehabilitation and/or biodiversity conservation actions are proposed for offsetting, and - whether any other offsetting approach is proposed, such as land-based offsets, retiring credits by payment into the Biodiversity Conservation Fund and/or through supplementary measures.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11 of the BDAR
✓	Appendix E identifies the number and type of (species/ecosystem) credits required for predicted residual adverse impacts to MNES.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11.0 of the BDAR
✓	Appendix E contains an explicit statement that confirms that the BAM (and BAM calculator) has been used correctly to identify the number and class of biodiversity credits that need to be offset to achieve a standard of 'no net loss' of biodiversity.	Declarations section within the BDAR

gang-gang cockatoo (<i>Callocephalon fimbriatum</i>)		
✓	Appendix E includes relevant information on the identification of gang gang cockatoo on the site or in the vicinity via: • Field based survey effort; • Published peer reviewed literature; • Local data, and • Supporting databases (such as the NSW BioNet Vegetation Classification, NSW BioNet Threatened Biodiversity Data Collection, NSW BioNet Atlas, Commonwealth SpeciesProfile and Threats Database search results).	Section 3.0 of Appendix A – MNES Report Section 2.2 of the BDAR Section 4.3 of the BDAR
✓	Appendix E includes appropriate mapping of gang gang cockatoo in accordance with the relevant Commonwealth Listing Advice	Not applicable to this species
✓	Appendix E includes consideration of important populations and critical habitat as defined in Approved Listing Advice, Approved Conservation Advice, Threat Abatement Plans and Recovery Action Plans that relate to gang gang cockatoo.	Appendix A3 of Appendix A – MNES Report
✓	Appendix E identifies feasible alternatives and efforts to avoid and minimise predicted impacts on gang gang cockatoo (including direct, indirect and prescribed impacts) including an analysis of the following alternatives:	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	• Designs and engineering solutions; • Modes or technologies; • Routes and locations of facilities, and • Sites within the subject site.	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies feasible measures to mitigate and/or manage predicted impacts on gang gang cockatoo (including direct, indirect and prescribed impacts) including: • Techniques, timing, frequency and responsibility; • Identify measures for which there is a risk of failure; • Evaluate the risk and consequence of any residual impacts, and • Any adaptive management strategy proposed to monitor and respond to impacts	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies the residual adverse impacts likely to occur to gang gang cockatoo after the proposed avoidance and mitigation measures are taken into account, including: • Nature and consequences of impacts (i.e. direct and indirect); • Duration of impact (e.g. construction, operation, life of project); • Quantum of impact, and	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR

	Consequences of impacts on the species, the population and/or extent of the community at local, state and national scales	
✓	Appendix E identifies the level of predicted residual impact, and provides adequate justification and evidence for the predicted level of impact, with reference to the Commonwealth's Significant Impact	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Guideline. Note. This will mean that the level of predicted impact is described as either: - High likelihood of significant residual impact (requiring offsets) or - Low likelihood of significant residual impact (not requiring offsets)	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Appendix E identifies plans for offsetting, including: - whether the MNES has been offset using the BAM; - how impacts requiring offsets correlate to MNES impacts; - whether ecological rehabilitation and/or biodiversity conservation actions are proposed for offsetting, and - whether any other offsetting approach is proposed, such as land-based offsets, retiring credits by payment into the Biodiversity Conservation Fund and/or through supplementary measures.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11 of the BDAR
✓	Appendix E identifies the number and type of (species/ecosystem) credits required for predicted residual adverse impacts to MNES.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11.0 of the BDAR
✓	Appendix E contains an explicit statement that confirms that the BAM (and BAM calculator) has been used correctly to identify the number and class of biodiversity credits that need to be offset to achieve a standard of 'no net loss' of biodiversity.	Declarations section within the BDAR
large eared pied bat (<i>Chalinolobus dwyeri</i>)		
✓	Appendix E includes relevant information on the identification of large eared pied bat on the site or in the vicinity via: - Field based survey effort; - Published peer reviewed literature; - Local data, and - Supporting databases (such as the NSW BioNet Vegetation Classification, NSW BioNet Threatened Biodiversity Data Collection, NSW BioNet Atlas, Commonwealth Species Profile and Threats Database search results).	Section 3.0 of Appendix A – MNES Report Section 2.2 of the BDAR Section 4.3 of the BDAR
✓	Appendix E includes appropriate mapping of large eared pied bat in accordance with the	Not applicable to this species

	relevant Commonwealth Listing Advice	
✓	Appendix E includes consideration of important populations and critical habitat as defined in Approved Listing Advice, Approved Conservation Advice, Threat Abatement Plans and Recovery Action Plans that relate to large eared pied bat.	Appendix A3 of Appendix A – MNES Report
✓	Appendix E identifies feasible alternatives and efforts to avoid and minimise predicted impacts on large eared pied bat (including direct, indirect and prescribed impacts) including an analysis of the following alternatives:	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	• Designs and engineering solutions; • Modes or technologies; • Routes and locations of facilities, and • Sites within the subject site.	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies feasible measures to mitigate and/or manage predicted impacts on large eared pied bat (including direct, indirect and prescribed impacts) including: • Techniques, timing, frequency and responsibility; • Identify measures for which there is a risk of failure; • Evaluate the risk and consequence of any residual impacts, and • Any adaptive management strategy proposed to monitor and respond to impacts	Section 5.0 of Appendix A – MNES Report Section 7.0 of the BDAR
✓	Appendix E identifies the level of predicted residual impact, and provides adequate justification and evidence for the predicted level of impact, with reference to the Commonwealth's Significant Impact	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
✓	Guideline. Note. This will mean that the level of predicted impact is described as either: • High likelihood of significant residual impact (requiring offsets) or • Low likelihood of significant residual impact (not requiring offsets)	Section 6.0 of Appendix A – MNES Report Appendix A3 of Appendix A – MNES Report Section 8.0 of the BDAR
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✓	Appendix E identifies the number and type of (species/ecosystem) credits required for predicted residual adverse impacts to MNES.	Section 7.0 of Appendix A – MNES Report Section 10.0 and Section 11.0 of the BDAR
✓	Appendix E contains an explicit statement that confirms that the BAM (and BAM calculator) has been used correctly to identify the number and class of biodiversity credits that need to be offset to achieve a standard of 'no net loss' of biodiversity.	Declaration section within the BDAR