

# Appendix C – Schedule 4 of the Environment Protection and Biodiversity Conservation Regulations 2000 checklist

# Environment Protection and Biodiversity Conservation Regulations 2000 checklist

Requirement	Where addressed in the EIS
1. General information	
1.01 The background of the action including:	
(a) the title of the action	The title of the action is provided in <b>Chapter 1</b> , Section 1.1 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Section 1.1 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Section 1.1 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(b) the full name and postal address of the designated proponent;	EIS certification page
(c) a clear outline of the objective of the action;	The objectives of the project are provided in <b>Section 3.3</b> .
(d) the location of the action;	The location of the project is described in <b>Chapter 1</b> and <b>Figure 1-1</b> , within Section 2.1 and Figure 2-1 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 4 and Figure 4-1 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 4 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(e) the background to the development of the action;	A description of the project's development and project alternatives is provided in <b>Chapter 4</b> .
(f) how the action relates to any other actions (of which the proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region affected by the action;	The cumulative impacts of approved and proposed projects are described in <b>Chapter 23</b> (cumulative impacts), Section 8.5.9 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Section 8.2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 8 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(g) the current status of the action;	Transport are seeking project approval for the project under Division 5.2 of the EP&A Act. The current status of the approval process is outlined <b>Chapter 2</b> and <b>Figure 2-1</b> .
(h) the consequences of not proceeding with the action.	The consequences of not proceeding with the project are described in <b>Section 4.1.1</b> .
2. Description	
2.01 A description of the action, including:	
(a) all the components of the action	A description of the project is provided in <b>Chapter 5</b> , Section 1.2 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Section 1.2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Section 1.2 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(b) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;	The location of the project is described in <b>Chapter 5</b> and <b>Figure 5-1</b> .

Requirement	Where addressed in the EIS
(c) 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;	A description of the proposed design and construction methodology is provided in <b>Section 5.3</b> and <b>Section 5.4</b> .
(d) relevant impacts of the action;	Environmental impacts are presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis). Cumulative impacts are described in <b>Chapter 23</b> (cumulative impacts). Chapter 8 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 8 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 6 and Chapter 7 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) provide a detailed analysis of biodiversity and heritage impacts.
(e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;	Safeguards and mitigation measures are presented throughout all working papers and summarised in <b>Chapter 24</b> (summary of environmental management measures). Chapter 9 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 9 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 9 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ), present biodiversity and heritage-specific management measures.
(f) any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;	<b>Chapter 2</b> presents the assessment process for the project and approvals required. Section 1.5 of the Biodiversity Assessment Report ( <b>Appendix I</b> ) describes the relevant biodiversity-related State and Commonwealth approval requirements. Chapter 2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ) and Chapter 2 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) describe the relevant heritage-related State and Commonwealth approval requirements.
(g) to the extent reasonably practicable, any feasible alternatives to the action, including: i. if relevant, the alternative of taking no action;	A description of the alternatives considered for the project, including a base case, is provided in <b>Chapter 4</b> .
ii. a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action;	A comparison of the impacts associated with each alternative is provided in <b>Chapter 4</b> . Impacts on Matters of National Environmental Significance are assessed in Chapter 5 of the Biodiversity Assessment Report ( <b>Appendix I</b> ).
iii. sufficient detail to make clear why any alternative is preferred to another;	A description of the benefits of the preferred alternative over the other alternatives considered is provided in <b>Chapter 4</b> .
(h) any consultation about the action, including: i. any consultation that has already taken place;	A description of consultation activities undertaken to date is provided in <b>Section 6.2</b> .
ii. proposed consultation about relevant impacts of the action;	Proposed consultation activities are described in <b>Section 6.4</b> .

Requirement	Where addressed in the EIS
iii. if there has been consultation about the proposed action—any documented response to, or result of, the consultation;	Responses provided in relation to consultation undertaken are described in <b>Section 6.3</b> .
iv. identification of affected parties, including a statement mentioning any communities that may be affected and describing their views	The key stakeholders engaged for the project are described in <b>Section 6.2.2</b> and Chapter 3 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ).
3. Relevant impacts	
3.01 Information given under paragraph 2.01(d) must include:	
(a) a description of the relevant impacts of the action;	Impacts are presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis) Chapter 7 of the Biodiversity Assessment Report ( <b>Appendix I</b> ) describes how biodiversity impacts would be avoided and minimised Section 8.1 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ) and Section 6.1 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) describe how heritage impacts would be avoided and minimised
(b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis). Chapter 8 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), presents a detailed analysis of biodiversity impacts Chapter 8 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ) presents a detailed analysis of Aboriginal heritage impacts Chapter 6 and Chapter 7 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) present a detailed analysis of non-Aboriginal heritage impacts
(c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis) The clearing of threatened ecological communities and endangered ecological communities is an irreversible biodiversity impact that will be compensated for by offsetting, which is detailed in the Biodiversity Offset Strategy ((Appendix I of the Biodiversity Assessment Report ( <b>Appendix I</b> )). Impacts to Aboriginal and non-Aboriginal heritage sites are irreversible heritage impacts that are addressed in Chapter 8 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ) and Chapter 6 and Chapter 7 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(d) analysis of the significance of the relevant impacts;	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts) and summarised in <b>Chapter 27</b> (project synthesis). Chapter 8 of the Biodiversity Assessment Report ( <b>Appendix I</b> ) presents the biodiversity impacts of the project. Chapter 8 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ) and Chapter 6 and Chapter 7 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) present the heritage impacts of the project.

Requirement	Where addressed in the EIS
(e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.	<p>Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts) and summarised in <b>Chapter 27</b> (project synthesis).</p> <p>Chapter 2 to Chapter 6 of the Biodiversity Assessment Report (<b>Appendix I</b>) present the technical data required to make a detailed assessment of biodiversity impacts</p> <p>Chapter 3 to Chapter 7 of the Aboriginal Cultural Heritage Assessment Report (<b>Appendix L</b>) present the technical data required to make a detailed assessment of Aboriginal heritage impacts</p> <p>Chapter 4 to Chapter 5 of the Non-Aboriginal Heritage Working Paper (<b>Appendix Q</b>) present the technical data required to make a detailed assessment of non-Aboriginal heritage impacts</p>
4. Proposed safeguards and mitigation measures	
4.01 Information given under paragraph 2.01(e) must include:	
(a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;	<p>Chapter 9 of the Biodiversity Assessment Report (<b>Appendix I</b>)</p> <p>Chapter 9 of the Aboriginal Cultural Heritage Assessment Report (<b>Appendix L</b>)</p> <p>Chapter 9 of the Non-Aboriginal Heritage Working Paper (<b>Appendix Q</b>)</p>
(b) any statutory or policy basis for the mitigation measures;	<p>The statutory and policy basis for environmental management measures are presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis).</p> <p>Chapter 9 and Chapter 10 of the Biodiversity Assessment Report (<b>Appendix I</b>) present the statutory and policy basis for biodiversity environmental management measures</p> <p>Chapter 9 of the Aboriginal Cultural Heritage Assessment Report (<b>Appendix L</b>) and Chapter 9 of the Non-Aboriginal Heritage Working Paper (<b>Appendix Q</b>) present the statutory and policy basis for heritage environmental management measures</p>
(c) the cost of the mitigation measures;	<p>The development of environmental management measures has been an iterative process and has been carried out in parallel with design development. As a result of this process, some environmental management measures have been included in the project. <b>Chapter 24</b> (summary of environmental management measures) lists the environmental management measures adopted by the project.</p>
(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;	<p>The construction environmental management plan and associated sub-plans are described in <b>Section 24.2</b>.</p>
(e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;	<p><b>Chapter 24</b> (summary of environmental management measures) and assigns responsibility for endorsing or approving environmental management measures and monitoring programs</p>

Requirement	Where addressed in the EIS
(f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the proponent.	A consolidated list of mitigation measures is presented in <b>Chapter 24</b> (summary of environmental management measures).
5. Other approvals and conditions	
5.01 Information given under paragraph 2.01(f) must include:	
(a) details of any local or State government planning scheme, or plan or policy under any local or State government planning system that deals with the proposed action, including:	Section 1.5 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), Chapter 2 of the Non-Aboriginal Heritage Working Paper, ( <b>Appendix Q</b> ) and <b>Chapter 2</b> outline the statutory context and strategic policies considered in relation to the project
i. what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy;	Section 1.5 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), Chapter 2 of the Non-Aboriginal Heritage Working Paper, ( <b>Appendix Q</b> ), and <b>Chapter 2</b> outline the statutory requirements and environmental assessment process for the project
ii. how the scheme provides for the prevention, minimisation and management of any relevant impacts;	Measures to prevent, minimise and manage biodiversity impacts associated with the project are described in Chapter 9 of the Biodiversity Assessment Report ( <b>Appendix I</b> ) and summarised in <b>Chapter 24</b> (summary of environmental management measures). Biodiversity offsetting requirements are described in Chapter 10 and Appendix I of the Biodiversity Assessment Report ( <b>Appendix I</b> ). Measures to prevent, minimise and manage heritage impacts associated with the project are described in Chapter 9 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), Chapter 9 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ) and summarised in <b>Chapter 24</b> (summary of environmental management measures).
(b) a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the Act), including any conditions that apply to the action;	Not applicable. No approval has been obtained from a State, Territory or Commonwealth agency or authority in relation to the action. However, approvals under NSW legislation that may apply to the project (and in respect of the action), which have not (yet) been obtained are discussed in <b>Chapter 2</b> .
(c) a statement identifying any additional approval that is required;	Details of approvals required for the project are provided in <b>Chapter 2</b> , Section 1.5 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), Chapter 2 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 2 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ).
(d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.	A description of the environmental management framework and construction environmental management plan approval process is provided in <b>Section 24.1</b> and <b>Section 24.2</b> .



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6. Environmental record of person proposing to take the action	
6.01 Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:	
(a) the person proposing to take the action; and	<b>Appendix F</b> presents the Transport for New South Wales (formerly Roads and Maritime Services) environmental record
(b) for an action for which a person has applied for a permit, the person making the application.	Not applicable
6.02 If the person proposing to take the action is a corporation—details of the corporation’s environmental policy and planning framework.	EIS certification page and <b>Appendix F</b>
7. Information sources	
7.01 For information given in a draft public environment report or environmental impact statement, the draft must state:	
(a) the source of the information; and	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis). Chapter 2 to Chapter 6 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts Chapter 3 to Chapter 7 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 3 to Chapter 5 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ), present the relevant environmental information sources required to make a detailed assessment of heritage impacts
(b) how recent the information is; and	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis). Chapter 2 to Chapter 6 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts Chapter 3 to Chapter 7 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 3 to Chapter 5 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ), present the relevant environmental information sources required to make a detailed assessment of heritage impacts
(c) how the reliability of the information was tested; and	Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis). Chapter 2 to Chapter 6 of the Biodiversity Assessment Report ( <b>Appendix I</b> ), present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts, and the surveys that were carried out to test these information sources Chapter 3 to Chapter 7 of the Aboriginal Cultural Heritage Assessment Report ( <b>Appendix L</b> ), and Chapter 3 to Chapter 5 of the Non-Aboriginal Heritage Working Paper ( <b>Appendix Q</b> ), present the relevant environmental information sources required to make a detailed assessment of heritage impacts, and the consultation and surveys that were carried out with Aboriginal people with cultural knowledge to test these information sources

Requirement	Where addressed in the EIS
(d) what uncertainties (if any) are in the information.	<p>Presented throughout all working papers, <b>Chapter 7</b> (traffic and transport) to <b>Chapter 23</b> (cumulative impacts), and summarised in <b>Chapter 27</b> (project synthesis).</p> <p>Chapter 2 to Chapter 6 of the Biodiversity Assessment Report (<b>Appendix I</b>), present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts</p> <p>Chapter 3 to Chapter 7 of the Aboriginal Cultural Heritage Assessment Report (<b>Appendix L</b>), and Chapter 3 to Chapter 5 of the Non-Aboriginal Heritage Working Paper (<b>Appendix Q</b>), present the relevant environmental information sources required to make a detailed assessment of heritage impacts</p>