

# ATTACHMENT 1

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

### McPhillamys Electricity Transmission Line Project

(SSI-99421458) (EPBC 2026/10412)

#### Introduction

1. On 2 March 2026, a delegate of the Commonwealth Minister for the Environment and Water (Commonwealth Minister) determined that the McPhillamys Electricity Transmission Line Project (SSI-99421458) 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) 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 Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) considers the proposed action is a component of a larger action, comprising of the approved McPhillamys Gold Project (SSD-9505), the proposed McPhillamys Water Supply Pipeline Project (SSI-99419963) and McPhillamys Integrated Waste Landform (SSI-99418956).
4. The proponent must undertake an assessment of all protected matters that may be impacted by the development under the controlling provision identified in paragraph 1. DCCEEW considers that there is likely to be a significant impact on the following:
  - a) Box Gum Woodland (*White Box-Yellow Box-Blakey's Red Gum Grassy Woodland and Derived Native Grassland*) – Critically Endangered; and
  - b) Koala (*Phascolarctos cinereus*) (combined populations of Queensland, New South Wales and the Australian Capital Territory) - Endangered.
5. Based on the DCCEEW's Environment Reporting Tool and information provided by the Species Profiles and Threats Database, DCCEEW also considers that the proposed action may result in high to moderate impacts to the following species:

- a) Large-eared Pied Bat, Large Pied Bat (*Chalinolobus dwyeri*) – Endangered;
- b) Superb Parrot (*Polytelis swainsonii*) – Vulnerable; and
- c) Regent Honeyeater (*Anthochaera phrygia*) – Critically Endangered.

These species require further assessment, surveys and analysis to determine whether they are likely to be significantly impacted.

6. The proponent must consider each of the protected matters under the triggered controlling provision that may be impacted by the action. Note that the above may not be a complete list and it is the responsibility of the proponent 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*

7. The Environmental Impact Statement (EIS) 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*

8. The title of the action, the background of the action and current status.
9. The precise 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).
10. How the action relates to any other actions that have been or are being taken in the region affected by the action.
11. 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*

12. The EIS 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.

#### *Avoidance, mitigation and offsetting*

---

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

13. For each of the relevant protected matters that are likely to be significantly impacted by the action, the EIS 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.
14. Where a significant residual adverse impact to a relevant protected matter is considered likely, the EIS must provide information on the proposed offset strategy, including discussion of the conservation benefit associated with the proposed offset strategy.
15. For each of the relevant matters likely to be impacted by the action the EIS 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**

16. The key risk associated with the proposed action from the Commonwealth perspective include:
- a) removal of foraging, roosting or breeding habitat and movement corridors for threatened species;
  - b) land clearing, fragmentation, weed invasion and edge effects;
  - c) land clearing resulting in structural simplification; and
  - d) cumulative impacts of the larger action.

### **Other approvals and conditions**

17. 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.

## **Environmental record of person proposing to take the action**

18. Information in relation to the environmental record of a person proposing to take the action must include details as prescribed in Schedule 4 Clause 6 of the EPBC Regulations.

## **Information sources**

19. For information given in an EIS, the EIS 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**

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

- a) 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.

21. 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; and
- c) relevant strategic assessment reports.

22. 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.

23. 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.

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)

24. 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; and
- c) *Matters of National Environmental Significance - Significant impact guidelines 1.1 (2013)* EPBC Act.