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# **The Northern Road Upgrade Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park**

NSW Environmental Impact Statement /  
Commonwealth Draft Environmental Impact Statement

## **Appendix C – Commonwealth EIS Assessment requirements**

June 2017



**GUIDELINES FOR THE CONTENT OF A DRAFT  
ENVIRONMENT IMPACT STATEMENT**

**The Northern Road Upgrade: Mersey Road, Bringelly to  
Glenmore Parkway, Glenmore Park**

***Environment Protection and Biodiversity Conservation Act  
1999***

**(Reference: EPBC 2016/7696)**

# **GUIDELINES FOR A DRAFT PUBLIC ENVIRONMENT REPORT/ENVIRONMENT IMPACT STATEMENT FOR**

## **NSW Roads and Maritime Services**

### **The Northern Road Upgrade: Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park**

#### **PREAMBLE**

New South Wales Roads and Maritime Services proposes to realign The Northern Road between Mersey Road, Bringelly and Littlefields Road, Luddenham and to widen The Northern Road between Littlefields Road, Luddenham and Glenmore Parkway, Glenmore Park.

The proposal was referred under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) to the Minister for the Environment and Heritage on 2 May 2016. The Minister determined on 21 July 2016 that approval is required as the action has the potential to have a significant impact on the following matters of national environmental significance (NES) that are protected under Part 3 of the EPBC Act:

- Listed threatened species and communities (sections 18 & 18A)
- Commonwealth land (sections 26 & 27A)

Following the provision of preliminary information, the delegate of the Minister determined, on 21 July 2016 that the proposed activity be assessed by an Environment Impact Statement (EIS).

Information about the action and its relevant impacts, as outlined below, is to be provided in the EIS. This information should be sufficient to allow the Minister to make an informed decision on whether or not to approve, under Part 9 of the EPBC Act, the taking of the action for the purposes of each controlling provision.

## GENERAL ADVICE ON GUIDELINES

### 1 GENERAL CONTENT

The EIS should be a stand-alone document that primarily focuses on the matters of NES listed above. It should contain sufficient information to avoid the need to search out previous or supplementary reports. The EIS should take into consideration the EPBC Act Significant Impact Guidelines that can be downloaded from the following web site: <http://www.environment.gov.au/epbc/guidelines-policies.html>.

The EIS should enable interested stakeholders and the Minister to understand the environmental consequences of the proposed development. Information provided in the EIS should be objective, clear, and succinct and, where appropriate, be supported by maps, plans, diagrams or other descriptive detail. The body of the EIS is to be written in a clear and concise style that is easily understood by the general reader. Technical jargon should be avoided wherever possible. Cross-referencing should be used to avoid unnecessary duplication of text.

Detailed technical information, studies or investigations necessary to support the main text should be included as appendices to the EIS. It is recommended that any additional supporting documentation and studies, reports or literature not normally available to the public from which information has been extracted be made available at appropriate locations during the period of public display of the EIS.

After receiving the Minister's approval to publish the report, the Proponent is required to make the draft EIS available for a period of public comment. Specific instructions regarding publication requirements will be provided as part of the Minister's direction to publish.

If it is necessary to make use of material that is considered to be of a confidential nature, the Proponent should consult with the Department on the preferred presentation of that material, before submitting it to the Minister for approval for publication.

The level of analysis and detail in the EIS should reflect the level of significance of the expected impacts on the environment. Any and all unknown variables or assumptions made in the assessment must be clearly stated and discussed. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.

The Proponent should ensure that the EIS assesses compliance of the action with principles of Ecological Sustainable Development as set out in the EPBC Act, and the objects of the Act at Attachment 1. A copy of Schedule 4 of the EPBC Regulations, - *Matters to be addressed by draft public environment report and environmental impact statement* is at Attachment 2.

## **2 FORMAT AND STYLE**

The EIS should comprise three elements, namely:

- the executive summary;
- the main text of the document, and
- appendices containing detailed technical information and other information that can be made publicly available.

The guidelines have been set out in a manner that may be adopted as the format for the EIS. This format need not be followed where the required information can be more effectively presented in an alternative way. However, each of the elements must be addressed to meet the requirements of the EPBC Act and Regulations.

The EIS should be written so that any conclusions reached can be independently assessed. To this end, all sources must be appropriately referenced using the Harvard standard. The reference list should include the address of any Internet “web” pages used as data sources.

The main text of the EIS should include a list of abbreviations, a glossary of terms and appendices containing:

- a copy of these guidelines;
- a list of persons and agencies consulted during the EIS;
- contact details for the Proponent; and
- the names of the persons involved in preparing the EIS and work done by each of these persons.

Maps, diagrams and other illustrative material should be included in the EIS. The EIS should be produced on A4 size paper capable of being photocopied, with maps and diagrams on A4 or A3 size and in colour where possible.

The Proponent should consider the format and style of the document appropriate for publication on the Internet. The capacity of the website to store data and display the material may have some bearing on how the document is constructed.

## **SPECIFIC CONTENT**

### **1 GENERAL INFORMATION**

This should provide the background and context of the action including:

- (a) the title of the action;
- (b) the full name and postal address of the designated Proponent;
- (c) a clear outline of the objective of the action;
- (d) the location of the action;
- (e) the background to the development of the action;
- (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;
- (g) the current status of the action; and
- (h) the consequences of not proceeding with the action.

### **2 DESCRIPTION OF THE ACTION**

All construction, operational and (if relevant) decommissioning components of the action should be described in detail. This should include the precise location (including coordinates) of all works to be undertaken, structures to be built or elements of the action that may have impacts on matters of National Environmental Significance.

The description of the action must also include details on how the works are to be undertaken (including stages of development and their timing) and design parameters for those aspects of the structures or elements of the action that may have relevant impacts.

### **3 FEASIBLE ALTERNATIVES**

Any feasible alternatives to the action to the extent reasonably practicable, including:

- (a) if relevant, the alternative of taking no action;
- (b) a comparative description of the impacts of each alternative on the NES matters protected by controlling provisions of Part 3 of the EPBC Act for the action; and
- (c) sufficient detail to make clear why any alternative is preferred to another.

Short, medium and long-term advantages and disadvantages of the options should be discussed.



## 4 DESCRIPTION OF THE ENVIRONMENT

The EIS must include a description of the environment of the proposal site and the surrounding areas that may be affected by the action. It is recommended that this include the following information:

- (a) Listed threatened species (and suitable habitat) and ecological communities that are likely to be present in all areas of potential impact. To satisfy this requirement details must be presented on the scope, timing/effort (survey season/s) and methodology for studies and surveys used to provide information on the relevant listed threatened species/ecological community/habitat (as identified in Attachment 3). This includes details of:
  - how best practice survey guidelines have been applied; and
  - how surveys are consistent with (or a justification for divergence from) published Australian Government guidelines and policy statements.
- (b) A description of the environment<sup>1</sup> in all areas of potential impact, including all components of the environment as defined in Section 528 of the EPBC Act:
  - ecosystems and their constituent parts, including plants and animals, people and communities, landscapes and soils ;
  - natural and physical resources, including water resources and air;
  - the qualities and characteristics of locations, places and areas;
  - heritage values of places; and
  - the social, economic and cultural aspects of a thing mentioned in preceding dot-points.<sup>2</sup>

## 5 RELEVANT IMPACTS

- (a) The EIS must include a description of all of the relevant impacts of the action. Relevant impacts are impacts that the action will have or is likely to have on a matter protected by a controlling provision (as listed in the preamble of this document). Impacts during both the construction, operational and (if relevant) the

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<sup>1</sup> See *EPBC Act Policy Statement – definition of ‘Environment’ under section 528 of the EPBC Act*  
<http://www.environment.gov.au/resource/epbc-act-policy-statement-definition-environment-under-section-528-epbc-act>

<sup>2</sup> The social, economic and cultural ‘aspects’ of the environment are different to the economic and social ‘matters’ which must be considered under paragraph 136(1)(b) when the decision-maker decides whether or not to approve the taking of an action.

Paragraph 136(1)(b) relates to economic and social matters associated with the taking of the action overall, whereas section 528(e) provides that social, economic and cultural aspects of, particular ecosystems and natural resources constitute the environment.

decommissioning phases of the project should be addressed, and the following information provided:

- a detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts;
  - a statement of whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
  - analysis of the significance of the relevant impacts; and
  - any technical data and other information used or needed to make a detailed assessment of the relevant impacts.
- (b) The EIS should identify and address cumulative impacts, where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the region and vicinity).
- The EIS should also address the potential cumulative impact of the proposal on ecosystem resilience. The cumulative effects of climate change impacts on the environment must also be considered in the assessment of ecosystem resilience. Where relevant to the potential impact, a risk assessment should be conducted and documented.
- (c) The EIS should also provide a detailed assessment of any likely impact that this proposed action may facilitate MNES at the local, regional, state, national and international scale.
- (d) If the conclusion is made that any relevant controlling provision or element of a relevant controlling provision will not be impacted by the proposed action, then justification must be provided for how this conclusion has been reached. This includes any threatened species or ecological communities that are likely to be present on site, heritage items/places likely to be on site and other relevant elements of the environment that may be impacted by the proposed action.
- (e) To support the assessment of local historic and indigenous heritage values, the EIS must include a full heritage impact assessment and the findings of the further program of archaeological survey that was foreshadowed in the referral for this project.
- (f) Further details of threatened species and ecological communities protected by the controlling provisions of Part 3 of the EPBC Act are provided at [Attachment 3](#).
- (g) Impacts to the environment (as defined in section 528) should include but not be limited to the following:



- Changes to water quality on site and downstream of the site;
- Changes to siltation;
- Hydrological changes;
- Removal and degradation of heritage items/places (historic, natural and indigenous);
- Native flora and fauna habitat removal and degradation (on site and in surrounding areas that may be affected by the action);
- Road noise and vibration impacts on everyday activities and on sensitive environmental receptors (all sensitive receptors within the community and natural environment). Discussion and quantification/modelling of road noise impacts should include the range and frequency of noise, noise contours, cumulative exposure, peak noise and variations in noise patterns due to seasonal and meteorological factors;
- Noise and vibration from construction activities and machinery;
- Changes to air quality during construction and operation (including consideration of seasonal and meteorological variations that influence local air quality);
- Vehicle strike (fauna);
- Lighting impacts on everyday activities and on sensitive environmental receptors (all sensitive receptors within the community and natural environment);
- Changes in recreational use and amenity of natural areas; and
- Creation of any risks or hazards to people or property that may be associated with any component of the action.

Quantification and assessment of impacts should:

- Be against appropriate background/baseline levels;
- Be prepared according to best practice guidelines and compared to best practice standards;
- Consider seasonal and temporal variations where appropriate (including temporal changes in the sensitivity of the receptor);
- Be supported by maps, graphs and diagrams as appropriate to ensure information is readily understandable; and

Guidelines and standards used to quantify baselines and impacts should be explained and justified.

## **6 PROPOSED SAFEGUARDS AND MITIGATION MEASURES**

The EIS must provide information on proposed safeguards and mitigation measures to manage the relevant impacts of the action. Specific and detailed descriptions of proposed measures must be provided and substantiated, based on best available practices and must include the following elements.

- (a) The EIS must take into account relevant agreements and plans that cover impacts or known threats to a matter protected by a controlling provision (including but not necessarily limited to):
- a. any recovery plan and/or conservation advice for the affected species or ecological community;
  - b. any threat abatement plan for a process that threatens an affected species or ecological community;
  - c. any wildlife conservation plan for the affected species; and
  - d. any relevant strategic assessment undertaken in accordance with an agreement under Part 10 of the EPBC Act.
- (b) A consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including:
- a detailed description of the environmental outcomes the measures are expected to achieve including details of any baseline data or proposed monitoring to demonstrate progress towards achieving these outcomes;
  - a description of proposed safeguards and mitigation measures to deal with relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the Proponent;
  - assessment of the expected or predicted effectiveness of the mitigation measures;
  - any statutory or policy basis for the mitigation measures;
  - the cost of the mitigation measures; and
  - the likely cost of the mitigation measures.

- (c) A detailed outline of an Environmental Management Plan (EMP) that sets out the framework for continuing management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

The EMP needs to address the project phases (construction, operation, decommission) separately. It must state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

The EMP should also describe contingencies for events such as failure of sewerage systems, heavy or prolonged rainfall, or saltwater intrusion into ground water.

- (d) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.

## **7 RESIDUAL IMPACTS AND OFFSETS**

- (a) The EIS must provide details of the likely residual impacts upon a matter protected by a controlling provision after the proposed avoidance and mitigation measures have been taken into account. This includes:
  - a. the reasons why avoidance or mitigation of impacts may not be reasonably achieved; and
  - b. quantification of the extent and scope of significant residual impacts.
- (b) The EIS must include details of an offset package to be implemented to compensate for residual significant impacts associated with the project as well as an analysis of how the offset meets the requirements of the Department's *Environmental Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy October 2012 (EPBC Act Offset Policy) or a state offsetting policy that has been endorsed by the Commonwealth.
- (c) The offset package can comprise a combination of direct offsets and other compensatory measures, as long as it meets the requirements of the EPBC Act Offset Policy. Offsets should align with conservation priorities for the impacted protected matter and be tailored specifically to the attribute of the protected matter that is impacted in order to deliver a conservation gain.
- (d) Offsets should compensate for an impact for the full duration of the impact.
- (e) Offsets must directly contribute to the ongoing viability of the protected matter impacted by the project and deliver an overall conservation outcome that maintains or improves the viability of the protected matter, compared to what is likely to have occurred under the 'status quo' (i.e. if the action and associated offset had not taken place).

(f) Note: offsets do not make an unacceptable impact acceptable and do not reduce the likely impacts of a proposed action. Instead, offsets compensate for any residual significant impact.

(g) The EIS must provide:

- a. Details of the offset package to compensate for significant residual impacts on a protected matter; and
- b. An analysis of how the offset package meets the requirements of the EPBC Act Offsets Policy.

(h) Information requirements to address this section are provided in greater detail in Attachment 4.

## **8 OTHER APPROVALS AND CONDITIONS**

The EIS must include information on any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action. This 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:
  - what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy; and
  - how the scheme provides for the prevention, minimisation and management of any relevant impacts;
- (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;
- (c) a statement identifying any additional approval that is required; and
- (d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

## **9 CONSULTATION**

Any consultation about the action, including:

- (a) any consultation that has already taken place;
- (b) proposed consultation about relevant impacts of the action;

- (c) if there has been consultation about the proposed action, any documented response to, or result of, the consultation; and
- (d) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

## **10 ENVIRONMENTAL RECORD OF PERSON(S) PROPOSING TO TAKE THE ACTION**

The information provided must include 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) for an action for which a person has applied for a permit, the person making the application.

If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework must also be included.

## **11 ECONOMIC AND SOCIAL MATTERS**

The economic and social impacts of the action, both positive and negative, must be analysed. Matters of interest may include:

- details of any public consultation activities undertaken, and their outcomes;
- details of any consultation with indigenous stakeholders;
- projected economic costs and benefits of the project, including the basis for their estimation through cost/benefit analysis or similar studies; and
- employment opportunities expected to be generated by the project (including construction and operational phases).

Economic and social impacts should be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the proposed action, as identified in section 3 above, should also be included.

## **12 INFORMATION SOURCES PROVIDED IN THE EIS**

For information given in a draft Environmental Impact Statement, the draft must state:

- (a) the source of the information;
- (b) how recent the information is;
- (c) how the reliability of the information was tested;

- (d) what uncertainties (if any) are in the information; and
- (e) what guidelines, plans and/or policies have been considered during preparation of the EIS.

### **13 CONCLUSION**

An overall conclusion as to the environmental acceptability of the proposal on protected matters must be provided, including:

- (a) discussion on how consideration has been given to the objects of the EPBC Act, principles of ecological sustainable development SD and the precautionary principle (as detailed at Attachment 1);
- (b) justification for undertaking the proposal in the manner proposed, including the acceptability of the avoidance and mitigation measures; and
- (c) a discussion of residual impacts and any offsets and compensatory measures proposed or required for significant residual impacts on protected matters, and the relative degree of compensation and acceptability.

## **ATTACHMENT 1**

### **THE OBJECTS AND PRINCIPLES OF THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999* SECTIONS 3 AND 3A**

#### **3 Objects of the Act**

- (a) to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- (b) to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- (c) to promote the conservation of biodiversity;
- (d) to promote a co-operative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- (e) to assist in the co-operative implementation of Australia's international environmental responsibilities;
- (f) to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- (g) to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in co-operation with, the owners of the knowledge.

#### **3A Principles of Ecologically Sustainable Development**

The following principles are principles of ecologically sustainable development.

- (a) Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations.
- (b) If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- (c) The principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.



- (d) The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making.
- (e) Improved valuation, pricing and incentive mechanisms should be promoted.

## **ATTACHMENT 2**

### **MATTERS THAT MUST BE ADDRESSED IN A PER AND EIS (SCHEDULE 4 OF THE EPBC REGULATIONS 2000)**

#### **1 General information**

1.01 The background of the action including:

- (a) the title of the action;
- (b) the full name and postal address of the designated Proponent;
- (c) a clear outline of the objective of the action;
- (d) the location of the action;
- (e) the background to the development of the action;
- (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;
- (g) the current status of the action; and
- (h) the consequences of not proceeding with the action.

#### **2 Description**

2.01 A description of the action, including:

- (a) all the components of the action;
- (b) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;
- (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;
- (d) relevant impacts of the action;
- (e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;

- (f) any other requirements for approval or conditions that apply, or that the Proponent reasonably believes are likely to apply, to the proposed action;
- (g) to the extent reasonably practicable, any feasible alternatives to the action, including:
  - (i) if relevant, the alternative of taking no action;
  - (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action; and
  - (iii) sufficient detail to make clear why any alternative is preferred to another;
- (h) any consultation about the action, including:
  - (i) any consultation that has already taken place;
  - (ii) proposed consultation about relevant impacts of the action; and
  - (iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation; and
- (i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

### **3 Relevant impacts**

3.01 Information given under paragraph 2.01(d) must include

- (a) a description of the relevant impacts of the action;
- (b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;
- (c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- (d) analysis of the significance of the relevant impacts; and
- (e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

### **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;

- (b) any statutory or 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;
- (e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program; and
- (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.

## **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:
  - (i) what environmental assessment of the proposed action has been, or is being carried out under the scheme, plan or policy; and
  - (ii) how the scheme provides for the prevention, minimisation and management of any relevant impacts;
- (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;
- (c) a statement identifying any additional approval that is required; and
- (d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

## **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) for an action for which a person has applied for a permit, the person making the application.

6.02 If the person proposing to take the action is a corporation — details of the corporation's environmental policy and planning framework.

## **7 Information sources**

7.01 For information given the PER/EIS must state:

- (a) the source of the information; and
- (b) how recent the information is; and
- (c) how the reliability of the information was tested; and
- (d) what uncertainties (if any) are in the information.

## ATTACHMENT 3

### SUMMARY OF RELEVANT THREATENED FLORA, FAUNA AND ECOLOGICAL COMMUNITIES

The controlled action is considered likely to have a significant impact on the following EPBC listed threatened species and ecological communities:

- Critically endangered – *Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest* (Cumberland Plain Woodlands)
- Critically endangered – *Lathamus discolor* (Swift Parrot)
- Critically endangered – *Anthochaera phrygia* (Regent Honeyeater)
- Vulnerable – *Pultenaea parviflora*
- Vulnerable – *Pteropus poliocephalus* (Grey-headed Flying-fox)

## ATTACHMENT 4

### INFORMATION REQUIREMENTS FOR EPBC ACT OFFSET PROPOSALS

- (a) Details in relation to the proposed offsets package, including:
- a. the location and size, in hectares, of any offset site(s)
  - b. maps for each offset site that clearly show:
    - i. the relevant ecological features;
    - ii. the landscape context; and
    - iii. the cadastre boundary.
  - c. the current tenure arrangements (including zoning and ownership) of any proposed offset sites;
  - d. confirmed records of presence (or otherwise) of relevant protected matter(s) on the offset site(s);
  - e. details of studies and surveys used to confirm the presence of individuals and or likely habitat within offset site(s), including the scope, timing/effort (survey season/s) and methodologies employed; and
  - f. detailed information regarding the extent (in hectares) and quality of habitat for relevant protected matter(s) on the offset site. The quality of habitat should be assessed in a manner consistent with the approach outlined in the document titled *How to use the offset assessment guide* available at <http://www.environment.gov.au/epbc/publications/environmental-offsets-policy.html>
- (b) Provide information and justification regarding how the offsets package will deliver a conservation outcome that will maintain or improve the viability of the protected matter(s) consistent with the EPBC Act environmental offsets policy (October 2012) including:
- a. management actions that will be undertaken to improve or maintain the quality of the proposed offset site(s) for the relevant protected matter(s). Management actions must be clearly described, planned and resourced as to justify any proposed improvements in quality for the protected matter(s) over time;



- b. the time over which management actions will deliver any proposed improvement or maintenance of habitat quality for the relevant protected matter(s);
  - c. the risk of damage, degradation or destruction to any proposed offset site(s) in the absence of any formal protection and/or management over a foreseeable time period (20 years). Such risk assessments may be based on:
    - i. presence of pending development applications, mining leases or other activities on or near the proposed offset site(s) that indicate development intent;
    - ii. average risk of loss for similar sites; and
    - iii. presence and strength of formal protection mechanisms currently in place;
  - d. the legal mechanism(s) that are proposed to protect offset site(s) into the future and avert any risk of damage, degradation or destruction.
- (c) Provide information regarding how the proposed offsets package is additional to that already required, as determined by law or planning regulations, agreed to under other schemes or programs or required under an existing duty-of-care.
- (d) The overall cost of the proposed offsets package; including costs associated with, but not necessarily limited to:
  - a. acquisition and transfer of lands/property;
  - b. implementation of all related management actions; and
  - c. monitoring, reporting and auditing of offset performance.