

# Appendix D

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Schedule 4 of the Environment Protection and Biodiversity Conservation Regulations 2000 checklist

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| Requirement  | Where addressed  |
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| <b>1 General information</b>   |  |
| 1.01 The background of the action including:<br>(a) the title of the action;   | The title of the action is provided in <b>Chapters 1 and 4</b> of the EIS and <b>Section 1.1</b> of the Biodiversity Assessment Report, <b>Appendix E</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>Chapter 3</b> of the EIS  |
| (d) the location of the action;  | The location of the project is described in <b>Chapter 1</b> of the EIS and <b>Section 2.1</b> and <b>Figure 2.1</b> of the Biodiversity Assessment Report, <b>Appendix E</b>  |
| (e) the background to the development of the action;   | A description of the projects development and project alternatives is provided in <b>Chapter 4</b> of the EIS  |
| (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 and considered throughout <b>Chapters 7 and 8</b> of the EIS and <b>Chapter 9</b> of the Biodiversity Assessment Report, <b>Appendix E</b><br><br>How the project would in integrate with Outer Sydney Orbital is discussed in <b>Section 5.7.2</b>         |
| (g) the current status of the action;  | The current status of the approval process is outlined <b>Chapter 2</b> of the EIS   |
| (h) the consequences of not proceeding with the action.  | The consequences of not proceeding with the project are described in <b>Chapters 3, 4</b> and <b>11</b> of the EIS   |
| <b>2 Description</b>   |  |
| 2.01 A description of the action, including:<br>(a) all the components of the action;  | A description of the project is provided in <b>Chapter 5</b> of the EIS and <b>Section 1.2</b> of the Biodiversity Assessment Report, <b>Appendix E</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> of 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>Chapter 5</b> of the EIS   |
| (d) relevant impacts of the action;  | Environmental impacts are presented throughout all specialist reports and with key issues summarised in <b>Chapter 7</b> and other issues summarised in <b>Chapter 8</b> of the EIS<br><br><b>Section 7</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents how impacts would be minimised impacts |

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|  | <b>Chapter 8</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents a detailed analysis of biodiversity impacts   |
| (e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;   | Safeguards and mitigation measures are presented throughout all specialist reports and summarised in <b>Chapter 9</b> of the EIS<br><br><b>Chapter 10</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents biodiversity-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> of the EIS presents the assessment process for the project<br><br><b>Section 1.4</b> of the Biodiversity Assessment Report, <b>Appendix E</b> describes the relevant biodiversity-related State and Commonwealth approval requirements  |
| (g) to the extent reasonably practicable, any feasible alternatives to the action, including:  | A description of the alternatives considered for the project is provided in <b>Chapter 4</b> of the EIS  |
| 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;                  | A comparison of the impacts associated with each alternative is provided in <b>Chapter 4</b> of the EIS  |
| 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> of the EIS   |
| (h) any consultation about the action, including:  | A description of consultation activities undertaken to date is provided in <b>Section 6.2</b> of the EIS   |
| i. any consultation that has already taken place;  |  |
| ii. proposed consultation about relevant impacts of the action;  | Proposed consultation activities are described in <b>Sections 6.3 to 6.4</b> of 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 6.2</b> of the EIS   |
| 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 6.1</b> of the EIS  |
| <b>3 Relevant impacts</b>  |  |
| 3.01 Information given under paragraph 2.01(d) must include:<br>(a) a description of the relevant impacts of the action;                                 | Impacts of the project are presented throughout all specialist reports and summarised in <b>Chapters 7 and 8</b> of the EIS<br><br><b>Chapter 7</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents how impacts would be minimised<br><br><b>Chapter 8</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents a detailed analysis of biodiversity impacts |

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| (b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;   | <p>Presented throughout all specialist reports and summarised in <b>Chapters 7 and 8</b> of the EIS</p> <p><b>Chapter 7</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents how impacts would be minimised</p> <p><b>Chapter 8</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents a detailed analysis of biodiversity impacts</p>   |
| (c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;   | <p>Presented throughout all specialist reports and summarised in <b>Chapters 7 and 8</b> of the EIS</p> <p>The clearing of critically endangered ecological communities is an irreversible biodiversity impact that will be compensated for by offsetting, which is detailed in the Biodiversity Offset Strategy (<b>Annexure D</b> of the Biodiversity Assessment Report, <b>Appendix E</b>)</p>                    |
| (d) analysis of the significance of the relevant impacts;   | <p>Presented throughout all specialist reports and summarised in <b>Chapters 7 and 8</b> of the EIS</p> <p><b>Section 8.8</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents the biodiversity impacts of the project, while <b>Section 8.5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents the impacts of the project on Matters of National Environmental Significance</p> |
| (e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.  | <p>Presented throughout all specialist reports and summarised in <b>Chapters 7 and 8</b> of the EIS</p> <p><b>Chapters 3 to 5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> present the relevant technical data required to make a detailed assessment of biodiversity impacts</p>  |
| <b>4 Proposed safeguards and mitigation measures</b>  |  |
| <p>4.01 Information given under paragraph 2.01(e) must include:</p> <p>(a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;</p> | <p><b>Table 10-1</b> of the Biodiversity Assessment Report, <b>Appendix E</b> and summarised in <b>Appendix A</b></p>  |
| (b) any statutory or policy basis for the mitigation measures;  | <p>The statutory and policy basis for mitigation measures are Presented throughout all specialist reports and summarised in <b>Chapters 7, 8 and 9</b> of the EIS</p> <p><b>Table 10-1</b> of the Biodiversity Assessment Report, <b>Appendix E</b> presents the statutory and policy basis for biodiversity mitigation measures</p>   |
| (c) the cost of the mitigation measures;  | <p>The costs associated with the implementation of the biodiversity offset strategy are provided <b>Section 9.3</b> of the EIS</p>   |

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| (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;            | The construction environmental management plan and associated sub-plans are described in <b>Section 9.2</b> of the EIS   |
| (e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;   | Details of any agencies responsible for endorsing or approving mitigation measures or monitoring programs are outlined in <b>Sections 9.1</b> and <b>9.2</b> of 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. | <p><b>Chapter 9</b> of the EIS provides a summary of all proposed management measures and environmental management plans that would be required for the project</p> <p>Biodiversity specific mitigation measures are described in <b>Table 10-1</b> of the Biodiversity Assessment Report, <b>Appendix E</b></p>                           |
| <b>5 Other approvals and conditions</b>  |  |
| 5.01 Information given under paragraph 2.01(f) must include:<br>(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:              | <b>Section 1.4</b> of the Biodiversity Assessment Report, <b>Appendix E</b> and <b>Chapters 2</b> and <b>3</b> of the EIS outlines 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;   | <b>Section 1.4</b> of the Biodiversity Assessment Report, <b>Appendix E</b> and <b>Chapter 2</b> of the EIS outlines 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 impacts associated with the project are described in <b>Table 10-1</b> of the Biodiversity Assessment Report, <b>Appendix E</b> and <b>Chapter 9</b> of the EIS   |
| (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;  | <p>Not applicable</p> <p>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>Section 2.2</b> of the EIS</p> |
| (c) a statement identifying any additional approval that is required;  | Details of approvals required for the project are provided in <b>Section 2.2</b> of the EIS and <b>Section 1.4</b> of the Biodiversity Assessment Report, <b>Appendix E</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>Sections 9.1</b> and <b>9.2</b> of the EIS   |

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| <b>6 Environmental record of person proposing to take the action</b>   |  |
| 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:<br>(a) the person proposing to take the action; and | <b>Appendix R</b> of the EIS presents Transport for NSW 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 R</b> of the EIS  |
| <b>7 Information sources</b>   |  |
| 7.01 For information given in a draft public environment report or environmental impact statement, the draft must state:<br>(a) the source of the information; and   | Presented throughout all specialist reports and summarised in <b>Chapters 7</b> and <b>8</b> of the EIS<br><br><b>Chapters 3 to 5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts |
| (b) how recent the information is; and   | Presented throughout all specialist reports and summarised in <b>Chapters 7</b> and <b>8</b> of the EIS<br><br><b>Chapters 3 to 5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts |
| (c) how the reliability of the information was tested; and   | Presented throughout all specialist reports and summarised in <b>Chapters 7</b> and <b>8</b> of the EIS<br><br><b>Chapters 3 to 5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts |
| (d) what uncertainties (if any) are in the information.  | Presented throughout all specialist reports and summarised in <b>Chapters 7</b> and <b>8</b> of the EIS<br><br><b>Chapters 3 to 5</b> of the Biodiversity Assessment Report, <b>Appendix E</b> present the relevant environmental information sources required to make a detailed assessment of biodiversity impacts |