

Appendix 2

Director-General's Requirements issued 3 September 2013 and Supplementary Director- General's Requirements issued 29 November 2013

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Development Assessment Systems and Approvals
Mining Projects
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23-33 Bridge Street
GPO Box 39
SYDNEY NSW 2001

Mr Darryl Thiedeke
Hy-Tec Industries Pty Ltd
PO Box 6770
SILVERWATER NSW 1811

Dear Mr Thiedeke

**State Significant Development – Director-General's Requirements
Austen Quarry Extension (SSD-6084)**

Please find attached a copy of the Director-General's environmental assessment requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) for the Austen Quarry Expansion. These requirements have been prepared in consultation with relevant government agencies and are based on the information that you have provided to date.

I have attached a copy of the agencies' comments (see Attachment 2), and you should ensure these comments are appropriately considered in the EIS. Please note that the Department of Primary Industries has only provided draft comments to date, and the Department will send you the final comments in due course.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and an EIS within two years of the date of issue of these DGRs. The Department will review the EIS for the development carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the DGRs.

Your development may require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Department encourages you to confirm whether such an approval will be required as soon as possible (<http://www.environment.gov.au> or 6274 1111). If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGRs may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Brendan Liew at the details listed above.

Yours sincerely

A handwritten signature in blue ink that reads 'D Kitto' followed by the date '3/9/13'.

David Kitto
Director Mining & Industry Projects
As delegate of the Director-General

Director General’s Environmental Assessment Requirements

Section 78A (8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD-6084
Development	<p>Austen Quarry Extension, which includes:</p> <ul style="list-style-type: none"> • extracting up to 1.1 million tons per annum of quarry materials; • extending the existing extraction area by 8.6 hectares (ha); • extending the existing overburden emplacement area by 5.8 ha; • transporting quarry products off-site by road to local and to Sydney markets; • blasting (9 am to 5 pm weekdays); and • rehabilitating the site.
Location	Jenolan Caves Road Hartley, approximately 10 km south of Lithgow
Applicant	Hy–Tec Industries Pty Ltd
Date of Issue	3 September 2013
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> • a detailed description of the development, including: <ul style="list-style-type: none"> – justification for the proposed development; – alternatives considered; – likely components and staging of the development - including construction, operational stage/s and rehabilitation; and – plans of any proposed building works; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and • a statement of commitments, outlining all the proposed environmental management and monitoring measures included in the EIS. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all the assumptions and components from which the CIV calculation is derived; • a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.

<p>Key Issues</p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> • Land Resources – including a detailed assessment of the potential impacts on: <ul style="list-style-type: none"> - soils and land capability; - landforms and topography, including rock formations, steep slopes, land slippage, etc; and - land use, including forestry use; - extractive material resources, including assessment of the size and quality of the resource and description of the methods used to assess the resource and its suitability for the intended applications; • Water Resources – including: <ul style="list-style-type: none"> - detailed assessment of potential impacts on the quality and quantity of existing surface and ground water resources, including: <ul style="list-style-type: none"> o detailed modelling of potential groundwater impacts; o impacts on riparian, ecological, geo-morphological and hydrological values of watercourses, including environmental flows, in particular Coxs River; o whether the development can operate to achieve a neutral or beneficial effect on water quality in the drinking water catchment, consistent with the provisions of <i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i>; - a detailed assessment of the potential impacts of the development on: <ul style="list-style-type: none"> o the quantity and quality of regional water supplies; o regional water supply infrastructure; and o affected licensed water users and basic landholder rights (including downstream water users); - a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures; - identification of any licensing requirements or other approvals under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP) or water source embargo; - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP; - a detailed description of the proposed water management system (including upgraded sewage system), water monitoring program and other measures to mitigate surface and groundwater impacts; and - a flood impact assessment, which identifies impacts on local and regional flood regimes and resultant impacts on infrastructure and public safety, including any measures proposed to mitigate potential flood impacts; • Biodiversity – including: <ul style="list-style-type: none"> - accurate estimates of proposed vegetation clearing and impacts on regionally significant remnant vegetation, or vegetation corridors; - a detailed assessment of potential impacts of the development on any terrestrial or aquatic threatened species or populations and their habitats, endangered ecological communities and groundwater dependent ecosystems; and - a detailed description of the measures that would be implemented to avoid, reduce or mitigate impacts on biodiversity, including an appropriate biodiversity offset strategy; • Traffic & Transport – including: <ul style="list-style-type: none"> - accurate predictions of the road traffic generated by the construction and operation of the development; - an assessment of potential traffic impacts on the safety and efficiency of the road network; and - a detailed description of the measures that would be implemented to maintain and/or improve the capacity, efficiency and safety of the road networks in the surrounding area over the life of the development; • Noise – including a quantitative assessment of potential:
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	<ul style="list-style-type: none"> - construction, operational and off-site transport noise impacts; - reasonable and feasible mitigation measures, including evidence that there are no such measures available other than those proposed; and - monitoring and management measures, in particular real-time and attended noise monitoring; • Blasting – including proposed hours, frequency, methods and impacts; • Air Quality – including a quantitative assessment of potential: <ul style="list-style-type: none"> - construction and operational impacts, with a particular focus on dust emissions; - dust generation from blasting and processing, as well as diesel emissions; - reasonable and feasible mitigation measures to minimise dust and diesel emissions, including evidence that there are no such measures available other than those proposed; and - monitoring and management measures, in particular real-time air quality monitoring; • Heritage – including: <ul style="list-style-type: none"> - an Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must: <ul style="list-style-type: none"> o demonstrate effective consultation with Aboriginal communities in determining and assessing impacts, and developing and selecting mitigation options and measures; o outline any proposed impact mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures); and - a historic heritage assessment (including archaeology) including a statement of heritage impact (including significance assessment) for any State significant or locally significant historic heritage items and outlining any proposed mitigation and management measures. • Visual – including: <ul style="list-style-type: none"> - a detailed assessment of the: <ul style="list-style-type: none"> o changing landforms on site during the various stages of the development; and o potential visual impacts of the development on private landowners in the surrounding area as well as key vantage points in the public domain including Hassans Wall Lookout; - a detailed description of the measures that would be implemented to minimise the potential visual impacts of the development; • Waste – including: <ul style="list-style-type: none"> - accurate estimates of the quantity and nature of the potential waste streams of the development; - a waste disposal strategy; - details of the importation of materials onto the site; and - a description of measures that would be implemented to minimise production of other waste, and ensure that that waste is appropriately managed; • Greenhouse Gases – including: <ul style="list-style-type: none"> - a quantitative assessment of potential Scope 1, 2 and 3 greenhouse gas emissions and an assessment of reasonable and feasible measures to minimise greenhouse gas emissions and ensure energy efficiency; • Hazards – paying particular attention to public safety, including bushfires; • Social & Economic – including: <ul style="list-style-type: none"> - an assessment of potential impacts on local and regional communities, including impacts on social amenity; - a detailed description of the measures that would be implemented to minimise the adverse social and economic impacts of the development, including any infrastructure improvements, or contributions and/or voluntary planning agreement or similar mechanism; and - a detailed assessment of the costs and benefits of the development as a whole, and whether it would result in a net benefit for the NSW community; • Rehabilitation – including the proposed rehabilitation strategy for the site having regard to the key principles in the <i>Strategic Framework for Mine</i>
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	<p><i>Closure</i>, including:</p> <ul style="list-style-type: none"> - rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These documents should be included as part of the EIS rather than as separate documents.</p>
Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with the:</p> <ul style="list-style-type: none"> • Commonwealth Department of Sustainability, Environment, Water, Population and Communities; • Office of Environment and Heritage (including the Heritage Branch); • Environment Protection Authority; • Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services; • Department of Primary Industries (including the NSW Office of Water, NSW Forestry, Agriculture and Fisheries sections, and Catchments and Lands (Crown Lands Division)); • Rural Fire Service; • Roads and Maritime Services; • Sydney Catchment Management Authority; • Blue Mountains City Council; and • Lithgow City Council. <p>The EIS must:</p> <ul style="list-style-type: none"> • describe the consultation process used and demonstrate that effective consultation has occurred; • describe the issues raised by public authorities, service providers, community groups and landowners; • identify where the design of the development has been amended in response to issues raised; and • otherwise demonstrate that issues raised have been appropriately addressed in the assessment.
Further consultation after 2 years	<p>If you do not lodge a DA and an EIS for the development within 2 years of the issue date of these DGRs, you must consult further with the Director-General in relation to the requirements for lodgement.</p>
References	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p>

ATTACHMENT 1
Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

- <http://www.planning.nsw.gov.au>
- <http://www.bookshop.nsw.gov.au>
- <http://www.publications.gov.au>

Policies, Guidelines & Plans

Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Land Resources	
	Agricultural Impact Assessment Guidelines 2012 (DP&I)
	Agfact AC25: Agricultural Land Classification (NSW Agriculture)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Agricultural Issues for Extractive Industries (NSW Department of Trade and Investment, Regional Infrastructure and Services)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC)
Water Resources	
	NSW Water Management Act 2000
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
<i>Surface Water</i>	Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2009
	NSW Government Water Quality and River Flow Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries.
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Floodplain Development Manual (DIPNR)
	Floodplain Risk Management Guideline (DECC)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	Technical Guidelines: Bunding & Spill Management (DECC)
Environmental Guidelines: Use of Effluent by Irrigation (DECC)	
	NSW Water Management Act 2000
	NSW Water Act 1912
<i>Groundwater</i>	Office of Water Guidelines for Controlled Activities (2012)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)



	NSW State Groundwater Quantity Management Policy (DLWC, 1998)
	Guidelines for the Assessment & Management of Groundwater Contamination (DECC, 2007)
	Any relevant Water Sharing Plan for groundwater and surface water resources
	NSW Aquifer Interference Policy (2012)
Biodiversity	
	Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW 2009)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DECC 2004)
	Guidelines for Threatened Species Assessment (DoP 2005)
	BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECCW 2011)
	The Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)
	NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
	Principles for the Use of Biodiversity Offsets in NSW (OEH)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Noise & Blasting	
	NSW Industrial Noise Policy (DECC)
	Environmental Noise Management – Assessing Vibration: a technical guide 2006 (DEC)
	NSW Road Noise Policy 2011 (DECCW)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZECC)
	Environmental Criteria for Road Traffic Noise (EPA)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW 2005 (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
	Guidelines from the USEPA, the California EPA Office of Environmental Health and EPA Victoria relating to respirable crystalline silica
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC 2005)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)
	Code of Practice for Archaeological Investigations of Objects in New South Wales 2010 (OEH)
<i>Historic</i>	NSW Heritage Manual (NSW Heritage Office)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Waste	
	Waste Classification Guidelines (EPA)
Greenhouse Gases	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines - Applying SEPP 33

	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
<i>Bushfire</i>	Planning for Bush Fire Protection 2006
	Guide for Developing a Bush Fire Emergency Evacuation Plan
Socio-Economic	
	Draft Economic Evaluation in Environmental Impact Assessment (DoP)
	Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)
	Strategic Framework for Mine Closure (ANZMEC-MCA)



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SYDNEY NSW 2001

Mr Darryl Thiedeke
Hy-Tec Industries Pty Ltd
PO Box 6770
SILVERWATER NSW 1811

Dear Mr Thiedeke

**State Significant Development – Supplement to Director-General's Requirements
Austen Quarry Extension (SSD-6084)**

I refer to the Director-General's requirements issued for the Austen Quarry Extension on 3 September 2013.

As you are aware, this project has been declared a controlled action under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Commonwealth Department of the Environment has accredited the NSW Part 4 State Significant Development assessment process for the Project.

To ensure that sufficient information is provided to enable an appropriate level of assessment of relevant matters of National Environmental Significance, the Director-General has issued supplementary requirements for the Environmental Impact Statement (EIS) under section 78A(8A) of the *Environmental Planning and Assessment Act 1979*. A copy of the supplementary requirements is attached.

You must ensure that the EIS adequately addresses the Director-General's requirements issued on 3 September 2013, as well as the attached supplementary requirements.

To facilitate the accredited assessment process, the EIS must provide a clear assessment of all State and Commonwealth matters. While these matters may be assessed in an integrated manner in the main EIS report, this document must be accompanied by a separate appendix that deals with all relevant Commonwealth matters of National Environmental Significance in a single discrete location.

If you have any enquiries about these requirements, please contact Brendan Liew at the details listed above.

Yours sincerely

A handwritten signature in blue ink that reads 'D Kitto' followed by the date '29/11/13'.

David Kitto
Director Mining & Industry Projects
As delegate of the Director-General

Supplementary Director-General's Requirements

Section 78A (8A) of the NSW *Environmental Planning and Assessment Act 1979*

A delegate for the Commonwealth Minister for the Environment, has determined that the **Austen (Hartley) Quarry Stage 2 Project (EPBC 2013/6967)** located adjacent to the Coxs River approximately 3.5 km south-southwest of the village of Hartley and 10 km south of the township of Lithgow, NSW to be a controlled action under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The action is likely to have a significant impact on the following matters of National Environmental Significance:

- Listed threatened species and communities (s18 & 18A)

In particular, the proposed action is likely to cause a significant impact on the population of vulnerable listed Silver-leafed Mountain Gum (*Eucalyptus pulverulenta*).

The following matters must be addressed in the Environmental Assessment of the action.

Key Assessment requirements:

A significant impact is considered likely or possible for the population of this vulnerable species protected by the EPBC Act including, but not limited to:

- The loss of approximately 1,500 plants of *E. pulverulenta* from the existing surveyed population of 3,900 individuals within the boundary of the of the expected extraction area (of which 1,386 have been planted in rehabilitation areas).
- The loss of approximately 1,500 plants of *E. pulverulenta* for the total remaining ten natural populations of the species currently recorded in the Lithgow to Bathurst area with approximately 5,400 individuals (according to the Department's Species Profile and Threats Database [SPRAT]).
- A likely reduction in the reproduction and dispersal of this key source population.
- The possible loss of genetic diversity from this population.
- The possible long-term decrease in the size of an important population of the species; and
- The possible negative impact on habitat critical to the survival of the species.

In accordance with the one-off accredited assessment process for this project, the environmental assessment of the impacts of the controlled action must be assessed under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The assessment should include enough information about the action and its relevant impacts to allow the Minister for the Environment to make an informed decision on whether or not to approve the action under the EPBC Act.

The following assessment requirements concerning matters in the EPBC Act and schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* should be integrated into the assessment requirements of the EP&A Act.

General information

1. 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.

Description of the controlled action

2. A description of the action, including:
 - a. all the components of the action;
 - b. the precise location (including coordinates) 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. the timing and duration of the works to be undertaken; and
 - e. to the extent reasonably practicable, a description of any feasible alternatives to the controlled action that have been identified through the assessment, and their likely impact, 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;
 - iii. sufficient detail to clarify why any alternative is preferred to another.

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

Description of the existing environment

3. A description of the existing environment of the proposal location and the surrounding areas that may be affected by the action, including but not limited to:
 - a. surveys using accepted methodology for targeting the species including but not limited to the Department of the Environment's, species-specific survey guidelines for nationally threatened species, available at: www.environment.gov.au/cgi-bin/sprat/public/sprat.pl;
 - b. a description of the distribution and abundance of this vulnerable species of *E. pulverulenta*.

Description of the relevant impacts of the controlled action

4. An assessment of all relevant impacts¹ with reference to the *EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (2013)* and species specific guidelines as relevant (available at: www.environment.gov.au/epbc/guidelines-policies.html) that the controlled action has, will have or is likely to have. Information must include:
 - a. a description of the relevant impacts of the action on matters of national environmental significance;
 - 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;

¹ The term "relevant impact" is defined in section 82 of the EPBC Act.

- e. any technical data and other information used or needed to make a detailed assessment of the relevant impacts.
5. Where there is a potential habitat for EPBC Act listed species surveys must be undertaken. These surveys must be timed appropriately and undertaken for a suitable period of time by a qualified person. A subsequent description of the relevant impacts on such EPBC Act listed species should include, inter alia, direct, indirect, cumulative and facilitative impacts on the:
- a. population of the species at the site; and
 - b. area of occupancy of the species.

Proposed safeguards, avoidance and mitigation measures

6. A description of feasible avoidance and mitigation measures, changes to the action or procedures, which have been proposed by the proponent or suggested in public submissions, and which are intended to prevent or minimise relevant impacts. Information must include:
- a. a description of the mitigation measures that will be undertaken to prevent or minimise the relevant impacts of the action. Mitigation measures should be justified and based on best available practices;
 - b. an assessment of the expected or predicted effectiveness of the mitigation measures including the effect on abundance and condition of the species;
 - c. any statutory or policy basis for the mitigation measures;
 - d. an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs (including any relevant thresholds for corrective actions) for the relevant impacts of the action. Include the person or agency responsible for implementing these programs and the effectiveness of all mitigation measures, including any provisions for independent environmental auditing;
 - e. the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;
 - f. any changes to the action which prevent or minimise relevant impacts on listed threatened species and communities.
 - g. Other details, including cost of measures, if relevant.

Offsets

7. Where impacts cannot be avoided or mitigated, an offset package to compensate for any predicted or potential residual significant impacts on matters of national environmental significance will be required. Offsets should demonstrate consistency with the EPBC Act Environmental Offsets Policy (October 2012, or subsequent versions), available at www.environment.gov.au/epbc/publications/environmental-offsets-policy.html. Information requirements in relation to EPBC Act offset proposals are provided at Appendix A.

Information must include:

- a. the description of any offset package should include how the offset compensates for the residual impacts, when the offset will be delivered and how the offset will be managed;
- b. an assessment of the impact of the offsets on other matters of environmental, economic, or social significance; and
- c. analysis of cost, both financial and other, related to offsets.

Other approvals and conditions

8. Any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action. Information 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 EPBC Act), including any conditions that apply to the action;
 - c. a statement identifying any additional approval that is required;
 - d. a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

Economic and social matters

9. A description of the short-term and long-term social and economic implications and/or impacts of the project.

Environmental record of person proposing to take the action

10. 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 proponent; and
 - b. for an action for which a person has applied for a permit, the person making the application.
11. Details of the proponent's environmental policy and planning framework.

Information sources

12. For information given in an environment assessment, 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; and
 - d. what uncertainties (if any) are in the information.

Consultation

13. 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.
14. Identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

Appendix A

Information requirements for EPBC Act offset proposals

- Details in relation to the proposed offsets package, including:
 - the location and size, in hectares, of any offset site(s);
 - maps clearly showing for each offset site:
 - the relevant ecological features;
 - the landscape context; and
 - the cadastre boundary.
 - the current tenure arrangements (including zoning and ownership) of any proposed offset sites;
 - confirmed records of presence (or otherwise) of relevant protected matter(s) on the offset site(s); and
 - detailed information regarding the presence 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:
www.environment.gov.au/epbc/publications/environmental-offsets-policy.html.
- 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:
 - management actions that will be undertaken that 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;
 - the time over which management actions will deliver any proposed improvement or maintenance of habitat quality for the relevant protected matter(s);
 - 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:
 - presence of pending development applications, mining leases or other activities on or near the proposed offset site(s) that indicate development intent;
 - average risk of loss for similar sites; and
 - presence and strength of formal protection mechanisms currently in place.
 - the legal mechanism(s) that are proposed to protect offset site(s) into the future and avert any risk of damage, degradation or destruction.
- Provide information regarding how the proposed offsets package is additional to what is already required, as determined by law or planning regulations, agreed to under other schemes or programs or required under an existing duty-of-care.
- The overall cost of the proposed offsets package; including costs associated with, but not limited to:
 - acquisition and transfer of lands/property;
 - implementation of all related management actions; and
 - monitoring, reporting and auditing of offset performance.