



Australian Government
Department of the Environment

Environment Protection and Biodiversity Conservation Act 1999

**GUIDELINES FOR AN ENVIRONMENTAL IMPACT STATEMENT TO UNDERTAKE
CAPITAL DREDGING, ONSHORE PLACEMENT AND REUSE OF DREDGED MATERIAL
AT ABBOT POINT, 25 KM NORTH OF BOWEN, NORTH QUEENSLAND
(EPBC 2015/7467)**

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PREAMBLE

This document is intended to set the scope of environmental, social, and economic studies required in the Environmental Impact statement (EIS) to allow for an assessment and decision on the appropriateness of the construction and operation of assets for the Abbot Point Growth Gateway Project, Queensland.

Director-General, Queensland Government Department of State Development (hereafter referred to as the proponent) proposes to undertake capital dredging, onshore placement and reuse of dredged material at Abbot Point, 25 km north of Bowen, North Queensland.

The proposed action involves:

- construction of onshore dredged material containment areas on the site previously allocated for the development of 'Terminal 2' (T2) coal export terminal and adjoining industrial land;
- capital dredging of approximately 1.1 million cubic metres (Mm³) in situ of previously undisturbed seabed for new berth pockets and ship apron areas required to support the development of Terminal 0 (T0);
- relocation of the dredge material to the onshore dredged material containment areas and offshore discharge of return water draining out of the dredged material; and
- ongoing management of the dredged material including its removal, treatment and beneficial reuse within the port area and the Abbot Point State Development Area, where appropriate.

The proposal was referred for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 16 April 2015. The assessment process commenced following a determination on 14 May 2015 by the Minister for Environment (the Minister) that the proposed action was a controlled action under the provisions of the EPBC Act. The controlling provisions for the proposal under the EPBC Act are:

- sections 12 and 15A (World Heritage properties);
- sections 15B and 15C (National Heritage places);
- sections 18 and 18A (listed threatened species and communities);
- sections 20 and 20A (listed migratory species);
- sections 23 and 24A (Commonwealth marine areas); and
- sections 24B and 24C (Great Barrier Reef Marine Park).

On 14 May 2015, the Minister determined that the project would be assessed by environmental impact statement (EIS). The EIS Guidelines identify the issues the Australian Government expects the proponent to address in the EIS.

There are opportunities for public input throughout the environmental impact assessment process. The following are statutory requirements for public input:

- for a period of 10 business days when the Project EPBC Act referral was lodged on 16 April 2015 to the Department of the Environment (the Department) and placed on the Department's website; and
- for a period of at least 20 business days during the period for public comment when the draft EIS has been completed and submitted to the Australian Government.

In addition to the above statutory requirements, the proponent may seek to engage the community in consultation throughout the development of the EIS. The nature and level of this engagement is at the discretion of the proponent.

PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT

1. OVERVIEW

Environmental impact assessment depends on adequately defining those elements of the environment that may be affected by a proposed development, and on identifying the significance, risks and consequences of the potential impacts of the proposal at a local, regional and national level. The EIS will be a significant source of information on which the public and government decision makers will assess the potential environmental impacts of the proposal.

It is expected that additional ecological work will have to be undertaken to provide sufficient information for the EIS. The nature and level of investigations should be related to the likely extent and gravity of the potential impacts (including worse case scenarios). All potentially significant impacts of the proposal on the relevant matters of National Environmental Significance are to be investigated and analysed, and commitments to mitigate and offset any adverse impacts are to be detailed in the EIS.

This document provides guidelines (or terms of reference) for the drafting of the EIS based on the formal requirements for the contents of an EIS provided in Section 102 of the EPBC Act and Schedule 4 of the *Environment Protection and Biodiversity Conservation Act Regulations 2000* (the Regulations) (**Attachment 1**).

In preparing the EIS the proponent should bear in mind the following aims of the EIS and public review process:

- to provide a source of information from which interested individuals and groups may gain an understanding of the proposal, the need for the proposal, the alternatives, the environment which it could potentially affect, the impacts that may occur and the measures proposed be taken to minimise these impacts;
- to provide a forum for public consultation and informed comment on the proposal; and
- to provide a framework in which decision-makers can consider the environmental aspects of the proposal in parallel with economic, social, technical and other factors.

The proponent should ensure that the EIS discusses compliance with the objectives of the Act and the principles of ecologically sustainable development as set out in the EPBC Act (**Attachment 2**).

The draft EIS prepared by the proponent must be approved for publication by the Minister prior to it being published in accordance with the Regulations. An invitation for anyone to give the proponent comments relating to the draft report within the period specified must also be published. After the period for comment, the proponent must take account of the comments received in finalising the EIS, which is then provided to the Minister. A recommendation report is then prepared by the Department. Following this, in accordance with Part 9, Division 1 of the EPBC Act, the Minister will decide whether to approve the proposal and attach any conditions required.

It is the responsibility of the proponent preparing the EIS to identify and address, as fully as possible, all matters relevant to this proposal and its potential impacts.

The EIS should provide a description of the existing environment in the area and any construction and operations proposed. All potentially significant impacts on the environment are to be investigated and analysed. The EIS should present an evaluation of the potential environmental impacts using a thorough risk-based methodology and describe proposed measures to avoid or minimise the expected, likely, or potential impacts to as low as reasonably practicable. Particular attention should be paid to potential impacts relating to the relevant EPBC Act controlling provisions for this project. Any prudent and feasible alternatives should be discussed in detail and the reasons for selection of the preferred option should be clearly given.

These guidelines are not necessarily exhaustive and should not be interpreted as excluding from consideration currently unforeseen matters that emerge as important from environmental studies or otherwise during the course of the preparation of the EIS, deemed to be significant, but not incorporated in them.

The specific requirements to be addressed in the EIS are provided in Section 3. It is on these requirements that public comment is sought, with the earlier sections of this document providing the context.

2. GENERAL CONTENT REQUIREMENTS

The EIS should be a stand-alone document. It should contain sufficient information from any studies or investigations undertaken to avoid the need to search out previous or supplementary reports.

The EIS should enable interested stakeholders and the assessing agency to understand the environmental consequences of the proposed development. Information provided in the EIS should be objective, clear, 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 style that is easily understood by the general reader. Technical jargon should be avoided wherever possible and a full glossary included. 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 issued with the EIS. Any additional supporting documentation and relevant studies, reports or literature not normally available to the public from which information has been extracted should be made available at appropriate locations during the period of public display of the EIS.

If there is a necessity to make use of material that is considered to be of a confidential nature, for instance information obtained in regard to traditional use or of a commercial nature, the proponent may request that such information remain confidential and not be included in any publicly available document.

An executive summary should be provided in the EIS and made available separately for public information.

The EIS should state the criteria adopted in assessing the proposal and its potential impacts, such as compliance with relevant legislation, policies and standards, community acceptance, maximisation of environmental benefits (if any) and minimisation of risks and harm.

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 EIS should comprise three elements:

- a) the executive summary;
- b) the main text of the document, which should be written in a clear and concise manner so as to be readily understood by general readers; and
- c) appendices containing:
 - a copy of these guidelines; and
 - detailed technical information or other sensitive commercial or cultural information.

Part 5 of these guidelines details the required content of the EIS and has 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, all requirements set out in the EPBC Act and Regulations must still be addressed.

The EIS should be written so that any conclusions reached can be independently assessed. To this end all sources must be appropriately referenced.

3. SPECIFIC CONTENT REQUIREMENTS

An extract of Schedule 4 of the Regulations, which sets out the matters that must be addressed in an EIS, is provided at **Attachment 1**. The following content requirements are based on these matters with the addition of directions specific to the proposed action and the receiving environment. Requirements on presentation and consultation, that have proven valuable in communicating with members of the public and specific interest groups, are also included.

3.1. Executive Summary

An executive summary that outlines the key findings of the EIS must be provided. The executive summary must briefly:

- a) state the background and the need for the proposal;

- b) discuss alternatives and the reasons for selecting the preferred option and rejecting the alternatives;
- c) summarise the construction, operational activities and decommissioning associated with putting the proposed action into practice;
- d) state the proposed schedule for each key component of the proposal, the relationships and interdependencies between each stage, the expected duration of each stage and the proposed action as a whole;
- e) provide an overview of the existing regional and local environments, summarising the features of the physical, biological, social, cultural and economic environment relating to the proposed action and associated activities;
- f) summarise stakeholder consultation undertaken in preparing the EIS;
- g) describe the expected, likely and potential impacts of the proposed action on matters of National Environmental Significance during construction, operational and decommissioning phases, including cumulative impacts;
- h) summarise the environmental protection measures and safeguards, mitigation measures, offsets and monitoring to be implemented for the proposal; and
- i) provide an outline of the environmental record of the proponent.

3.2. Objective

The objectives of the EIS must be clearly stated and include specific reference to EPBC Act legislative requirements.

3.3. General information

The EIS must provide the background of the proposed development. This must include:

- a) the title of the proposal;
- b) the full name and postal address of the designated proponent;
- c) a clear outline of the proposal;
- d) the location of the proposal;
- e) the background to the development of the proposal;
- f) how the proposed action relates to any other developments that have been, or are being, taken or that have been approved in the region;
- g) the current status of the proposal;
- h) the consequences of not proceeding with the proposed action or components of the proposal;
- i) a brief explanation of the scope, structure and legislative basis of the EIS;

- j) the specific EPBC Act matters affected by the proposal; and
- k) a description of government planning policies, statutory controls and agreements which will influence the proposal. All applicable jurisdictions and areas of responsible authorities within the area (both terrestrial and marine) must be listed and shown on maps at appropriate scales.

3.4. Description of the proposed action

The EIS must describe the proposed action in sufficient detail to allow an understanding of all stages (including interdependencies between stages) and components of the proposal, and determine potential environmental impacts associated with the proposal. Those elements with potential implications for matters protected under Part 3 of the EPBC Act must be highlighted.

The description of the action must cover:

- a) the environmental principles on which the action will be managed;
- b) all the components of the action including:
 - site preparation;
 - associated infrastructure;
 - construction;
 - operation;
 - related maintenance activities; and
 - decommissioning time frames and approach.
- c) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts, including illustrations or maps;
- d) how the works are to be undertaken and design parameters for those aspects of the structures or elements (including the containment areas, and pipelines) of the action that may have relevant impacts. This must include:
 - an explanation of the anticipated timetable for the construction, commissioning, operation and decommissioning; and
 - details of the construction, commissioning, operational and decommissioning equipment to be used;
- e) details of the treatment and ongoing management of the dredged material in the containment areas; and
- f) reference must be made to detailed technical information in appendices where relevant.

3.5. Alternatives to the Proposal

This section must describe, to the extent reasonably practicable, any prudent and feasible alternatives to the action. For each alternative listed the proponent must provide the project details, impacts (positive and negative), location, scale, configuration and staging options. Sufficient detail must be provided to make clear why any alternative is preferred to another. This section must describe, but not be limited to the following:

- a) if relevant, the alternative of taking no action;
- b) a comparative description of the adverse and beneficial impacts of each alternative infrastructure and location on the matters protected by the controlling provisions for the action; and
- c) sufficient detail must be provided to make clear why any alternative is preferred to another.

3.6. Consultation

Details of any consultation about the action must be provided. This is to include:

- a) consultation that has already taken place;
- b) if there has been consultation about the proposed action — any documented response to, or result of, the consultation; and
- c) any further proposed consultation about potential impacts of the action.

3.7. The Existing Environment

The EIS must provide a description of the environment of the project area and the surrounding areas and include baseline condition and trends of the environment, including hydrology, sediment flows, geography, flora and fauna, cultural and heritage values, and all relevant socio-economic considerations. This section must link to the proposed action description, potential impacts to matters of National Environmental Significance, and proposed avoidance, mitigation adaptive management framework and/or offset measures throughout the life of the project including construction, operation and decommissioning. This section is to also identify and reference any relevant (published and unpublished) studies undertaken in the area which will assist in describing patterns and trends in the environment.

3.7.1 *Matters of National Environmental Significance*

The discussion must include the following information:

- a) a discussion of any previous surveys or studies in relation to matters of National Environmental Significance listed as controlling provisions for the proposed action;
- b) a discussion the results of the output from the protected matters search tool (accessible from the Department's website), indicating the presence of matters of National Environmental Significance, with the discussion focused on any species or values considered likely or known to occur in areas impacted by the proposed action;

- c) a discussion of listed threatened and ecological communities and listed migratory species that are likely to be present in the vicinity of the site, and / or impacted by the proposed action;
- d) information on listed threatened species and ecological communities and / or listed migratory species, including foraging, roosting, resting and nesting habitats, must include but not be limited to:
 - description and maps of habitat (including maps of and descriptions of critical habitat) for listed threatened species, ecological communities and listed migratory species;
 - the importance of habitat (including habitat condition, utilisation and connectivity);
 - conservation and biodiversity values;
 - the extent (in hectares) of any areas of important or unique habitat; and
 - seasonality influences.
- e) a description of the World Heritage and National Heritage values of the Great Barrier Reef World Heritage property and National Heritage places that may be impacted by the proposed action;
- f) a description of the values of the environment of the Great Barrier Reef Marine Park that may be impacted by the proposed action;
- g) description of the environment of the Commonwealth marine areas;
- h) identify the desired conservation outcomes that the project has for matters of National Environmental Significance;
- i) describe the biophysical/regional conditions that are required for matters of National Environmental Significance to be maintained and that are required to reach articulated conservation objectives for matters of National Environmental Significance;
- j) describe the extent to which the general environment, ecosystems and matters of National Environmental Significance are already stressed or under threat by natural and anthropogenic effects; and
- k) identify and describe the existing uses of the area and nearby areas that may be affected by the proposed action (for example, existing infrastructure and the Caley Valley Wetlands).

All maps provided must be produced at a sufficiently fine scale and must be as accurate as possible, and must consider their primary purpose and end use (for example, to evaluate habitat loss and inform locations of monitoring and reference sites).

The EIS must also demonstrate that relevant Government policies have been considered, including the *Great Barrier Reef Region Strategic Assessments*, the *Queensland Ports*

Strategy, the North East Shipping Management Plan and the Synthesis of the current knowledge of the biophysical impacts of dredging and disposal on the Great Barrier Reef (March 2015).

3.7.2 Socio-economic and Cultural Environment

The EIS must provide a discussion of the socio-economic and cultural environment, including a description of government planning policies and statutory controls which will influence the project, surrounding areas of future, planned and current use. All applicable jurisdictions and areas of responsible authorities within the area must be listed and shown on maps at appropriate scales.

3.8. Impacts of the Action

This section must include:

- a) a description of all relevant potential impacts of the proposed action;
- b) a statement whether any relevant potential impacts are likely to be unknown, unpredictable or irreversible;
- c) analysis of the significance of the relevant potential impacts;
- d) any technical data, any sources of authority, and other information used or needed to make a detailed assessment of the relevant potential impacts. Reliability of forecasts and predictions, confidence limits and margins of error must be indicated as appropriate;
- e) a detailed assessment of the nature and extent of the potential short term and long term relevant impacts including on matters of National Environmental Significance (under part 4 of the EPBC Act).

3.9. General Impacts

The EIS must include:

- a) discussion of potential impacts to habitat for matters of National Environmental Significance which are likely to be impacted during construction and operation;
- b) discussion of the potential impacts on water quality including surface and groundwater and marine waters;
- c) discussion of potential impacts which may arise through the transportation, storage and use of dangerous goods (if any), fuels and chemicals, such as accidental spill;
- d) discussion of potential impacts on the surrounding environment (for example Caley Valley Wetlands); and
- e) in discussing potential impacts, consider how the interaction of extreme environmental events and any related safety response may impact on the environment;

3.9.1 Impacts to listed threatened species and ecological communities

The EIS must provide an assessment of all potential and likely impacts to listed threatened species and ecological communities from the construction, on-going operation and decommissioning of the development. Relevant conservation advices, recovery plans and threat abatement plans must be referenced. Discuss how the project has taken into consideration approved conservation advices relevant for the threatened species and community.

The EIS must also demonstrate that the project will not be inconsistent with a relevant recovery plan or threat abatement plan.

3.9.2 Impacts to listed migratory species

The EIS must provide an assessment of all potential and likely impacts to listed migratory species from the construction, on-going operation and decommissioning of the development.

3.9.3 Impacts to listed values of the Great Barrier Reef World Heritage Property

The EIS must provide an assessment of all potential and likely impacts to the World Heritage values of the Great Barrier Reef World Heritage property that have been identified as being expressed in the vicinity of the proposed action during construction, operation (including through facilitated impacts) and decommissioning of the proposal. This assessment must include an analysis of the impact of the proposed action on the expression of the values at this location and how this in turn impacts on the overall values of the Great Barrier Reef World Heritage property.

Provide an analysis of potential and likely impacts of the proposed action on the integrity and Outstanding Universal Value of the Great Barrier Reef World Heritage Area.

The EIS must demonstrate how the proposed action will provide a net benefit for water quality in the Great Barrier Reef World Heritage, consistent with *The Reef 2050 Long-Term Sustainability Plan* (2015).

3.9.4 Impacts to listed values of the Great Barrier Reef National Heritage Place

The EIS must provide an assessment of all potential and likely impacts to the National Heritage values of the Great Barrier Reef National Heritage place that have been identified as being expressed in the vicinity of the proposed action during construction, operation and decommissioning of the proposal. This assessment must include an analysis of the impact of the action on the expression of the values at this location and how this in turn impacts on the overall values of the Great Barrier Reef National Heritage place.

3.9.5 Impacts to the Great Barrier Reef Marine Park

The EIS must provide an assessment and discussion of the potential and likely impacts of the proposed development on the environment of the Great Barrier Reef Marine Park. This must reference the key values and attributes outlined in the *Great Barrier Reef Outlook Report 2014* (Great Barrier Reef Marine Park Authority) that may be impacted by proposed development.

This must include a discussion of impacts resulting from:

- (a) nutrients and sediments from run-off;
- (b) increase sediments as a result of dredging activities;
- (c) noise and physical impacts to threatened and migratory species; and
- (d) supporting terrestrial habitat that may be modified.

3.9.6 *Commonwealth marine areas*

The Commonwealth marine area is any part of the sea, including the waters, seabed, and airspace, within Australia's exclusive economic zone and/or over the continental shelf of Australia, that is not State or Northern Territory waters.

The EIS must provide an assessment of the potential and likely impacts of the proposed development on the environment in a Commonwealth marine area. This must include a discussion of impacts resulting from:

- (a) nutrients and sediments from run-off;
- (b) increase sediments as a result of dredging activities;
- (c) noise and physical impacts to threatened and migratory species; and
- (d) increased shipping.

3.9.7 *Cumulative Impacts of the Action*

The EIS must 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 vicinity). Where relevant to the potential impact, risk assessment must be conducted and documented. The risk evaluation must include known potential future expansions or developments by the proponent and other proponents in the vicinity. Information on cumulative impacts must include, but not be limited to:

- (a) discussion of the range of developments/ action (including increased shipping) which will be facilitated by the proposed action;
- (b) discussion of any potential future changes to water quality;
- (c) discussion on how the proposed action is not inconsistent with the principals and objectives of management plans relevant to matters of National Environmental Significance (for example the *Reef 2050 Long term Sustainability Plan 2050*, bioregional plans); and
- (d) discussion of the impacts of other infrastructure projects both directly and indirectly related to the proposal at the Port of Abbot Point and in the regional context.

3.9.8 *Consequential Impacts*

The EIS must:

- a) provide a detailed assessment of the likely consequential impacts that the proposed development will have on the following:
 - habitat for listed threatened species and ecological communities;

- habitat for listed migratory species.
 - the World Heritage values of the Great Barrier Reef World Heritage property
 - the National Heritage Values of the Great Barrier Reef World Heritage place;
 - the Great Barrier Reef Marine Park; and
 - the environment in the Commonwealth marine area;
- b) provide details on how the potential impacts associated with increased shipping activities will be addressed.

3.10. Greenhouse Gases

The EIS is to outline the cumulative direct and indirect greenhouse gas emissions of the proposed action. An inventory of the projected greenhouse gas emissions associated with the proposed action is to be provided. This inventory should include, for context, an outline of total global greenhouse gas emissions.

3.11. Avoidance, Safeguards and Mitigation Measures

The EIS is to outline the proposed avoidance, safeguards and mitigation measures to be put in place for every phase of the proposed action to deal with relevant (potential and anticipated) impacts of the action. Specific and detailed descriptions of proposed measures must be provided and substantiated, and must include the following elements:

- a) identify the level of risk associated with potential impacts already identified and those that require mitigation, monitoring or management to avoid or reduce impacts;
- b) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or treat the relevant potential impacts of the action (impacts upon matters protected under Part 3 of the EPBC Act), including any mitigation measures proposed to be taken by State governments, local governments or the proponent;
- c) a description of the mitigation measures as well as an assessment of the expected or predicted effectiveness of the mitigation measures;
- d) any statutory or policy basis for the mitigation measures; and
- e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.

Particular focus must be given to:

- f) determining factors in the planning of the proposal so as to avoid damage to the environment;
- g) the development of measures to minimise and manage the potential risk of storage failure and/ or overflow of the containment areas;
- h) measures to avoid or minimise damage to the Great Barrier Reef World Heritage Area;

- i) measures to avoid or minimise damage to the National Heritage Values of the Great Barrier Reef;
- j) measures to avoid or minimise damage to the environment in the Commonwealth marine areas;
- k) measures to avoid or minimise damage to the environment of the Great Barrier Reef Marine Park;
- l) measures to avoid or minimise disturbance to fauna and flora found around and within the proposal area (particularly listed threatened species and ecological communities and listed migratory species); and
- m) staff training, including training in relation to environmental issues.

3.12. Offsets

Environmental offsets are broadly understood to mean actions taken outside a development site that compensate for the significant residual impacts of that development. Environmental offsets provide an opportunity to achieve long-term conservation outcomes whilst providing flexibility for proponents seeking to undertake development which will have environmental impacts. Offsets are not intended to replace avoidance and mitigation which are expected to be the primary strategies for managing the potential impacts of development proposals.

Offset proposals must be in accordance with the Department's *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (2012)* or any updated version of this document.

This section should outline plans to offset the potential residual impacts of the action. Environmental offsets may be appropriate when they:

- are necessary or convenient to protect or repair impacts to a protected matter – i.e. a matter of national environmental significance or the environment more broadly;
- relate specifically to the matter (for example, species) being impacted; and
- seek to ensure that the health, diversity and productivity of the environment is maintained or enhanced.

3.13. Monitoring and Reporting

Appropriate baseline data requirements are to be identified as part of the EIS to form the basis for baseline measurement and ongoing monitoring of environmental parameters. It must be demonstrated that the proposed methods for baseline measurements and subsequent monitoring are scientifically and statistically sound. This section must identify parameters to be monitored and their response trigger values and response activities.

This section is to also identify and describe monitoring programs, procedural and compliance audit programs and reporting requirements and arrangements which will demonstrate the effectiveness of management and monitoring (linked to environmental management systems (EMS) / environmental management plan (EMP) procedures – see below).

The proponent must, in addition to outlining proposed programs, clearly identify what is to be monitored and why. Monitoring programs must be designed to provide objective evidence regarding activities associated with the proposal and if these activities are adversely impacting on the environment in the short, medium and long term.

Monitoring programs must demonstrate consideration of:

- a) ecosystems and habitats, flora and fauna (particularly listed threatened species and ecological communities and listed migratory species), and water quality issues;
- b) measuring the effectiveness of mitigation and/or rehabilitation measures;
- c) documenting the difference between predicted and actual impacts;
- d) methods for identification of non-predicted impacts and appropriate reporting and remedial measures;
- e) application and effectiveness of emergency and contingency plans; and
- f) review of consultation and management arrangements with regulatory authorities and the community.

3.14. Environmental Management System

The overall environmental management philosophy to be applied to the areas affected by the proposal is to be enunciated. An outline of the proposed EMS is to be contained in the EIS document. It must include summary details of audit protocols and reporting procedures.

Reference must be made within the outline of the EMS to consultation, relevant legislation, standards adopted, safeguards planned, management practices, monitoring programs and emergency contingency plans. Reference must also be made to EMPs to manage impacts on the World and National Heritage values of the Great Barrier Reef, the Great Barrier Reef Marine Park, the Commonwealth marine area, listed threatened species and communities and listed migratory species.

An outline of the EMP must be presented in this section of EIS. It must, as a minimum, detail:

- a) monitoring arrangements;
- b) reporting arrangements; and
- c) feedback of monitoring results into project management.

Details of requirements for the preparation of EMPs under other relevant legislation must also be provided. In an effort to minimise duplication, areas of consistency between separate requirements must also be highlighted.

3.15. Other Approvals and Conditions

The EIS is to include information on other approvals to be obtained and the associated conditions. This must include the following:

- a) a description of any approval that has been obtained from a State, or Commonwealth agency or authority (other than an approval under the EPBC Act), including any conditions that apply to the action;
- b) a statement identifying any additional approval that is required;
- c) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action;
- d) details of any local or State government planning scheme, or plan or policy under any local or State government planning system (including licensing and permitting requirements) 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;
 - how the scheme provides for the prevention, minimisation and management of any relevant potential impacts.

3.16. Environmental Record

The EIS must include the environmental record of the proponent. This 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 the person proposing to take the action. If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework must be provided.

Information relating to the persons' environmental record may also include any accreditations (for example ISO 14001), environmental awards, and other recognition for environmental performance.

3.17. Additional Social and Economic Matters

Section 136(1)(b) of the EPBC Act requires the Minister to consider economic and social matters when deciding whether to grant approval to the proposed action under Part 9 of the EPBC Act. The requirements under s136(1)(b) encompass a broad range of matters that may be considered than those addressed during the assessment of the potential impacts of a controlled action. Accordingly, information must be provided in the EIS on the broad social and economic impacts (positive or negative) of the proposal for the purposes of the Part 9 decision on approval.

3.18. Conclusion

An overall conclusion as to the environmental acceptability of the proposal must be provided, including discussion on compliance with the objectives and requirements of the EPBC Act including the principles of ESD (see **Attachment 2**). Reasons justifying undertaking the proposal in the manner proposed must also be outlined. The conclusion must highlight measures proposed or required by way of mitigating any unavoidable impacts on matters of national environmental significance.

3.19. Information Sources

Information sources used in the formulation of the EIS are to be provided. This section will describe consultations and studies undertaken in the course of proposal formulation and preparation of the draft EIS, and sources of information and technical data. The following must be provided for information given:

- 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.

Any further or ongoing consultations or studies must be outlined here.

3.20. Reference List and Bibliography

The reference list and bibliography provided in the EIS is to be accurate and concise and include the address of any internet pages used as data sources.

3.21. Appendices and Glossary

Detailed technical information studies or investigations necessary to support the main text of the EIS, but not suitable for inclusion in the main text must be included as appendices; for example, detailed technical or statistical information, maps, risk assessment, baseline data, supplementary reports etc. A copy of the Guidelines must also be included. A glossary defining technical terms and abbreviations used in the text must be included to assist the general reader.

ATTACHMENT 1: MATTERS THAT MUST BE ADDRESSED IN AN EIS (SCHEDULE 4 OF THE EPBC ACT 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;
- (h) the consequences of not proceeding with the action.

2. Description

2.01 A description of the action, including:

- (i) all the components of the action;
- (i) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;
- (i) 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;
- (i) relevant impacts of the action;
- (i) proposed safeguards and mitigation measures to deal with relevant impacts of the action;
- (i) any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;
- (i) 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;
 - (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;
 - (iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation;
- (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;
- (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;
- (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;
 - (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;
 - (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 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 2: THE OBJECTIVES OF THE EPBC ACT 1999

3. Objectives 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.