

Public Environment Report

Attachment I

PER Guidelines

September 2019



**GUIDELINES FOR THE CONTENT OF A DRAFT
PUBLIC ENVIRONMENT REPORT**

**North East Link Project, Melbourne, Victoria
(EPBC 2018/8142)**

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

GUIDELINES FOR A DRAFT PUBLIC ENVIRONMENT REPORT FOR THE NORTH EAST LINK PROJECT (EPBC 2018/8142)

The North East Link Authority (the proponent) is proposing to construct a new freeway connection between the Western Ring Road (M80) and the Eastern Freeway, Melbourne, Victoria. The proposed action involves the augmentation of existing freeways and arterial roads, as well as construction of new surface roads, tunnels and elevated structures.

On 18 January 2018, the proposal was referred to the Department of Environment and Energy (the Department) for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

On 4 April 2018, a delegate of the Minister for the Environment and Energy determined the proposal was a controlled action due to likely significant impacts on the following matters of national environmental significance (MNES) that are protected under Part 3 of the EPBC Act:

- Listed threatened species and communities (section 18 and 18A)
- Listed migratory species (section 20 and section 20A)
- The environment of Commonwealth land (section 26 and 27A).

On 4 April 2018, a delegate of the Minister determined that the proposed action will be assessed by Public Environment Report (PER).

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

1. GENERAL ADVICE ON GUIDELINES

1.1. GENERAL CONTENT

The PER should be a stand-alone document that primarily focuses on the MNES listed above. It should contain sufficient information to avoid the need to search out previous or supplementary reports. The PER should take into consideration the EPBC Act Significant Impact Guidelines (2012) that are available at:

<http://www.environment.gov.au/epbc/guidelines-policies.html>.

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

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

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

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

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

The proponent should ensure that the PER assesses the compliance of the action with the principles of Ecologically Sustainable Development as set out in the EPBC Act, and the objects of the Act at [Attachment A](#). A copy of Schedule 4 of the EPBC Regulations, *Matters to be addressed by draft public environment report and environmental impact statement* is at [Attachment B](#).

1.2. FORMAT AND STYLE

The PER should comprise three elements, namely:

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

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

The PER should be written so that any conclusions reached can be independently assessed. To this end all sources must be appropriately referenced using the Harvard standard. The reference list should include the address of any internet webpages used as data sources.

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

- A copy of these guidelines.
- A list of persons and agencies consulted during the PER.
- Contact details for the proponent.
- The names of the persons involved in preparing the PER and the work done by each of these persons.

The PER should be produced on A4 size paper capable of being photocopied, with maps and diagrams on A4 or A3 size and in colour where possible.

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

2. SPECIFIC CONTENT

From the information provided to date, the Department considers that the matters that may be significantly impacted by the proposed action include, but are not limited to:

- Matted Flax Lily (*Dianella amoena*) (endangered)
- Grassy Eucalypt Woodland of the Victorian Volcanic Plain (critically endangered)
- Swift Parrot (*Lathamus discolor*) (critically endangered)
- Australian Painted Snipe (*Rostratula australia*) (endangered)
- Australasian Bittern (*Botaurus poiciloptilus*) (endangered)
- Macquarie Perch (*Macquaria australasica*) (endangered)
- River Swamp Wallaby-grass (*Amphibromus fuitans*) (vulnerable)

- Clover Glycine (*Glycine latrobeana*) (vulnerable)
- Growling Grass Frog (*Litoria raniformis*) (vulnerable)
- Australian Grayling (*Prototroctes maraena*) (vulnerable)
- Latham's snipe (*Gallinago hardwickii*) (migratory)
- The environment on Commonwealth land, namely the Simpson Barracks.

In order to adequately assess the nature, severity and extent of likely impacts, and the adequacy of any proposed avoidance, mitigation and / or compensatory (offset) measures, relevant to the matters listed above, the following information is required:

2.1. GENERAL INFORMATION

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

- (a) The title of the action.
- (b) The full name and postal address of the designated proponent.
- (c) A clear outline of the objective of the action.
- (d) The location of the action.
- (e) The background to the development of the action.
- (f) How the action relates to any other actions (of which the proponent should reasonably be aware) that have been, or are being taken, or that have been approved in the region affected by the action.
- (g) The current status of the action.
- (h) The consequences of not proceeding with the action.

2.2. DESCRIPTION OF THE ACTION

The PER must include a detailed description of all construction and operational components of the action. This should include the precise location (including coordinates) of all works to be undertaken, structures to be built or elements of the action that may have impacts on MNES.

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

2.3. FEASIBLE ALTERNATIVES

The PER must include a discussion of any feasible alternatives to the action to the extent reasonably practicable, including:

- (a) If relevant, the alternative of taking no action.
- (b) A comparative description of the impacts of each alternative on the relevant MNES protected under Part 3 of the EPBC Act.
- (c) Sufficient detail to make it clear why any alternative is preferred to another.

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

2.4. DESCRIPTION OF THE ENVIRONMENT

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

- (a) For listed threatened species and ecological communities, and migratory species that are likely to be present at and in the vicinity of the project site, including but not limited to those listed above (2.0 Specific Content):
 - Information on the abundance, distribution, ecology and habitat preferences of the species or communities.
 - Discussion of the known threats to the species or communities, with reference to threats posed by the proposed action.
 - Maps identifying known or potential habitat (or patch sizes) for the species or communities in the proposed action area and surrounding areas.
 - Assessment of the quality and importance of known or potential habitat for the species or communities within the proposed action area and surrounding areas.
 - Scope, timing (survey season/s) and methodology for studies or surveys used to provide information on the listed species/community/habitat at the site (and in areas that may be impacted by the project). Survey methodology must have regard to any relevant publicly available guidance issued by the Department.
 - An assessment of the adequacy of any surveys undertaken (including survey effort and timing). In particular the extent to which these surveys were appropriate and undertaken in accordance with the Department's relevant scientific and policy guidance (see <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>).
- (b) A description of the surface and groundwater resources relevant to the action and listed threatened species or communities; and migratory species.
- (c) A description of the Commonwealth Land environment, namely the Simpson Barracks, which will be affected by the proposal.

This section must provide the quantification of the extent of the environmental matters present both within and surrounding the development site, details of the resources used to identify and assess the above matters of the whole of the environment, and whether consultation was undertaken and / or advice sought from local community groups or experts.

2.5. RELEVANT IMPACTS

- (a) The PER must include a description of all of the relevant impacts of the action on MNES (as listed in the preamble and including but not limited to those listed at 2.0 Specific Content). Impacts during the construction and operational phases of the project must be addressed, and the following information provided:
- A description of the relevant direct, indirect, cumulative and facilitated impacts of the action on MNES.
 - A detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts.
 - Maps identifying the location of the action relative to the location of the protected matters and any impacts.
 - Details of the methodology used to determine the likely impacts of the project on known and potential suitable habitat (in hectares) for listed threatened species and communities, and listed migratory species.
 - A statement on whether any impacts are likely to be unknown, unpredictable or irreversible.
 - Analysis of the significance of the impacts.
 - Any technical data and other information used or needed to make a detailed assessment of the impacts.
- (b) The PER should identify and address cumulative impacts on MNES, where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the region and vicinity).
- (c) The PER should also provide a detailed assessment of any likely impacts that this proposed action may facilitate on relevant MNES (as listed in the preamble) at the local, regional, state and national scale.

2.5.1. LISTED THREATENED SPECIES AND ECOLOGICAL COMMUNITIES; AND MIGRATORY SPECIES

- (a) A detailed assessment of any likely direct, indirect, cumulative and facilitated impact on the following (at the local, regional, state, and national scale):
- i. Listed threatened species and ecological communities, and migratory species
 - Including but not limited to those threatened species, ecological communities and migratory species listed at 2.0 above.
 - Where relevant for the individual species or ecological community, the assessment should state:
 - The number of individual directly or indirectly impacted.

- Loss of area of occupancy of the species or a patch of ecological community, measured in hectares.
- Analysis of the impacts to the species' population or ecological community resulting from the proposed action.
- Habitat disturbance, fragmentation, loss, destruction or modification, including degradation of the quality of the habitat, number of hectares impacted or the number of breeding sites (if applicable) impacted.

2.5.2. WATER RELATED IMPACTS

The proposed action involves disturbance of a number of waterways, some of which contain MNES or their habitat (e.g. Banyule Flats Reserve, Warringal Parklands and the Yarra River). The Department considers that a direct or indirect impact to groundwater resources within or surrounding the proposed action area may occur and thus impact on habitat of listed threatened species and/or ecological communities, and/or migratory species dependent on these water resources.

The PER must include an assessment of water related impacts and the associated impacts on listed threatened species and ecological communities, and migratory species (or their habitat) dependent on these water resources. The PER should include the following:

2.5.2.1. Groundwater

- (b) Details of groundwater modelling including but not limited to:
- Hydrogeological conceptualisation(s) and geological investigations for the proposed project area.
 - Predictive numerical groundwater modelling.
 - Short term and long term impact assessments and analysis of modelling during both the construction and operational phases of the project.
 - Predictions of groundwater recovery and re-equilibration scenarios, including the influence on nearby groundwater dependent assets.
 - Measures to manage groundwater encountered during the construction process.
 - Any further data collection proposed to characterise groundwater chemistry and inform the installation of monitoring bores.
- (c) Groundwater characteristics across the proposed action area including depth to groundwater, piezometric surfaces of aquifers at the site, groundwater gradients and hydrogeological parameters.
- (d) An assessment of potential changes to groundwater baseflow contributions to the Yarra River and waterways in the project area.
- (e) Identification of any potential groundwater dependent ecosystems based on depth to groundwater.

- (f) Information on the impacts of dewatering, including an assessment of impacts to local aquifers including groundwater drawdown and the ongoing use of the developed site.
- (g) Details of dewatering techniques used – including information on the pre-drainage process, treatment and disposal of extracted groundwater.
- (h) An assessment of the effects of groundwater extraction on groundwater dependent ecosystems and flows into the waterways listed above in the project area.
- (i) Identification of any other groundwater extraction in the area and an assessment of the potential impacts of the proposed project on these users. Detail of cumulative impacts from the removal and lowering of groundwater (e.g. groundwater recharge, changes to baseflows and downstream impacts on the receiving environments).

2.5.2.2. Surface Water

- (a) A surface water quality monitoring program and water quality assessment which should include, but not be limited to:
 - Recent monitoring data provided from other nearby monitoring sites, including from representative control sites further upstream and downstream from the construction areas.
 - Baseline data on the water quality of the water channels to be used to determine any changes.
- (b) A stormwater runoff assessment including quantification of the volume and water quality of the discharge from the proposed project area, estimations of future runoff volumes into the waterways and consideration of risks due to hazardous substance spills.
- (c) Identification of the monitoring locations for discharge points during development and the ongoing future use of the site.
- (d) Details of mitigation measures to prevent discharge or runoff into the waterways including an assessment of the expected efficacy of the mitigation measures.
- (e) Details on the construction of the diversion channels and how they will be designed to minimise potential impacts to MNES.
- (f) Assessment of risks associated with increased erosion due to changes to the landscape.

2.5.3. COMMONWEALTH LAND - WHOLE OF THE ENVIRONMENT

The Department notes that part of the proposed action will occur on Commonwealth land, namely the Simpson Barracks. Please detail any potential disturbance or impacts that the action may or will have on the whole of the environment on Commonwealth land, in accordance with the Department's *Significant impact guidelines 1.2: Actions on, or impacting upon, Commonwealth land and actions by Commonwealth Agencies (2013)*.

- (a) This should include (but not be limited to) the following matters:
- Flora and fauna including Matted Flax Lily, state listed species or ecological vegetation classes (i.e. Plains Grassy Woodland), and species/ecological communities mentioned under section 2.
 - People and communities including an assessment of Defence estate planning and how the use of the affected area will be managed in consultation with Defence regional environmental personnel.
- Note: Defence personnel should be recognised as a distinct community, separate to the civilian population surrounding the site.*
- Cultural and heritage values.
 - Landscapes and soils.
 - Water resources.
 - Pollutants, chemicals, and toxic substances.
- (b) This section must quantify the extent of the whole of the environment matters that are likely to be impacted within the Commonwealth land boundary, including the viability of remnant populations of flora and fauna following construction of the project and associated considerations for effective ongoing management.
- (c) Details of the distance of proposed works to any EPBC listed matters and on whole of the environment matters within 500 m of the disturbance footprint. This information should consider and describe in detail all possible direct or indirect impacts associated with the action, including impacts on whole of the environment matters that may be indirectly impacted as a result of the proposal.
- (d) Consideration of the environmental context of Simpson Barracks should be discussed at the landscape scale. This should include an assessment of the environmental services provided by Simpson Barracks to the greater Melbourne area in terms of habitat connectivity, seasonal resources for species (e.g. grey headed flying-fox) and others that contribute to the biodiversity of the lower Yarra catchment and beyond.
- (e) This section must include details of the resources used to identify the potential impacts.

2.6. PROPOSED AVOIDANCE AND MITIGATION MEASURES

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

- (a) A consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including:
- A description of the environmental outcomes the measures are expected to achieve, including details of any baseline data or proposed monitoring to demonstrate progress towards achieving these outcomes.

- A description of proposed safeguards and mitigation measures to deal with relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the Proponent.
 - Specific details of which impacts (direct, indirect, cumulative and facilitated) the mitigation measures aim to prevent or minimise.
 - Assessment of the expected or predicted effectiveness of the mitigation measures.
 - A description of any proposed rehabilitation to disturbed habitat areas, including management, methodology and timing.
 - Any statutory or policy basis for the mitigation measures.
 - The cost of the mitigation measures.
- (b) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.
- (c) Maps identifying the location of physical mitigation measures (for example physical barriers, fencing or signage) relative to the location of protected matters and works areas of the proposed action.

Specific measures can be presented in the form of a management plan, such as a Conservation Management Plan and/or a Construction Environmental Management Plan specific to the proposed action.

At a minimum, plans must include a detailed outline of the framework for management, mitigation and monitoring of relevant impacts of the action, including provision for independent auditing. The plans must include details of the key commitments and measures to ensure that impacts to relevant MNES are avoided and minimised. The plans should refer to relevant conservation advices, recovery plans, threat abatement plans, and other guidance documents published by the Department.

To assist you, the Department's *Environmental Management Plan Guidelines 2014* are available at: www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines.

2.7. RESIDUAL IMPACTS/ENVIRONMENTAL OFFSETS

The PER must also provide details of:

- a. The likely residual impacts on matters of national environmental significance (or environmental values on Commonwealth land) after proposed avoidance and/or mitigation measures are taken into account. If applicable, this must also include reasons why avoidance or mitigation of impacts cannot be reasonably achieved.
- b. If relevant, an offset package to compensate for residual impacts to matters of national environmental significance (or environmental values on Commonwealth land). This should consist of an offset strategy which sets out how the offset will be secured; identifies the offset sites and details offset calculations. This should also

consistent of an offset management plan which details offset management and monitoring information.

The proposed offset must meet the requirements of the Department's *EPBC Act Environmental Offsets Policy* (October 2012) available at: www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy. Offsets required for residual impacts to state listed matters occurring on Commonwealth land can be offset using state offsets policies but must also meet the principles of the *EPBC Act Environmental Offsets Policy*.

As a minimum, the offsets package within the PER must include the following:

- a. Details in relation to the proposed offsets package, including:
 - The location and size, in hectares, of any offset site(s).
 - The relevant ecological features, landscape context and, cadastre boundaries of the offset site(s) (supported by mapping).
 - The current tenure arrangements (including zoning and ownership) of any proposed offset sites.
 - Confirmed records of presence of relevant protected matter(s) on the offset site(s).
 - Information on the presence and quality of habitat for protected matter(s) on the offset site.
- b. 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 principles of the Department's Environmental Offsets Policy. This includes:
 - Management actions to improve or maintain the quality of the proposed offset site(s) for the relevant protected matter(s).
 - The time over which management actions will deliver any proposed improvement or maintenance of habitat quality for the relevant protected matter(s) and a description of case studies to support these assertions.
 - 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, or other activities on or near the proposed offset site(s) that indicate development intent.
 - Average risk of loss for similar sites.
 - 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.

- c. 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.
 - Monitoring, reporting and auditing of offset performance.

2.8. ENVIRONMENTAL OUTCOMES

The PER should provide information on the outcomes that the proponent will achieve for MNES. Outcomes need to be specific, measurable and achievable, and must be based on robust baseline data. To allow application of outcomes-based conditions, the PER should include:

- (a) consideration of the *Outcomes-based conditions policy 2016* and *Outcomes-based conditions guidance 2016*, with suitable justification for considerations identified in the policy and guidance;
- (b) the specific environmental outcomes to be achieved, and reasoning for these in reference to relevant Recovery Plans, Conservation Advices and Threat Abatement Plans; and
- (c) for each proposed outcome:
 - the risks associated with achieving the outcome;
 - the measurability of the outcome, including all suitable performance measures;
 - appropriate baseline data upon which the outcome has been defined and justified;
 - the likely impacts that the proposed outcome will address;
 - demonstrated willingness and capability of achieving the outcome;
 - commitments to independent and periodic audits of performance towards achieving outcomes; and
 - details of proposed management to achieve the outcome including, but not limited to, performance indicators, periodic milestones, proposed monitoring and adaptive management, and record keeping, publication and reporting processes.

2.9. OTHER APPROVALS AND CONDITIONS

The PER must include information on any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action. This must include:

- (a) details of any local or State Government planning scheme, or plan or policy under any local or State Government planning system that deals with the proposed action, including:
 - what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy; and

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

2.10. CONSULTATION

Any consultation about the action, including:

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

2.11. ENVIRONMENTAL RECORD OF PERSON(S) PROPOSING TO TAKE THE ACTION

The information provided must include details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- (a) the person proposing to take the action; and
- (b) for an action for which a person has applied for a permit, the person making the application.

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

2.12. ECONOMIC AND SOCIAL MATTERS

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

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

Economic and social impacts should be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the proposed action, as identified in section 2.3 above, should also be included.

2.13. INFORMATION SOURCES PROVIDED IN THE PER

For information given in a draft Public Environment Report, 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.

2.14. CONCLUSION

An overall conclusion on the environmental acceptability of the proposal should be provided, including discussion of compliance with principles of Ecologically Sustainable Development and the objects and requirements of the EPBC Act (see Attachment A). Reasons justifying undertaking the proposal in the manner proposed should also be outlined.

Measures proposed or required by way of offset for any unavoidable impacts on matters of national environmental significance, and the relative degree of compensation, should be restated here.

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

3 Objects of the Act

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

3A Principles of Ecologically Sustainable Development

The following principles are principles of ecologically sustainable development.

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

ATTACHMENT B
MATTERS THAT MUST BE ADDRESSED IN A PER
(SCHEDULE 4 OF THE EPBC REGULATIONS 2000)

1 General information

1.01 The background of the action including:

- (a) the title of the action;
- (b) the full name and postal address of the designated Proponent;
- (c) a clear outline of the objective of the action;
- (d) the location of the action;
- (e) the background to the development of the action;
- (f) how the action relates to any other actions (of which the Proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region affected by the action;
- (g) the current status of the action; and
- (h) the consequences of not proceeding with the action.

2 Description

2.01 A description of the action, including:

- (a) all the components of the action;
- (b) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;
- (c) how the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts;
- (d) relevant impacts of the action;
- (e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;
- (f) any other requirements for approval or conditions that apply, or that the Proponent reasonably believes are likely to apply, to the proposed action;
- (g) to the extent reasonably practicable, any feasible alternatives to the action, including:
 - (i) if relevant, the alternative of taking no action;
 - (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action; and
 - (iii) sufficient detail to make clear why any alternative is preferred to another;
- (h) any consultation about the action, including:
 - (i) any consultation that has already taken place;
 - (ii) proposed consultation about relevant impacts of the action; and
 - (iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation; and

- (i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

3 Relevant impacts

3.01 Information given under paragraph 2.01(d) must include

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

4 Proposed safeguards and mitigation measures

4.01 Information given under paragraph 2.01(e) must include:

- (a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;
- (b) any statutory or policy basis for the mitigation measures;
- (c) the cost of the mitigation measures;
- (d) an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;
- (e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program; and
- (f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the Proponent.

5 Other Approvals and Conditions

5.01 Information given under paragraph 2.01(f) must include:

- (a) details of any local or State government planning scheme, or plan or policy under any local or State government planning system that deals with the proposed action, including:
 - (i) what environmental assessment of the proposed action has been, or is being carried out under the scheme, plan or policy; and
 - (ii) how the scheme provides for the prevention, minimisation and management of any relevant impacts;
- (b) a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the Act), including any conditions that apply to the action;
- (c) a statement identifying any additional approval that is required; and

(d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

6 Environmental record of person proposing to take the action

6.01 Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

(a) the person proposing to take the action; and

(b) for an action for which a person has applied for a permit, the person making the application.

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

7 Information sources

7.01 For information given the PER 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.