



Draft Guidelines for the content of a Public Environment Report

Renison Bell Retreatment Project, Tasmania
(EPBC 2024/10075)

*Environment Protection and Biodiversity Conservation
Act 1999*

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PREAMBLE

The proposed action, called Renison Tailings Retreatment Project (Rentails Project) involves the clearance of native vegetation and the construction and operation of a new tailings retreatment plant, tailings storage facility (TSF) and associated infrastructure. Copper and tin tailings will be reclaimed from existing storage facilities and re-treated to produce copper and tin concentrates for export.

The proposed action was referred under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) to the Minister for the Environment (the Minister) on 14 February 2025. On 24 March 2025, a delegate to the Minister determined the action to be a controlled action due to potential 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 (sections 18 and 18A).

The MNES are likely to be significantly impacted by the project are listed below in Table 1:

Table 1: MNES likely to be significantly impacted

Species	Listing status
Tasmanian Devil (<i>Sarcophilus harrisii</i>)	Endangered
Spotted-tail Quoll (<i>Dasyurus maculatus maculatus</i>)	Vulnerable
Masked Owl (<i>Tyto novahollandiae castanops</i>) (Tasmanian population)	Vulnerable
Tasmanian Wedge-tailed Eagle (<i>Aquila audax fleayi</i>)	Endangered
Swift Parrot (<i>Lathamus discolor</i>)	Critically endangered
Blue-winged Parrot (<i>Neophema chrysostoma</i>)	Vulnerable
Tasmanian Azure Kingfisher (<i>Ceyx azureus diemensis</i>)	Vulnerable
Funnel Heath (<i>Epacris glabella</i>)	Endangered

On 24 March 2025, a delegate to the Minister determined the proposed action would be assessed by Public Environment Report (PER).

Information about the proposed 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.

PART A – GENERAL ADVICE ON GUIDELINES

1 GENERAL CONTENT

The PER must be written so that any conclusions reached can be independently assessed and must:

- a) Contain sufficient information to allow the Minister (or delegate) to make an informed decision on whether to approve, under Part 9 of the EPBC Act, the taking of the action for the purposes of each controlling provision.
- b) Contain sufficient information to enable interested stakeholders to understand the environmental consequences of the proposed development on matters of national environmental significance (MNES).
- c) Ensure all work and conclusions:
 - i) are presented clearly, unambiguously, succinctly and objectively,
 - ii) are evidence based, and the evidence is provided,
 - iii) are supported by peer reviewed literature, with references provided, or expert opinion,
 - iv) use scientifically robust methodologies appropriate to the purpose, including a justification of why the methodology/s was selected,
 - v) details of the methodology described in a manner that allows an independent suitably qualified practitioners to apply the method and state any limitations of the chosen approach,
 - vi) are supported by maps, plans, diagrams, baseline surveys or other descriptive detail; maps must clearly identify development footprints, buffer zones, and any conservation areas where impacts will be avoided, and areas of adjacent habitat that would be subject to indirect impacts, including areas that are to be retained within and adjacent to the site,
 - vii) use active language and state clear commitments (e.g., ‘must’ and ‘will’) where appropriate, particularly in describing avoidance, mitigation and management actions and outcomes,
 - viii) demonstrate the use of the most up to date statutory documents including Approved Listing Advice(s), Conservation Advice(s), Recovery Plan(s), Threat Abatement Plan(s) or comparable policy guidelines, approved survey methods and contemporary advice,
 - ix) demonstrate the use of up to date; policy guidelines, scientific methods, information, data and species-relevant survey methods,
 - x) appropriately reference all sources using the Harvard standard. The reference list must include the address of any internet pages used as data sources and the date/s they were assessed.
- d) The PER must take into consideration relevant documents which include, but are not limited to the EPBC Act Significant Impact Guidelines, which, along with other resources, can be downloaded from the following web sites: [Species Profile and Threats database](#) (SPRAT) and [EPBC Act publications and resources](#).

- e) Section 139 of the EPBC Act provides “the Minister must not act inconsistently with... a recovery plan or threat abatement plan” and “the Minister must, in deciding whether to so approve the taking of the action, have regard to any approved conservation advice for the species or community.” To this extent, the PER should consider and have regard to all relevant updated recovery plans, approved conservation advice and threat abatement plans, including those published after the time of the referral decision. This includes updates to definitions such as “habitat critical to the survival of the species”.
- f) Please ensure 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.
- g) Be able to read as a stand-alone document and must include summaries of all relevant information referenced or provided in appendices. Complex or detailed technical information, studies or investigations necessary to support the main text should be attached to the main document as appendices.
- h) The level of analysis and detail in the PER should reflect the level of significance of the expected impacts on the environment. Any and all unknown variables or assumptions made in the assessment must be clearly stated and discussed. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.
- i) Please note that 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.
- j) The Proponent should ensure that the PER assesses compliance of the action with principles of Ecological Sustainable Development as set out in the EPBC Act, and the objectives of the Act at Attachment 1. A copy of Schedule 4 of the Environment Protection and Biodiversity Conservation Regulations 2000 (EPBC Regulations) – Matters to be addressed by draft Public Environment Report and environmental impact statement – is at Attachment 2.

2 FORMAT AND STYLE

- a) The PER should comprise three elements, namely:
 - i) the executive summary;
 - ii) the main text of the document; and
 - iii) appendices containing detailed technical information and other information that can be made publicly available.
- b) These guidelines have been set out in a manner that may be adopted as the format for the PER. The 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.

- c) Include a reference table indicating where to find information and links within the document to relevant sections.
- d) Where relevant information was provided in the referral, please incorporate this information as necessary in the PER. 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 “web” pages used as data sources.
- e) The main text of the PER should include a list of abbreviations, a glossary of terms and appendices containing:
 - i) A copy of these guidelines,
 - ii) A list of persons and agencies consulted during the PER process,
 - iii) Contact details for the proponent,
 - iv) Names of the persons involved in preparing the PER and work done by each person.
- f) Maps, diagrams and other illustrative material should be included in the PER. 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.
- g) The proponent should consider the format and style of the document appropriate for publication on the Internet. The capacity of the website to store data and display the material may have some bearing on how the document is constructed.

3 DESCRIPTION OF THE ACTION

The content below has been determined in accordance with the requirements under schedule 4 of the EPBC Regulations – Matters to be assessed by draft public environment report and environmental impact statement (see Attachment 2).

Some of the information required below may have been provided as part of the EPBC referral. However, the PER is a standalone document and must address the requirements of the EPBC Regulations. Specific content requirements have been included in each section.

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 in the preamble, the following information is required.

3.1 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, including confirmation of:
 - i) the location of all infrastructure proposed and existing within mining lease 12M/1995;
 - ii) the proposed export transport route;
 - iii) any ancillary components required to support the project.
- e) the background to the development of the action;
- f) the consequence of not proceeding with the action,
- g) how the action relates to any other actions (of which the Proponent should reasonably be aware) that have been, or are being, or will be taken in the region affected by the action, including actions that have been approved to be taken under State or Commonwealth legislation.

3.2 Proposal details

- a) All construction, commissioning, operational, decommissioning and rehabilitation components of the action should be described in sufficient detail to understand the proposed action and assist in determining the associated potential environmental impacts. 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 various elements of the proposed action must be illustrated with maps, diagrams and plans (at a suitable scale) as applicable and also be provided in digital format (e.g. shapefile *.kml or *.kmz).
- b) The description of the action must also include details on how the works are to be undertaken (including stages of development and their timing) and design parameters for those aspects of the structures or elements of the action that may have relevant impacts.

- c) Details of any water extraction, including locations of extraction, and planned abstraction rates must be provided.
- d) Provide the location, boundaries and total size (in hectares) of the proposed action footprint and the total size (in hectares) of the disturbance/impact footprint, and of any adjoining areas (beyond the impact area) that may be subject to indirect or facilitated impacts, including (but not limited to) edge effects, noise, light spill, vehicle access, changes to surface and groundwater quality from sedimentation, sulphate soil disturbance, litter, runoff, hazard substance spill, and other associated activities. If the disturbance footprint is the same, this should be clearly stated.
- e) The expected maximum duration of the action, and expected timeframes for each individual stage including construction, commissioning, operational, decommissioning and rehabilitation should be included as part of the PER.

3.3 Feasible alternatives

- a) Any feasible alternatives to the action to the extent reasonably practicable, including:
 - i) if relevant, the alternative of taking no action;
 - ii) a comparative description of the impacts of each alternative on MNES protected by controlling provisions of Part 3 of the EPBC Act for the action; and
 - iii) sufficient detail to make clear why any alternative is preferred to another.
 - iv) Short, medium and long-term advantages and disadvantages of the options should be discussed.
- b) Site assessments and site selection of the Proposed Dam E
 - i) The PER must include consideration of alternative locations for the siting of Dam E including a copy of the Rentails Tailings Reclaim and Management Stage 1 Study Report.

4 DESCRIPTION OF THE ENVIRONMENT

This section must include a description of the environment at the site of the proposed action and the surrounding area (i.e., adjacent, upstream and/or downstream) that may be affected by the action. This description must include, but not be limited to, the following information:

- climate
- geomorphology
- geology, soils and other substrates
- hydrology (surface water and ground water)
- vegetation
- fauna
- habitat types
- invasive species
- land usage, and
- land tenure, heritage and native title (if relevant).

5 MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE (MNES)

This section must provide the quantification of the extent of the MNES present both within and surrounding the proposed action site, details of the resources used to identify and assess the MNES, and whether consultation was undertaken and/or advice sought from local community groups or experts. The description of MNES should focus on the following controlling provisions:

- a) Listed threatened species and communities (sections 18 & 18A).

General Information for listed threatened species

This section must address all listed threatened species and communities in [Table 1](#) above and any other threatened species or ecological communities listed under the EPBC Act at the time of the controlled action decision that may be impacted by the proposed action¹.

5.1 Species Description

Describe each listed threatened species noted in [Table 1](#) and any other EPBC Act listed threatened species or ecological community identified as potentially impacted by the proposed action. This description must include the EPBC Act listing status, abundance, distribution, ecology, and habitat preferences of the species.

5.2 Desktop analysis

- a) Describe the desktop assessment methodology used to inform the field surveys within and/or adjacent to the proposal area.
- b) This section must provide context to the proposed action area by discussing known historical records of listed threatened species and ecological communities (if any) within the proposed action area and in the broader region. All known records must be supported by:
 - i) an appropriate source (i.e Commonwealth and State databases, Natural Resources and Environment Tasmania's Natural Values Atlas (NVA), published research;
 - ii) where possible, include the year of the record; and
 - iii) a description of the habitat in which the record was identified.
- c) The output from the [Protected Matter Search Tool](#) (PMST) must be included as an appendix.

5.3 Survey effort

- a) Provide detail on all surveys for all listed threatened species and communities potentially impacted by the action, within/adjacent to the proposed action area, including any relevant buffers. The PER must include details of the field surveys with respect to:
 - i) scope (how surveys were, or will be, undertaken in accordance with relevant Commonwealth and/or best practice survey guidelines);

¹ A listing event (e.g., the listing or up-listing of a species or ecological community) that occurs after a controlled action decision is made cannot be considered in the assessment and approval of the proposed action. Please refer to section 158A of the EPBC Act for the meaning of a listing event.

- ii) location (include mapping of where field surveys were, or will be undertaken);
 - iii) methodology/survey technique;
 - iv) relevant timing (time of day/season/year); and
 - v) prevailing weather and climatic conditions.
- b) Field surveys must be undertaken by qualified species experts with demonstrated experience in detecting the above species) within and/or adjacent to the proposal area. Information regarding surveys for listed threatened species and ecological communities can be found at [Species Profile and Threats database](#) and [On-ground surveys and data for referred actions under the EPBC Act](#).
- c) Any anticipated future/additional surveys to be conducted in relation to MNES, whether desktop-based or field-based, must also be discussed.

5.4 Survey outcomes

- a) State the total number of records (individuals and evidence of presence) of listed threatened species and ecological communities (if any) within and/or adjacent to the proposal area. Provide maps identifying verified sightings of MNES during studies or surveys.
- b) This section should include an assessment of the adequacy of any surveys undertaken (including survey effort and timing). Discuss, the extent to which these surveys were:
- i) appropriate for the listed species or community (including with respect to survey effort and timing);
 - ii) undertaken in accordance with relevant departmental survey guidelines;
 - iii) undertaken in accordance with the Department's relevant scientific and policy guidance;
- c) If relevant, sufficiently justify any divergence from relevant Commonwealth, State and/or best practice guidelines; and
- d) Justify any data more than 3 years old and the reasons why supplementary data has not been collected to support the data set.

5.5 Habitat assessment

- a) Provide a robust assessment of the potential habitat available within and adjacent to the proposed action area for listed threatened species and ecological communities.
- b) Habitat assessments must be derived from information obtained from:
- i) field surveys and vegetation assessments;
 - ii) the Species Profile and Threats database;
 - iii) relevant departmental documents (e.g., approved conservation advice, recovery plans, listing advice, referral guidelines, etc.); and
 - iv) published research and other relevant sources (where relevant).
- c) Where habitat assessments depart from departmental information, adequate justification must be provided to substantiate its suitability to the assessment.

- d) Where habitat for other listed threatened species and ecological communities is identified on site, an assessment must be undertaken regardless of whether the species/community is listed under Table 1. As such, the potential for occurrence of listed threatened species and ecological communities must also be considered and assessed.
- e) Provide distinct, specific definitions (including any thresholds or exclusions used) for each category of habitat relevant to the MNES (breeding, foraging, dispersal etc).
- f) At a minimum, the habitat assessment for each listed threatened species and ecological community must:
 - i) identify any specific habitat requirement/s (e.g., breeding, foraging, dispersal, denning, known important habitat, suitable habitats, roosting, etc),
 - ii) include an assessment of the quality and importance of known or potential habitat for the species/communities within the proposed action area and surrounding areas.
 - iii) discuss all existing threats as outlined in the relevant statutory documents (e.g., feral predators, traffic, etc.) with reference to threats posed by the proposed action,
 - iv) map all water bodies within the development envelope, and classify all water pools within the development envelope as permanent or ephemeral and state if they are surface water or ground water fed,
 - v) consider the regional context, describing the connectivity of habitat (terrestrial and aquatic) in the broader landscape, providing maps wherever possible,
 - vi) provide the total amount of each type (e.g., breeding, foraging, dispersal, important habitat, roosting, etc.) of habitat (in hectares) in the proposal area, and
 - vii) where relevant, align with habitat descriptions in the department's Species Profile and Threats database profiles and relevant departmental sources.
- g) The total amount of each type of habitat must also be presented on a map for each listed threatened species and ecological community. Each map must be in accordance with [Guide to providing maps and boundary data for EPBC Act projects](#) and include the following:
 - i) an appropriate base map that provides the geographical context of the proposal area in the surrounding environment (i.e., aerial imagery),
 - ii) a legend which clearly indicates all features shown on the map. Make sure the legend is large enough and clear enough that it can be read easily,
 - iii) must be specific to the habitat assessment undertaken for each listed threatened species and ecological community,
 - iv) include overlays of the habitat types on the proposed action disturbance footprint,
 - v) include known records of individuals (or evidence of individuals) derived from desktop analysis and/or field surveys, and
 - vi) clearly highlight any critical and supporting habitat types.

6 Impact Assessment

General Impact Information

The PER must include a detailed assessment of all relevant direct and indirect, short- and long-term impacts to MNES from all phases of the proposed action (including construction, commissioning, operational, decommissioning, remediation and rehabilitation).

The PER will:

- a) discuss the effects of the overall action on terrestrial and aquatic ecosystem functioning and integrity – where these effects may impact MNES – including effects to the terrestrial and aquatic environment surrounding the proposed development;
- b) identify the source of potential impacts, noting that this may require consideration of impacts arising as a result of infrastructure re-use if that option is to be a part of project scope;
- c) discuss potential impacts which may arise through the transportation, storage and use of dangerous goods (if any), fuel and chemicals, such as accidental spills;
- d) in discussing potential impacts, consider how the interaction of extreme environmental events and any related safety response may impact on the environment;
- e) discuss relevant direct and indirect impacts as well as facilitated impacts, which may occur on a local, regional, state, national and international scale, in relation to listed threatened species and ecological communities.
- f) cumulative impacts should be identified and addressed, where potential proposal 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).
- g) consider potential impacts throughout the life of the proposed action.

The assessment must also address the nature, likelihood, significance, and extent of relevant impacts and whether they are likely to be unknown, unpredictable or irreversible.

In developing the impact assessment, the items discussed must include, but not be limited to, the following:

- a) a risk analysis to determine the greatest risks to EPBC listed threatened species and communities and their habitats.
- b) an interpretation of the risk analyses and how the proposal will impact the surrounding ecosystems.
- c) an analysis of the significance of the relevant impacts.
- d) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

All existing threats must be outlined in the PER with reference to the relevant statutory documents. Where a threat or impact is not expected to occur as a result of the proposed action, sufficient justification must be provided.

It is the Proponent's responsibility to ensure that any known or likely impacts to listed threatened species and ecological communities are assessed for the Minister's consideration. Wherever

possible, the impact assessment must be substantiated by evidence (i.e., scientific literature, case studies, technical reports, modelling) and provide consideration to the [Species Profile and Threats database](#) and relevant departmental policies and guidelines, including the [Significant Impact Guidelines 1.1 \(2013\)](#).

The department has considered the following impacts may be relevant to this project. The assessment must consider but not be limited to only these:

6.1 Habitat clearing, degradation and fragmentation

The PER must include an assessment of the impact to critical and supporting habitat as a result of land clearing, degradation and fragmentation that is associated with the construction and ongoing operation of the mine and associated activities. This must include an assessment of short-term, long-term impacts and downstream impacts (e.g., land clearing, dust and invasive species).

The PER must provide:

- a) the disturbance footprint within the proposed action area;
- b) the type (foraging/breeding/nesting/denning etc) and quality;
- c) quantification of the area (hectares) and/or individuals to be impacted;
- d) the total quantum of direct and/or indirect impacts on critical and supporting habitat types for each species of flora and fauna;
- e) the amount of each of fauna habitat type and feature, for example permanent or ephemeral water pool or diurnal roost, expected to be cleared within the proposal area.

6.2 Noise and vibration

The PER must include an assessment of the impacts of vibration, noise and sound pressure associated with the construction, and ongoing operation of the mine and associated activities (e.g., vehicle traffic, blasting, etc.), with reference to listed MNES. This must include an assessment of short-term and long-term impacts, including measured background noise levels. The magnitude, timing, duration, and frequency of any vibration and sound pressure must be discussed, taking into account seasonal variations.

The PER must detail the following:

- a) for relevant species, buffer and/or exclusion zones are expected to be implemented around habitat identified as suitable for a species;
- b) if relevant, blasting and vibration assessments to predict the effects of blasting on the structural integrity of suitable habitat for listed MNES within the development envelope i.e. potential denning habitats;
- c) the effects of noise/vibration on listed threatened species, including potential for avoidance/abandonment as a result of impacts;
- d) the outcomes of sound pressure, vibration and noise modelling that has been undertaken in reference to suitable breeding habitat features within the disturbance area.

6.3 Dust

The PER must include an assessment of the potential impacts to listed MNES due to dust from activities associated with the construction, and ongoing operation of the mine and associated activities (e.g., vehicle traffic, blasting, etc.) relating to the proposed action.

6.4 Lighting

The PER must include an assessment of the potential impacts of increased and/or changes to lighting associated with construction and operation of the proposed action on listed MNES. This assessment must provide details of:

- i) lighting used;
- ii) location of lighting;
- iii) the effects of lighting on listed threatened species, including potential for avoidance/abandonment as a result of lighting impacts.

Consideration and specific reference should be made to the [National Light Pollution Guidelines for Wildlife \(2023\)](#).

6.5 Invasive species and pathogens

The PER must include an assessment of the potential impacts to listed MNES resulting from the introduction or spread of invasive species and pathogens within and surrounding the proposed action area because of the proposed action.

6.6 Traffic

The PER must include an assessment of the potential impacts to listed MNES resulting from vehicle strike that may occur resulting from changes and/or increased traffic because of the proposed action.

6.7 Fire risks

The PER must include an assessment of the potential risk of fire to listed MNES within or surrounding the proposed action area because of the proposed action.

6.8 Water

6.8.1 Acid and Metalliferous Drainage

The PER must include an assessment of the potential direct and/or indirect impacts to MNES from pollution, including but not limited to Acid and Metalliferous Drainage, to both surface water and ground water due to the proposed action. This must include direct and/or indirect impacts to listed MNES and MNES habitat downstream in the broader catchment.

6.8.2 Water abstraction

The PER must include an assessment of any potential direct and/or indirect impacts to MNES associated with abstraction of water from water bodies.

7 Additional Information Required for Assessment

7.1 Details of Existing Tailings Storage Facilities (TSF) (Dams A, B, C and D)

The PER should contain the following information related to the existing TSFs:

- a) as built and construction report of existing TSF (Dams A, B, C and D);
- b) details regarding the known legacy and stability aspects associated with the waste storage structures and the potential risks associated with these concerns not being addressed;
- c) measures to mitigate those potential risks;
- d) water management procedures describing the safe handling of decant and stormwater runoff.

7.2 Technical Design of the Proposed Dam E

To avoid and mitigate potential adverse environmental impacts of AMD associated with tailings storage the design and construction of the TSF must achieve the following objectives:

- a) containing/encapsulating the tailings to prevent their escape to the environment;
- b) minimising seepage of contaminated water from the TSF to surface waters or groundwaters;
- c) providing a stabilised surface cover to prevent erosion from the TSF;
- d) designing the final landform to minimise post closure maintenance;
- e) preventing damage and catastrophe to surrounding environment from structural failure of the TSF.

The PER must include, but not be limited to the following:

- a) depth and dimensions of the dam;
- b) description of the lining/containment systems to be installed on the base and side walls/embankments, including results of mechanical and geotechnical investigations;
- c) details of the leachate/tailings collection system (i.e. sumps, underdrainage, and extraction pipes);
- d) freeboard, overflow and storage requirements and restrictions;
- e) design drawings;
- f) construction quality assurance/quality control methodologies in accordance with industry best practice and standards.

In the development of the design of E Dam, the parameters below should be considered. The PER should contain evidence of assessments conducted to evaluate these parameters.

- a) local Hydrology;
- b) site geology and seismic risk;

- c) baseline water quality;
- d) the potential for adverse chemical reactions with the tailings mass, foundations and storage structures;
- e) compatibility of tailings chemical composition against construction materials;
- f) adequate freeboard to retain design floods, normally with spillways to pass higher floods without damaging the containment system.

The PER must incorporate an assessment of physio-chemical properties of tailings to be disposed of/stored in Dam E. Sufficient geochemical investigation should be undertaken to clearly demonstrate the physio-chemical properties of the tailings from the reprocessing of existing tailings and any other waste materials from the process such as slags and oversize materials.

The PER must incorporate water management procedures describing the safe handling of decant and stormwater runoff.

The design of the TSF must consider the requirements for long-term closure, which may include the expectation of producing a long-term stable landform with ongoing maintenance requirements similar to that for natural landforms or similar land uses. After closure, the TSF should be able to cope with potential conditions to be encountered over the extended period determined as the design life, potentially of 1,000 years or longer.

7.3 Existing Waste Containment Cell

Referral documentation noted a small waste containment cell within Dam D that is expected to be retained following the deconstruction and rehabilitation of the existing TSFs. The following information must be provided in the PER:

- a) as built and Construction report of the existing waste containment cell;
- b) description of materials deposited within the waste containment cell, including their physio-chemical properties;
- c) details of how the waste containment cell will be isolated from the rehabilitation operations within Dam D and the other existing TSFs;
- d) measures to implement to ensure that the integrity of the waste containment cell is not compromised during the excavation of tailings in Dam D for reprocessing.

7.4 Proposed Tailings Retreatment Plant

The proposed action includes the construction and operation of a tailings retreatment plant to reprocess tailings stored in the existing TSFs (Dams A, B, C and D) to produce copper and tin concentrates. The PER must include a discussion on the processes and operations conducted within the proposed tailings retreatment plant. This should include, but not be limited to the following:

- a) details of the physical and/or chemical processes;
- b) description of inflows and outflows of process materials, including mass balance and characterisation of residual wastes produced from the retreatment operations;
- c) schematic diagram showing the flow of all incoming and outgoing streams that link between the tailings retreatment plant and all operations of the mining site including the existing TSFs;

- d) disposal and management strategies for residual wastes that are non-recoverable and non-recyclable.

7.5 Environmental risk assessment

The PER must include assessments of the site's hydrology, geology, hydrogeology and contamination (soil, groundwater and surface water) profiles within and surrounding the proposed action area and not just around the location of the proposed Dam E. The risk assessment should include discussion of any risks arising from the proposed actions and identification of the mitigation measures to be implemented to manage these risks into the future.

8 Avoidance, Mitigation, Management and Rehabilitation

8.1 Avoidance and mitigation measures

The PER must include detailed description of measures proposed to be undertaken by the Proponent to avoid, mitigate and manage relevant impacts of all stages of the action on listed threatened species and ecological communities.

The proposed safeguards, avoidance and mitigation measures must 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.

The PER must provide information on and must include the following elements:

- a) a consolidated list of avoidance and mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including:
 - i) a description of the environmental outcomes each measure is expected to achieve, including details of any baseline data or proposed monitoring to demonstrate progress towards achieving these outcomes;
 - ii) a description of proposed safeguards and measures to deal with relevant impacts of the action, including avoidance and mitigation measures proposed to be taken by the proponent;
 - iii) assessment of the expected or predicted effectiveness of the avoidance and mitigation measures. Wherever possible, mitigation measures should be substantiated by referencing relevant guidelines, literature, and relevant case-studies;
 - iv) any statutory or policy basis for the avoidance and mitigation measures;
 - v) details of any relevant measures to avoid, mitigate and manage impacts required through other Commonwealth, State and local government approvals; and
 - vi) the cost of the measures, and
 - vii) where relevant, the name of the agency responsible for endorsing or approving each avoidance and mitigation measure or monitoring program.

All proposed measures for MNES must be drafted to meet the 'S.M.A.R.T' principle:

- S – Specific (what and how)
- M – Measurable (baseline information, number/value, auditable)

- A – Achievable (timeframe, money, personnel)
- R – Relevant (Conservation advice, recovery plans, threat abatement plans)
- T – Time-bound (specific timeframe to complete)

Please note the SPRAT database may provide some relevant mitigation measures for listed threatened species and ecological communities.

8.2 Management Plans and Rehabilitation

Environmental management plans describe how an action might impact on the natural environment in which it occurs and set out clear commitments from the person taking the action on how those impacts will be avoided, minimised and managed so that they are environmentally acceptable. Environmental outcomes of the proposed action must be clearly articulated. Guidance for developing Environmental Management Plan are outlined at [Action Management Plans for projects referred under the EPBC Act](#).

Any specific action management plans to be implemented as part of the proposed action should be listed here and provided as part of the PER package.

Management plans must be specific to the proposed action. Consideration must be given to the requirements of management plans, as stated above, and the requirements for Ministerial approval of a revised action management plan as per section 143A of the EPBC Act.

8.2.1 Trigger Action Response Plan

The referral information indicates that the tailings waste stream from the retreatment plant will be pumped to Dam E which is located approximately 6.5 km away. The PER should incorporate a *Trigger Action Response Plan* for spill management covering the area from the retreatment plant, through the pipelines and Dam E. The design of all pipeline and transport systems connecting Dams A, B, C, D and E and the tailings retreatment plant should include:

- provisions for instrumentation,
- monitoring,
- spill/leak detection methodology, and
- spill containment strategies for line breaks or malfunctions.

8.2.2 Mine site monitoring, post-closure and rehabilitation

The department notes that the potential environmental impacts resulting from improper rehabilitation of mine sites and associated AMD risks can last for more than 50 years.

The PER must incorporate relevant details to demonstrate that effective rehabilitation of the mine site is achievable and that an unanticipated closure of the mine does not pose an unacceptable risk to the environment. The documentation should include, but not be limited to the following:

- a) a preliminary *Decommissioning and Rehabilitation Plan* or *Closure Plan*, that describes an on-going, staged approach to site decommissioning and closure throughout the remainder of the mine's proposed life,

The Closure Plan must also address unanticipated closure of the mine. This should include:

- a) details of the procedures to be implemented;
- b) details of the bond lodged with Mineral Resources Tasmania; and

- c) evidence that this would be sufficient to rehabilitate the site.

Rehabilitation of tailings storage facilities

Closure and rehabilitation strategies should ensure that the tailings storage facilities are left in such a way that they are able to:

- be structurally stable such that the long-term stabilisation of physical, chemical and ecological conditions of the dam are maintained to prevent any ongoing degradation
- maintain an acceptable impact on the environment
- be resistant to deterioration through erosion or decay
- be compatible with the surrounding unmined landform
- be functionally compatible with the agreed postmining land use.

The PER must include a plan for closure, post-closure and rehabilitation of Dam E. This plan should integrate ongoing strategies for monitoring and maintenance works to ensure that the integrity of the dam remains intact.

The referral documentation indicated that the proposed action would reclaim and reprocess tailings previously deposited in Dams A, B, C and D. The closure, post-closure and rehabilitation of these dams should also be included in the plan.

8.3 Residual significant impact assessment

After consideration of proposed avoidance, mitigation and management measures, provide an assessment of the likelihood of residual significant impacts on relevant listed threatened species and ecological communities.

The PER must provide a clear and definitive conclusion of residual significant impacts on relevant listed threatened species and ecological communities. Any residual significant impact must be offset. Further guidance on environmental offsets is provided in section 9 of these guidelines.

9 ENVIRONMENTAL OFFSETS

The PER must include an assessment of the likelihood of residual significant impacts occurring on MNES after avoidance, mitigation and management measures relating to the proposed action have been applied.

Where residual significant impacts remain after consideration of avoidance, mitigation and management measures, environmental offsets will be required to compensate for the impacts in accordance with the [Environmental Protection and Biodiversity Protection Act \(1999\)](#) [Environmental Offsets Policy \(2012\)](#).

Offsets must be specific to the MNES being impacted and must improve or maintain the viability of the MNES. Offsets do not reduce the impacts of an action and are not intended to make proposed actions with unacceptable impacts acceptable. They simply provide an additional tool that can be used during proposal design and the PER process.

For the residual significant impacts of the proposal on each listed threatened species and communities as a result of the proposed action, the PER must:

- d) detail the areas and types of critical and/or supporting habitat impacted by the proposed action, and/or the number of individuals or population likely to be impacted.

- e) outline the strategy proposed to offset the residual significant impacts (e.g., land acquisition and management, revegetation and management, threat abatement measures).
- f) demonstrate how the proposed offset strategy meets the requirements of the EPBC Act Offsets Policy.

If direct land acquisition and management are proposed as an offset strategy, the PER must provide detail following the guidance at Attachment 3.

10 ENVIRONMENTAL OUTCOMES

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

- g) consideration of the [Outcomes-based conditions policy EPBC Act \(2016\)](#), with suitable justification for considerations identified in the policy and guidance;
- h) the specific environmental outcomes to be achieved, and reasoning for these in reference to relevant recovery plans, conservation advice and threat abatement plans; and for each proposed outcome:
 - i) the risks associated with achieving the outcome,
 - ii) the measurability of the outcome, including all suitable performance measures,
 - iii) appropriate baseline data upon which the outcome has been defined and justified,
 - iv) the likely impacts that the proposed outcome will address,
 - v) demonstrated willingness and capability of achieving the outcome,
 - vi) commitments to independent and periodic audits of performance towards achieving outcomes,
 - vii) 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.

11 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:
- b) what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy;
- c) how the scheme provides for the prevention, minimisation and management of any relevant impacts;

- d) 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;
- e) a statement identifying any additional approval that is required;
- f) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

12 CONSULTATION

Include any consultation about the action such as:

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

13 ENVIRONMENTAL RECORDS OF PERSON(S) PROPOSING TO TAKE THE ACTION

The information provided must include:

- a) 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 Bluestone Mines Tasmania Joint Venture Pty Ltd, and of its executive officers;
- b) the environmental history of Bluestone Mines Tasmania Joint Venture Pty Ltd parent body or parent bodies; that is, anybody or bodies of which Bluestone Mines Tasmania Joint Venture Pty Ltd is a subsidiary; and
- c) the environmental history of the executive officers of Bluestone Mines Tasmania Joint Venture Pty Ltd parent body or parent bodies.

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.

14 ECONOMIC AND SOCIAL MATTERS

- 3) 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 proposal, including the basis for their estimation through cost/benefit analysis or similar studies; and
 - c) employment opportunities expected to be generated by the proposal (including construction and operational phases).

Economic and social impacts should be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the proposed action, as identified in section 3.3 above, should also be included.

15 INFORMATION SOURCES

For information referenced in the PER, provide:

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

16 CONCLUSIONS

An overall conclusion as to the environmental acceptability of the proposal should be provided, including discussion on compliance with principles of Ecological Sustainable Development and the objects and requirements of the EPBC Act.

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 to MNES, and the relative degree of compensation, should be restated here.

ATTACHMENT 1

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

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, landholders 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.

- Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations.
- 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.
- 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.
- The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making.
- Improved valuation, pricing and incentive mechanisms should be promoted.

ATTACHMENT 2

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

1 General information

1.01 The background of the action including:

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

2 Description

2.01 A description of the action, including:

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

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

3 Relevant impacts

3.01 Information given under paragraph 2.01(d) must include

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

4 Proposed safeguards and mitigation measures

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

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

5 Other Approvals and Conditions

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

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

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

6 Environmental records of person proposing to take the action

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

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

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

7 Information sources

7.01 For information given the PER/EIS must state:

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

ATTACHMENT 3

GUIDANCE ON PREPARING OFFSET PROPOSALS INVOLVING LAND ACQUISITION/MANAGEMENT

A proposed offset must include:

- a) details of how the proposed offset/s meets the requirements of the EPBC Act Offsets Policy.
- b) information about how the proposed offset/s area provides connectivity with other relevant habitats and biodiversity corridors.
- c) the methodology, with justification and supporting evidence, used to inform the inputs of the Department's [Offsets assessment guide](#), in relation to the impact site for each relevant MNES, including:
 - i. total area of habitat (in hectares)
 - ii. habitat quality.
- d) the methodology, with justification and supporting evidence, used to inform the inputs of the *Offsets assessment guide* in relation to each potential offset area for each relevant MNES, including:
 - i. time over which loss is averted (max. 20 years)
 - ii. time until ecological benefit
 - iii. risk of loss (%) without offset
 - iv. risk of loss (%) with offset
 - v. confidence in result (%).
- e) evidence that the relevant MNES, and/or their habitat, is present in the potential offset area/s; and
- f) details of the mechanism to legally secure the environmental offset/s (under Western Australian legislation or equivalent) to provide enduring protection for the offset area/s against development incompatible with conservation.

Please note, where offset area/s have been nominated, the Department is likely to require that an Offset Area Management Plan (**OAMP**) be approved and implemented prior to the commencement of the action to align with the EPBC Act Offsets Policy. Legal security of the offset area is generally required within 12 months of the date of approval of the OAMP.

The OAMP must include information to demonstrate how the environmental offset/s compensate for residual significant impacts of the proposed action on relevant MNES, and/or their habitat, in accordance with the principles of the EPBC Offsets Policy and all requirements of the *Offsets assessment guide*. The OAMP must include, at a minimum:

- a) a description of the offset area/s, including location, size, condition, environmental values present and surrounding land uses.
- b) baseline data and other supporting evidence, including the ecological field data, that documents the presence of the relevant MNES, and the quality of their habitat within the offset area/s.
- c) an assessment of the site habitat quality for the offset area/s using an appropriate methodology, with justification and supporting evidence.
- d) details of how the offset area/s will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the relevant listed threatened species and communities.

- e) maps and shapefiles to clearly define the location and boundaries of the offset area/s, accompanied by the offset attributes (e.g., physical address of the offset area/s, coordinates of the boundary points in decimal degrees, the listed threatened species and communities, and listed migratory species that the environmental offset/s compensates for, and the size of the environmental offset/s in hectares).
- f) specific offset completion criteria derived from the site habitat quality to demonstrate the improvement in the quality of habitat in the offset area/s over a 20-year period.
- g) details of the management actions, and timeframes for implementation, to be carried out to meet the offset completion criteria.
- h) interim milestones that set targets at 5-yearly intervals for progress towards achieving the offset completion criteria.
- i) details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the offset area/s are likely to achieve those milestones in adequate time to implement all necessary corrective actions).
- j) proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved.
- k) timing for the implementation of corrective actions if monitoring activities indicate the interim milestones have not been achieved.
- l) risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the OAMP and timely achievement of the offset completion criteria, including a rating of all initial and post-mitigation residual risks in accordance with a risk assessment matrix.
- m) if proposed for listed threatened species and communities and listed migratory species, evidence of how the management actions and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans; and
- n) details of the legal mechanism for legally securing the proposed offset area/s, such that legal security remains in force over the offset area/s for the duration of the impact to provide enduring protection for the offset area/s against development incompatible with conservation.

The draft Offset Management Plan must be prepared by a suitably qualified person and in accordance with the [Environmental Management Plan Guidelines \(2024\)](#).

Please note, the Department expects that an EPBC Act protected matter is present in the proposed offset area/s if it is present in the proposal area to align with the EPBC Act Offsets Policy.

Supporting evidence must be included in the OAMP to justify how proposed management action/s are additional to the existing requirements of the landholder in managing their land (e.g., weed and pest management requirements, existing grazing regimes, etc.) as required by the EPBC Act Offsets Policy.

The OAMP must include robust scientific evidence (e.g., published research, pilot studies, previously successful projects/programs, etc.) to demonstrate how success of proposed measures will be achieved to create, revegetate, regenerate and/or improve habitat (e.g., tree planting, nest boxes, artificial hollows, etc.) in the proposed offset area/s for a listed threatened species or ecological community and listed migratory species.

Where the proposed offset area/s supports an environmental offset for multiple MNES, proposed management action/s for one protected matter must not be detrimental (i.e., have an impact) to other protected matters.

Where an offset is proposed, with a completed *Offsets assessment guide* calculation, all inputs must be supported by robust scientific evidence and/or supporting evidence (e.g., historical grazing regimes, satellite imagery, statements from landholders, etc.).

Please note, it is the Department's expectation that the agreed inputs into the *Offsets assessment guide* are specified in the conditions of approval where the action is approved, subject to conditions, under the EPBC Act.