Australian Government

Department of Climate Change, Energy, the Environment and Water

DRAFT

GUIDELINES FOR THE

CONTENT OF A DRAFT

ENVIRONMENTAL IMPACT STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Aurora Green Offshore Wind Project, Victoria

EPBC 2025/10321

2026

DCCEEW.gov.au
John Gorton Building - King Edward Terrace, Parkes ACT 2600 Australia
GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849

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GUIDELINES FOR A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR

Aurora Green Offshore Wind Project, Victoria

Iberdrola Australia OW 2 Pty Ltd (ACN 667 065 689)

1 Preamble

Iberdrola Australia OW 2 Pty Ltd (**the proponent**) proposes the construction, operation and decommissioning of an offshore windfarm and associated infrastructure in Gippsland, Victoria, and in Victorian and Commonwealth waters. The action will include an Offshore wind farm, comprising up to **150** offshore wind turbine generators, an export cable corridor spanning across both Commonwealth and Victorian coastal waters and on land, an onshore substation and associated infrastructure.

1.1 Environmental referrals

On 21 October 2025, a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) for the Aurora Green Offshore Wind Project to the Minister for the Environment (**the Minister**) was received. On 17 November 2025 a delegate of the Minister determined that the action is likely to have a significant impact on the following matters of national environmental significance (**MNES**) that are protected under Part 3 of the EPBC Act:

- Ramsar wetlands (sections 16 & 17B)
- Listed threatened species and communities (sections 18 & 18A)
- Listed migratory species (sections 20 & 20A)
- The environment as the proposal would take place in a Commonwealth marine area (sections 23 & 24A)

Listed matters relevant to the assessment, are those that were listed at the time that the controlled action decision was made, on 17 November 2025. The action will be assessed under the EPBC Act by an Environmental Impact Statement (EIS).

The EIS is to provide information about the action and its relevant impacts. This information must 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 and inform any conditions that may be required for the protection of MNES.

1.2 Assessment Process

DCCEEW has developed a set of EIS Guidelines for the preparation of a draft EIS for the relevant impacts of the action on nationally protected matters, including guidance on the extent of studies and investigations required to adequately assess the impacts of the action under the EPBC Act.

The proponent is required to compile the information set out in the EIS Guidelines. After receiving the Minister's approval to publish the draft EIS, the proponent is required to make it 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 DCCEEW on the preferred presentation of that material, before submitting it to the Minister for approval for publication.

After the consultation period, the proponent must address all public comments received during the consultation period and provide the Minister with a copy of the public comments received, along with the finalised EIS. The finalised EIS will also be published. The Minister must then make a decision on whether to approve the action. The finalised EIS will be a substantial source of information that informs the Minister's decision. The Minister may request additional information following the finalisation of the EIS if the information is required for their decision.

1.3 Components of the action relevant to the assessment

The components of the action to be assessed under the EIS comprises both offshore and onshore components. The scope of the EIS documentation will cover the construction, operation and decommissioning components of the action.

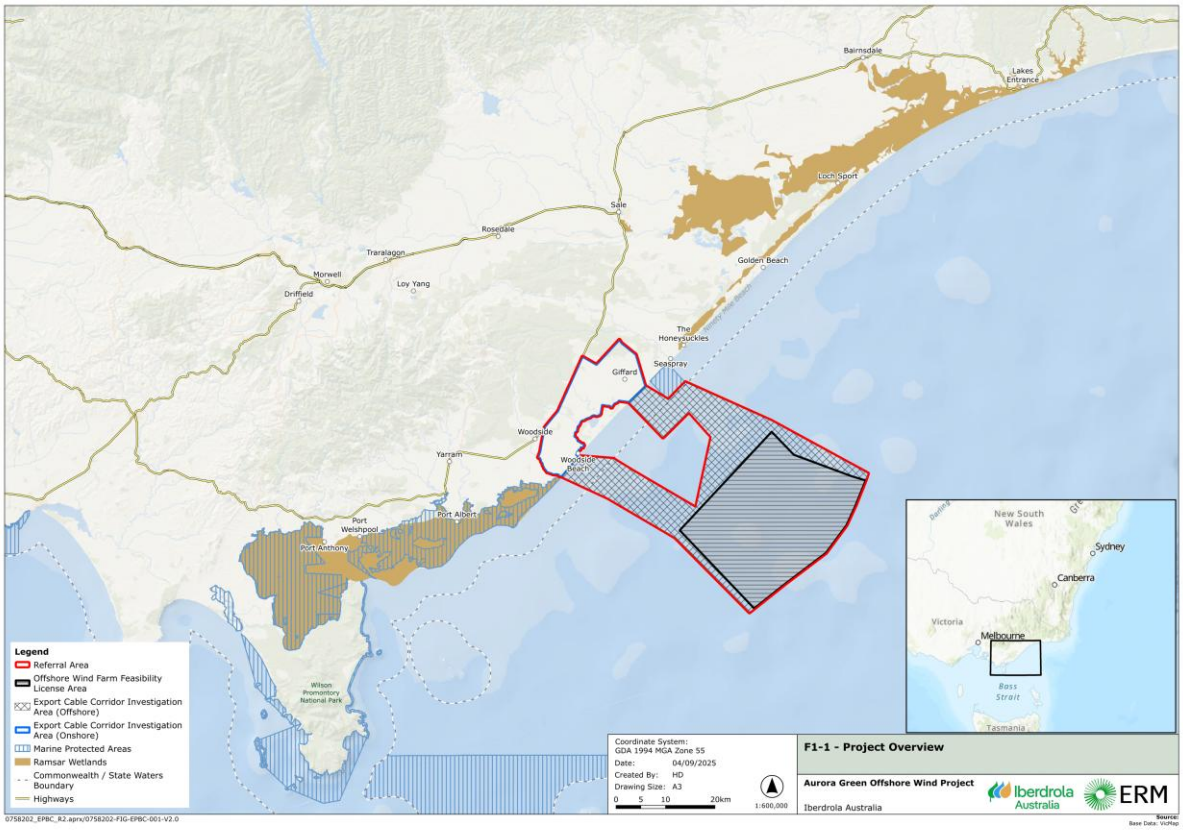

Figure 1. Location of the Aurora Green Offshore Wind Project proposed project area (source: proponent)

The offshore infrastructure components will be located in both Commonwealth and Victorian coastal waters (Figure 1). The major offshore infrastructure components include an Offshore wind farm, comprising up to 150 wind turbines, offshore substations and inter array cables, located in the Commonwealth waters. The subsea export cables will cross Commonwealth and State waters, making landfall at a shore crossing location, with the offshore and onshore cable portions connected via underground cable transition joint bays.

The onshore connection point will be located in Gippsland, Victoria and include an onshore substation located within the proposed VicGrid Connection Hub. The project will also require construction of an operations and maintenance (O&M) facility located at an existing nearby port. The VicGrid Hub and O&M facility are not considered under the current EIS.

The project area allows for flexibility in the design and the project design envelope (**PDE**) approach could be used to inform the assessment. This will allow a range of project design parameters to be identified and assessed for environment impact, and to allow flexibility in project design. The final layout of the onshore and offshore infrastructure will be determined following further project design development.

The operational life of the action is anticipated to be between 30 to 40 years of operation post construction (with potential for extension). During this period, activities will include the operation,

inspection, maintenance, repair, and decommissioning of all onshore and offshore components of the action.

2 General Advice on EIS Guidelines

2.1 Objectives

Environmental impact assessment depends on adequately defining those elements of the environment that may be affected by the action, and on identifying the significance, risks and consequences of the potential impacts of the action at a local, regional and national level.

Ecological and socio-economic investigations will be required to be undertaken to provide sufficient information for the EIS. The nature and level of investigations will be proportional to environmental risk and significance of the potential impacts (likelihood, consequence, magnitude, extent and scale of impacts, including consideration of worst-case scenarios). All relevant impacts of the action on MNES are to be investigated and analysed, and commitments to avoid, minimise, mitigate and offset any adverse impacts are to be detailed in the EIS. The aims of the EIS and public review process are:

- to provide a source of information from which interested individuals and groups may gain an understanding of the action, the need for the action, the feasible alternatives, the environment which it could potentially affect, the impacts that may occur and the measures proposed to be taken to avoid, minimise or compensate for these impacts;
- to provide a forum for public consultation and informed comment on the action; and
- to provide a framework in which decision-makers can consider the environmental aspects of the action including biophysical, cultural, social, heritage, economic, technical and other factors (as applicable).

The EIS will discuss compliance with the objectives of the EPBC Act and the principles of ecologically sustainable development, as set out in the EPBC Act. The EIS will also identify and address, as comprehensibly as possible, all matters relevant to the action and its potential impacts.

The EIS will provide a description of the existing environment in the area affected by the action, including as a result of any decommissioning of existing infrastructure needed to provide for the action, construction and commissioning operations and future decommissioning of the action. All potential impacts and risks on the environment are to be investigated and analysed. The EIS will present an evaluation of the potential environmental impacts using an impact assessment framework and describe proposed measures to avoid, minimise, mitigate or offset the expected, likely, or potential impacts. To the extent reasonably practicable, any feasible alternatives to the action (including the 'do nothing' alternative) will be discussed in detail and the reasons for selection of the preferred option will be clearly given.

While the EIS Guidelines are designed to cover all relevant matters, the EIS will also need to address other issues that emerge during the EIS investigations, especially those relevant to statutory decisions that will be informed by the assessment.

2.2 General advice

The EIS should be a stand-alone document that contains sufficient information to avoid the need to search external reports.

The EIS should enable interested stakeholders and the Minister to understand the environmental consequences of the action. Information provided in the EIS should be objective, clear, succinct, evidence-based and, where appropriate, be supported by maps, plans, diagrams or other descriptive detail. The main volume of the EIS 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 volume should be included as appendices to the EIS with information in technical reports to be summarised in the main body of the EIS. 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 EIS.

The EIS must state the criteria adopted in assessing the action and its potential impacts, such as compliance with relevant legislation, legislative instruments (e.g. recovery plans for listed threatened species), policies, standards and best practice; community acceptance; maximisation of environmental benefits and minimisation of risks and harm.

The level of analysis and detail in the EIS should reflect the level of significance of the potential impacts on the environment. All unknown variables or assumptions made in the assessment must be clearly stated and discussed. Further, any claims made (e.g., regarding the presence/absence of protected matters) need to be adequately justified and supported with evidence. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.

The proponent must ensure that the personnel providing information to inform preparation of this EIS have the relevant qualifications and experience in their respective fields.

2.3 Relevant legislative and policy context

The EIS should take into consideration the Significant Impact Guidelines 1.1 - Matters of National Environmental Significance - DCCEEW Significant impact guidelines 1.2 - Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies - DCCEEW, *Key Environmental Factors for offshore wind farm environmental impact assessment under the* Environment Protection and Biodiversity Conservation Act 1999, and other relevant EPBC Act policy statements and guidelines that can be downloaded from the following website: EPBC Act publications and resources - DCCEEW.

Additionally, all relevant guidance documents should be considered in determining and managing likely impacts for relevant species. For decisions about:

- Ramsar wetlands, in accordance with section 138 of the EPBC Act, the Commonwealth Minister must not act inconsistently with Australia's obligations under the Ramsar Convention.

- threatened species and endangered communities, in accordance with section 139 of the EPBC Act, the Commonwealth Minister must not act inconsistently with a recovery plan or threat abatement plan. The Commonwealth Minister must also have regard to any approved conservation advice.

- migratory species, in accordance with section 140 of the EPBC Act, the Commonwealth Minister must not act inconsistently with Australia's obligations under whichever of the relevant conventions and agreements (e.g. the Bonn Convention, CAMBA, JAMBA, and/or other relevant international agreements) in which the species are listed.

DCCEEW documents relevant for each listed threatened and migratory species can be found by viewing the species profile at: http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl.

The proponent must ensure that the EIS assesses compliance of the action with principles of Ecological Sustainable Development (ESD) as set out in the EPBC Act, and the objects of the Act at Attachment 1. Under Part 5 of the EPBC Regulations the Minister must seek to ensure the draft EIS addresses the matters mentioned in 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'* (see Attachment 2).

2.4 Format and style

The EIS may comprise three elements, namely:

1. the executive summary;

2. the main volume of the document; and

3. appendices and/or attachments 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 EIS. 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 EPBC Regulations.

The EIS 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 must include the address of any web pages used as data sources.

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

1. a copy of these guidelines;

2. a list of persons and agencies consulted during the EIS;

3. contact details for the proponent; and

4. the names of the persons involved in preparing the EIS and work done by each of these persons.

Maps, diagrams, and other illustrative material must be included in the EIS, including clear legends, scale and delineation of key environmental features relative to the action area. The EIS 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 in accordance with the department's *Guide to providing maps and boundary data for EPBC Act projects* (2021).

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 Specific Content

3.1 General information

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

1. the title of the action;

2. the full name and postal address of the designated proponent;

3. a clear outline of the objective of the action;

4. the location of the action, including confirmation of:

    a. the proposed location of all offshore infrastructure including wind turbine generators, substations, cables and temporary infrastructure, including the location of the action in regard to the Gippsland Declared Area;

    b. the proposed location of all onshore infrastructure including shore crossings, substations, cables offices, laydown area and road upgrades;

    c. any ancillary components likely to be required to support the action including onshore laydown areas and infrastructure transportation routes.

5. the background to the development of the action;

6. how the action relates to any other relevant 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;

7. the current status of the action;

8. the consequences of not proceeding with the action;

9. a brief explanation of the scope, structure, and legislative basis of the EIS; and

10. the specific EPBC Act controlling provisions affected by the action.

4 Description of the action

This section must describe the action in sufficient detail to allow an understanding of all relevant stages (including interdependencies between stages) and components, and to determine potential associated environmental impacts.

All construction, commissioning, operational and decommissioning components of the action must be described in sufficient detail to understand the action and assist in determining the associated potential environmental impacts. This should include the location (including coordinates) of all works to be undertaken, structures to be built or elements of the action that may have impacts on relevant controlling provisions for the action.

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 associated impacts. For example, design parameters may influence the intensity of light and noise emissions, or the footprint of seabed disturbance associated with cable deployment and installation.

The location, boundaries, and total size (in hectares) of the project area and the total size (in hectares) of the disturbance footprint in both marine and terrestrial environments within the project area must be provided. This should also include any adjoining or upstream and downstream areas which may be indirectly impacted by the action.

The various elements of the action must be described in the text and illustrated with maps, diagrams, plans (at a suitable scale) and other information as required to provide sufficient context and basis for the identification and assessment of impacts.

The expected maximum duration of the action, and expected timeframes for each individual stage including construction, commissioning, operation, and decommissioning must be included.

Details of all associated works/activities, including but not limited to vessel movements, maintenance activities, and transport requirements, site establishment and access routes throughout different stages of construction, commissioning, operation, and decommissioning must be included.

Details of decommissioning must also be provided, including the likely outcomes, and principles for planning and implementation (noting that full details of decommissioning activities will be subject to decommissioning plans to be updated and endorsed in accordance with contemporary best practice and regulatory requirements). In discussing decommissioning principles, the proponent should be aware of, the relevant legislative requirements for removal of structures, equipment and property as set out in the *OEI Act* and regulations. End of life management of decommissioned components should be considered including, e.g. best practice blade recycling

4.1 Feasible alternatives

Provide discussion on any feasible alternatives to the action or its components to the extent reasonably practicable, including:

1. if relevant, the alternative of taking no action;

2. a description of the process undertaken to determine the preferred project area, as well as the preferred numbers and layout for the turbines, shore crossing, offshore and onshore substations, transmission lines and export cables;

3. a description of the process undertaken to determine the preferred construction methods and timings;

4. a description of the process undertaken and criteria adopted to assess what are feasible alternatives for the action;

5. a comparative description of the impacts of each alternative on the MNES protected by controlling provisions of Part 3 of the EPBC Act for the action;

6. where there are likely different environmental impacts associated with the alternatives, sufficient detail to make clear why any alternative is preferred to another; and

7. how the choice of alternatives ensures impacts to MNES are appropriately minimised and managed to an acceptable level.

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

4.2 Description of the existing environment

The EIS must include a description of the existing environment of the project area and the surrounding areas that may be impacted by the action. The description must be appropriate to the nature and scale of the project. The information provided on the existing environment should be well-founded by having a basis in the analysis of relevant scientific evidence. Relevant scientific evidence may be drawn from published literature or studies undertaken for the purpose of informing the EIS. Additional weight may

be given to any information or evidence provided that has been subject to a peer review process or similar.

The description should also include information on the importance and value of potentially impacted environmental features at the local and regional scale, as well as a description of the environment of the project area and surrounding areas (i.e. adjacent, upstream and/or downstream) that may be affected by the action. The description must be sufficiently detailed to inform the assessment of impacts with greater detail provided for the species, habitats, and environmental features with greatest potential for impact. At a minimum, this section must include details of:

1. terrestrial and aquatic ecosystems, including key vegetation communities and relevant watercourses;

2. estuarine and coastal environments, including inshore coastal areas, vegetation, marine ecological features and key habitats;

3. surface water and groundwater hydrology and quality;

4. marine and coastal hydrodynamic processes;

5. seabed and coastal sedimentology, geomorphology, and sediment transport processes;

6. native flora and fauna that inhabit terrestrial, aquatic, marine and aerial ecosystems;

7. aquatic, marine and terrestrial pest species and weeds;

8. important areas, recognised populations and habitat, aggregations of marine species, Key Ecological Features (KEFs) and Biologically Important Areas (BIAs);

9. current condition of the marine environment including its conservation values and sensitivities (e.g. measures of the current state of the environment with a focus on conditions that are expected to change as a result of the action), natural and physical resources, qualities and characteristics of locations (including background underwater noise levels). The description should include information placing these features into appropriate local, regional and national contexts (e.g. *South-east marine region profile* (2015));

10. current physio-chemical condition of the seabed and inshore and terrestrial project area including potential presence of contaminants;

11. current distribution and properties of acid-sulphate soils within the project area;

12. cultural heritage values (both First Nations and non-Indigenous) within and surrounding the project area, including on land and underwater. Details related to First Nations connections to the region must include (to the extent permitted by the relevant First Nations people due to cultural sensitivities):

- First Nations traditional and current connections and history related to the region and the project area;
- First Nations tangible and intangible cultural values and connections to the region and project area;
- other First Nations rights and interests, including Native Title and/or Indigenous Land Use Agreements, related to the project area and its regional setting any other First Nations land uses and management of Country in the project area; and
- a description of any plans and aspirations First Nations people may have in relation to the project area and its regional setting.

13. historical anthropogenic uses of the project area (if relevant) and existing condition of the overall environment within, adjacent to, downstream and upstream of the project area, including the potential for unexploded ordinances; and

14. existing, approved and reasonably foreseeable proposed anthropogenic social and economic uses of the Gippsland Basin and Bass Strait including those related recreational fisheries and tourism.

15. existing, approved and reasonably foreseeable proposed commercial uses of the Gippsland Basin and Bass Strait including those related to offshore energy (e.g. oil and gas facilities and activities, electricity transmission infrastructure), commercial fishing, shipping, defence, and aviation

4.3 Description of the protected matters

The EIS must provide a description of the protected matters that are likely to be impacted by the action. Protected matters must be described at an ecologically relevant scale (local, regional) so that the relative value and importance of the area that will be affected (directly and indirectly) is understood.

Appropriate resources and published literature should be reviewed and cited throughout, including all relevant government issued conservation advice, recovery plans, and management plans published by DCCEEW as well as relevant ecological studies where available.

The EIS must include a habitat assessment for each relevant listed species and community. The habitat assessment must include, but not be limited to, the habitat area (in hectares), quality, location and use specifications of known and potential suitable habitat in relation to the project disturbance area including use of aerial space.

The habitat assessment must be informed by, at a minimum, a desktop assessment of relevant Commonwealth and State Government databases and the outcomes of relevant field surveys or studies that are applicable to the habitat, communities, or species in the project area.

The EIS must consider and discuss the conservation value of suitable habitat present within the area potentially impacted by the action, and how that habitat may be impacted.

The EIS must describe the methodology for identifying priority areas for conservation.

The EIS must provide an analysis of the strengths, limitations and expected effectiveness of methods used to identify the MNES and identify any key information gaps, further studies needed and any proposals to address critical information needs.

The description of protected matters must also include the following information:

4.3.1 Ramsar wetlands

The description of the ecological character of the Corner Inlet and Gippsland Lakes Ramsar sites including the following details:

Ramsar values (identified in the Ramsar Information Sheet (RIS)), critical components, processes and services of the Gippsland Lakes and Corner Inlet Ramsar sites (identified in the Draft Ecological Character Description (ECD) or final ECD if available). This comprises:

1. aspects of the marine environment (both Victorian and Commonwealth waters) that underpin the ecological character of the Ramsar sites;

2. extent and types of wetland habitats in the project area and in areas that may be impacted by the action including, but not limited to, intertidal and subtidal habitats;

3. threatened ecological community locations in potentially impacted areas;

4. threatened and migratory species numbers, distribution and site fidelity at the Ramsar sites and in areas that may be impacted by the action, known habitat utilisation or requirements, and the predicted temporal and spatial variability in occurrence;

5. the role of the Ramsar sites in maintaining populations of EPBC listed species, and species that are critical components of the ecological character of the Ramsar site that may be impacted by the action;

6. locations of feeding habitats for cetaceans, feeding and roosting habitats of listed species at the Ramsar site that may be impacted by the action, the behavioural ecology which links these habitats, their site fidelity, temporal variability in occurrence within the area potentially impacted, and their usage of the area in a local, regional, and national context, including their migratory pathways;

7. coastal geomorphology, sediment transport processes and hydrology, including the tidal regime of Gippsland Lakes and Corner Inlet Ramsar site;

8. physico-chemical status of the wetland sediments;

9. water quality (i.e. levels of turbidity and suspended sediment) and chemistry;

10. physico-chemical status of the surrounding soils and marine sediments, including acid sulphate soils (ASS) and potential acid sulphate soils (PASS);

11. current status and condition of the Gippsland Lakes and Corner Inlet Ramsar site, including the past and projected trends and existing threats. This information should be gathered in the context of the relevant ECD, RIS and/ or Strategic Management Plan of the Ramsar site (where available).

4.3.2 Listed marine species, cetacean species, migratory species, threatened species and ecological communities (listed species and communities)

A description of listed species, which includes listed threatened species and ecological communities (EPBC Act sections 18 & 18A), listed migratory species (EPBC Act sections 20 & 20A), listed marine species (EPBC Act sections 23 & 24A) and listed cetacean species (EPBC Act section 224) that are likely to be present in the vicinity of the project area (and in areas that may be impacted by the action), including the following details:

1. details of the scope, duration and timing (survey seasons), and scientifically robust methods for desktop studies and field surveys used to provide information on the listed species and communities' habitat within the project area and in areas that may be impacted by the action;

2. how desktop studies or field surveys are consistent with (or a justification of divergence from) relevant DCCEEW guidelines or policy statements, or are in accordance with established best practice studies or surveys, and include a description of any uncertainties/ limitations, including but not limited to timing, conditions and technology;

3. listed species and communities' abundances at a local and regional scale where relevant, distribution and site fidelity at the project area and in areas that may be impacted by the action, and known habitat utilisation and/or requirements, including Biologically Important Areas (BIAs), Key Ecological Features and habitat critical to the survival of species;

4. usage of the project area and areas that may be impacted by the action by listed species in a regional context including, but not limited to migratory pathways, breeding and foraging behaviours;

5. the predicted temporal and spatial variability in occurrence of listed species and communities within the onshore or offshore project area and in areas that may be impacted by the action;

6. relevant identified threats to the survival, habitat utilisation, site fidelity and essential life functions of listed species, including foraging, breeding or migratory behaviours, and past and projected trends and existing threats to the condition of habitat.

It is the proponent's responsibility to ensure that any listed species and communities, at the time of the controlled action decision, which will or are likely to be impacted by the action, are assessed for the Minister's consideration. Any listing events (e.g. the listing or up-listing of a species) that occur after the controlled action decision (17 January 2023) do not affect the assessment and decision process for the Part 9 decision of the EPBC Act.

The EIS must identify and describe known historical records of listed species and communities in the broader region (this may also include upstream, downstream and adjacent to the project area). All known records must be supported by an appropriate source (i.e. Marine Mammal Observer (MMO) data, Commonwealth and State databases, published research, publicly available survey reports, etc.), the year of the record and a brief description of the habitat in which the record was identified.

All field surveys must be of a suitable standard, particularly scope, timing and duration, methods, repetition and be undertaken by appropriately qualified or experienced personnel, to be able to detect cryptic or difficult to detect terrestrial, aquatic and marine species which may be affected by the action. Further, the survey effort must also target areas upstream, downstream and adjacent to the project area, particularly species which regularly disperse through the landscape or aquatic environments (particularly seasonally) and/or have large home ranges. The surveys should incorporate multi-seasonal inter-annual baseline surveys and make use of regional datasets to strengthen the robustness of findings. They must demonstrate and ensure enough information is available to inform an understanding of the full scope of potential impacts of the action.

The EIS must provide a robust assessment of the potential habitat available within, adjacent to, upstream and/or downstream of the project area for listed species and communities, including the total area of each type of habitat (quantified in an appropriate metric). This must include the assessment of specific habitat requirement/s relevant to each listed species and community (e.g. breeding, foraging, dispersal, important habitat, roosting, etc.), to inform the expected, likely and potential impacts of the action.

Habitat assessments must be derived from information obtained from:

1. field surveys and vegetation assessments;
2. the Species Profile and Threats (SPRAT) database;
3. Victorian Biodiversity Atlas;
4. relevant DCCEEW documents (i.e. approved conservation advices, recovery plans, listing advices, draft referral guidelines, etc.); and
5. published research and other relevant sources (where relevant).

4.3.3 Commonwealth Marine Area

The Commonwealth Marine Area (**CMA**) relevant to the action falls within the area of the *South-east*

marine region profile (2015). The whole of the environment must be considered in the assessment of the impacts of the action on the CMA, including social, economic and cultural aspects of the environment. Marine protected areas are marine areas which are recognised to have a high conservation value. Actions in or near marine protected areas have a greater likelihood of significant impacts on the environment of the CMA.

In accordance with the definition of the environment in section 528 of the EPBC Act, the EIS should address the following:

a) Ecosystems and their constituent parts, including people and communities;

b) Natural and physical resources;

c) The qualities and characteristics of locations, places and areas including Key Ecological Features (identified in the *South-east marine region profile* (2015)), and Australian Marine Parks (see Australian Marine Parks at parksaustralia.gov.au), addressing:

   i. Distance from the project area;

   ii. Conservation values;

   iii. Status, condition and the threats to identified values that are relevant to the Action; and

   iv. Relevant management arrangements (e.g. management plans) and strategies and any separate approvals requirements for activities within or which may affect Australian marine parks.

d) Heritage values of places;

e) The social, economic and cultural aspects, of a thing mentioned in paragraph (a), (b), (c) or (d), including as they relate to the Gunaikurnai people and other First Nations stakeholders that the proponent reasonably considers have an interest in the project area and areas potentially impacted by the action, and consideration of the characterised visual impact of the action.

Further, the EPBC Act defines the environment as including heritage values, people and communities, including their social, economic and cultural aspects. Indigenous heritage values are also defined in section 528 of the EPBC Act, as “a heritage value of the place that is of significance to indigenous persons in accordance with their practices, observances, customs, traditions, beliefs or history”. The assessment should document and demonstrate how the definition of “environment” under section 528 of the EPBC Act has been considered in the scope of the impact assessment.

The description of the CMA must describe the environment of the CMA, and should address the following:

1. a desktop analysis conducted to develop an understanding of the existing environment that may be affected, including to inform field investigations and environmental impact assessments;

2. surveys to understand the values and sensitivities of the marine environment that may be affected by the action and how these fit within local, regional, and national contexts. In describing the surveys conducted, discuss why these are considered to be of an appropriate standard, considering factors including scope, design features, timing, methods, and training and competency of personnel conducting surveys, to be able to detect and describe ecosystems, habitats, biological communities and species relevant to the impact assessment for the action;

3. findings and outcomes of desktop analysis and field investigations, setting out current knowledge about the condition of the existing environment that may be affected by the action; and

4. existing anthropogenic uses of the Gippsland Basin and Bass Strait including those related to commercial and recreational fisheries, shipping, and defence. For commercial fisheries, information should be provided on fishing methods, target species and historical areas of effort.

Locations and descriptions of underwater cultural heritage sites should be determined using an appropriate resolution for underwater surveys, by a suitably qualified expert with a background in Australian underwater cultural heritage.

Surveys for underwater cultural heritage should be designed and implemented having regard to DCCEEW's *Assessing and Managing Impacts to Underwater Cultural Heritage in Australian Waters: Guidelines on the Application of the Underwater Cultural Heritage* (June 2024), in particular, Section 3.5 with regards to appropriate consultation and agreement with First Nations groups and key Traditional Custodians.

5 Relevant Impacts

The EIS must include a description of all the relevant impacts of the action. Relevant impacts are impacts that the action will have or is likely to have on a matter protected by a controlling provision. Sufficient justification should be provided on why the impacts discussed in the EIS are considered the likely impacts of the action.

The EIS must provide a detailed assessment of all likely impacts on the following Matters of National Environmental Significance (MNES) at the local, regional, and national scale:

1. The ecological character of Ramsar wetlands.

2. Listed marine and threatened species and communities.

3. Listed migratory species.

4. The environment of a Commonwealth marine area.

The EIS must identify and establish measurable environmental outcomes for listed species and communities, Ramsar wetlands, and relevant values of the CMA that represent an acceptable level of impact (with regards to the matter being impacted) and evaluate impacts against this level. The assessment of impacts should address impacts from activities within construction, operational, and decommissioning stages.

Any technical data and other information used or needed to make a detailed assessment of the relevant impacts, including but not limited to baseline study results must be presented with sufficient detail to allow a quantified comparison between the pre-development state of the environment and changes to the environment attributed to the action.

The impact assessment should provide the following information:

1. a discussion on the sources of potential impacts. For example, see *Key environmental factors for offshore wind farm environmental impact assessment under the* Environment Protection and Biodiversity Conservation Act 1999 (July 2023);

2. assessment of risks such as accidental spills;

3. a detailed assessment of the nature and magnitude of the potential impacts, based on scientifically robust studies;

4. a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;

5. analysis of the significance of the relevant impacts taking into account the nature and magnitude of the impact, and relevant EPBC Act context such as statutory documents and plans of management.

The impact assessment set out in the EIS should include proposed defined acceptable levels of impact against which predicted impacts of the action are to be evaluated.

The EIS should identify and address cumulative impacts, where potential project impacts are in addition to existing or potential impacts of other activities, including known potential future expansions or developments in the region and vicinity (including developments in the Gippsland Declared Area).

Sources of scientific uncertainty in predictions of impacts and the effectiveness of management must be identified in the impact assessment and where possible addressed through appropriate measures such as environmental monitoring and adaptive management measures during implementation. In applying these requirements, the proponent must have regard to the precautionary principle, noting that where there are threats of serious or irreversible environmental damage, a lack of full scientific certainty must not be used as a reason to postpone measures to prevent environmental degradation.

In assessing the impacts, including when defining acceptable levels of impact, consideration should be given to:

- EPBC Act *Policy Statement 1.1 Significant Impact Guidelines* (2013);
- *Guidance - Key environmental factors for offshore windfarm environmental impact assessment under the* Environment Protection and Biodiversity Conservation Act 1999 (DCCEEW 2023);
- EPBC Act *Policy Statement 1.2 Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies* (2013);
- EPBC Act *Policy Statement – 'Indirect consequences' of an action: Section 527E of the EPBC Act* (2013)*;*
- EPBC Act *Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines* (2008)*;*
- EPBC Act Regulations Part 8 - Interacting with cetaceans and whale watching;
- *EPBC Act Policy Statement 3.21 – Industry Guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species* (2015)*;*
- *Australian Biofouling Management Requirements* (2022);
- *Australian Ballast Water Management Requirements* (2020)*;*
- *National Assessment Guidelines for Dredging* (2009)
- *EPBC Act environmental offsets policy* (2012);
- *Assessing and Managing Impacts to Underwater Cultural Heritage in Australian Waters – Guidelines on the application of the* Underwater Cultural Heritage Act 2018 (2024)
- *National guidelines for the survey of cetaceans, marine turtles and the dugong (2024);*
- *Sea Country: An Indigenous Perspective;*
- *A Guide to the Protected Zones Declared Under the Underwater Cultural Heritage Act;*
- *National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds, and Migratory Shorebirds* (2020)*;*
- *National Strategy for Reducing Vessel Strike on Cetaceans and other Marine Megafauna* (2017)*;*
- *Australian National Whale and Dolphin Watching Guidelines* (2017)*;*

- *Wildlife Conservation Plan for Migratory Shorebirds* (2006)*;*
- *Impacts on Birds from Offshore Wind Farms in Australia* (2025);
- Biologically Important Areas (Australian Spatial Information System);
- Australia's international responsibilities in relation to conservation of biodiversity, conservation of migratory species and protection of Ramsar wetlands;
- Australia's international obligations in relation to international agreements (for example, International migratory bird agreements - JAMBA, CAMBA, ROKAMBA, Convention on Biological Diversity, Convention on the Conservation of Migratory Species of Wild Animals; Agreement on the Conservation of Albatrosses and Petrels);
- consistency with relevant Statutory instruments, including regulations, zoning plans, plans of management and permits;
- relevant approved Conservation Advice, Recovery Plans, Threat Abatement Plans, management plans for marine parks, Ramsar Information Sheets, Ramsar Management Plans and Ecological Character Descriptions of the relevant Ramsar sites, as well as any agreements or plans that cover impacts on MNES; and
- partnership and stewardship programs, including education programs and engagement, with local governments, communities, First Nations peoples, business and industry.

Where applicable, the EIS must use baseline data to support modelling and predictions, evaluation of impacts, and conclusions about their acceptability.

5.1.1 Seabed disturbance

The EIS must include an assessment of the potential direct and indirect impacts to MNES, arising from physical disturbance to the seabed. The following will be required:

1. modelling or alternative scientifically robust methods to describe predicted potential impacts and their magnitude of changes in sediment transport and seabed geomorphology on the physical form and ecological condition of the Corner Inlet and Gippsland Lakes Ramsar site;
2. modelling or alternative scientifically robust methods to assess potential modifications of the seabed from infrastructure installation and operation including impacts from vibration of the cables and scouring of the seabed;
3. assessment of potential changes to water quality as a result of sediment dispersal from seabed disturbance during construction (including cable installation, wet jetting, emplacement and burial operations);

4. characterise the disturbance footprint of structures on the sea floor, as a result of direct impacts from placement (e.g. overtopping benthic habitat) and indirect impacts (e.g. potential changes to sediment resuspension and deposition patterns), changed nature of benthic substrates and biota that inhabit them (e.g. from unconsolidated sediments to hard surfaces), individually and cumulatively across the project area;

5. assessment of potential direct and indirect impacts to benthic organisms and communities from changes in water quality as a result of sediment dispersal (including potential for release of historical contaminants from sediments, burial/smothering and effects of changed quality and quantity of light at the seabed), and how this may affect marine ecological functioning and integrity;

6. assessment of potential direct and indirect impacts to listed species as a consequence of the disruption of migration, resting, breeding (including calving and nursing), or foraging behaviours; and

7. describe and assess the potential impacts of any waste expected to be generated from physical disturbance of the seabed (including dredge spoil) including potential reuse and/or disposal options.

5.1.2 Underwater disturbance (noise, vibrations, and electromagnetic fields)

The EIS must include an assessment of the potential direct and indirect impacts to MNES and including impacts to prey species arising from underwater noise, vibrations, and electromagnetic fields. The following needs to be addressed:

1. characterise the noise, vibrations and electromagnetic fields to be generated including:

    a. the intensity, duration, frequency and extent of underwater noise generated from all relevant activities associated with the action, including cumulative impacts from all noise generating activities;

    b. the magnitude, duration and frequency of any vibration, including particle motion in the marine environment (which may in turn impact fish and benthic invertebrate species); and

    c. the strength of electromagnetic fields generated around subsea cables or other infrastructure.

2. modelling (or other scientifically sound method for predicting impacts) of underwater noise, vibrations and electromagnetic disturbance. All assumptions, calibration, validation, and related uncertainty of any model predictions must be provided;

3. the locations of areas sensitive to disturbance relative to the disturbance activities must be identified on a map at a suitable scale; and

4. consequences for the disruption of migration, resting, breeding (including calving and nursing), or foraging behaviours of listed species, or species that form critical components of the ecological character of the Gippsland Lakes and Corner Inlet Ramsar site.

5.1.3 Light emissions

The EIS must include an assessment of the potential direct and indirect impacts to MNES (including impacts to prey species) arising from light pollution in the project area and associated port/land-based activities. The following will be required to be characterised:

1. details of the lighting to be used during all stages of the action. Modelling and/ or consideration of alternative scientifically robust methodologies which reflect the magnitude of the predicted potential impacts to light sensitive species; and

2. the consequences of disrupting migration, breeding or foraging behaviours of listed species or species listed as critical components of the ecological character of the Gippsland Lakes and Corner Inlet Ramsar site.

5.1.4 Turbine interactions – injury and mortality to birds and bats

The EIS must include a collision risk assessment, to understand the significance of the impact on listed birds and bats, including to species that form critical components of the ecological character of Corner Inlet and Gippsland Lakes Ramsar site resulting from collision with turbines (both towers and turbine blades). The following will be required:

1. characterise the vertical disturbance footprint of structures individually and cumulatively across the project area;

2. characterise the use of the project area by listed birds and bats, taking into account potential temporal variation in occurrence, including:

    a. characterising the numbers, migratory pathways and foraging behaviours of species likely to occur in the vicinity of the project area, supported by scientifically robust studies of diurnal and nocturnal patterns over different seasons, including at-sea observations;

    b. characterising the listed shorebird, seabird and bat use of the project area including key factors that affect collision risk such as morphology, sensorial perception, behaviour, abundance, flight paths, flight and heights in differing wind conditions, food availability and weather conditions relevant to the project area.

3. the determination of listed bird and bat collision risk at the project area, underpinned by scientifically robust modelling noting that the assumptions, calibration, validation and related uncertainty of any model predictions must be provided; and

4. address any potential long-term impacts on listed species by identifying circumstances that could lead to long-term decreases in their population size or viability , demonstrating how the action will avoid such outcomes.

5.1.5 Physical presence - barrier effects and displacement to marine fauna and socioeconomic uses

The EIS must assess the barrier effects of offshore infrastructure on foraging behaviours and migratory pathways, and the impact of potential barriers to foraging and migration on listed species, and to species that form critical components of the ecological character of Corner Inlet and the Gippsland Lakes Ramsar sites. The EIS must also explore the barrier effects of offshore infrastructure on existing socioeconomic uses of the marine environment. The following will be required to be characterised:

1. relevant listed species likely to migrate through the area potentially impacted by the action, their migratory pathways in the vicinity of the project area, taking into account temporal variability, and supported by scientifically robust studies of diurnal and nocturnal patterns over different seasons;

2. potential impacts to listed species from barriers to breeding, foraging and migration, which must address potential for population level impacts and subsequent consequences for population viability and in the case of threatened species, population recovery;

3. potential disruption to existing users and uses of the marine environment (e.g. commercial and recreational fishers, marine tourism, shipping and navigation, commercial and defence aircraft (e.g. potential interference with radar). Details of any community consultation as well as consultation with State or Commonwealth Agencies (including but not limited to the Australian Fisheries Management Authority or Bureau of Meteorology) that informed the impact assessment must also be provided.

5.1.6 *Physical presence – effects on hydrodynamic and sediment transport processes*

The EIS must explore the potential effects from the changes to natural patterns of ocean water movement and the transport of sediment arising from the placement of wind farm infrastructure in the project area. The following will be required:

1. modelling of potential changes to existing hydrodynamic conditions (e.g. marine water currents, wave climate) and knock-on consequences for marine biological productivity (e.g. productivity that supports foraging opportunities for marine fauna) and coastal processes (e.g. the extent and severity of any change in coastal and seabed geomorphology and its effect on tidal regimes), including at the Corner Inlet and Gippsland Lakes Ramsar sites.

5.1.7 Physical presence – socioeconomic: seascapes and visual amenity

The EIS must explore the visual impact of the offshore, nearshore and onshore infrastructure on the landscape and seascape. The following will be required:

1. describe the visible components of the action;

2. assess the statutory context including identification of any significant landscapes and seascapes in the vicinity that have statutory protection;

3. assess key landscape and seascape characteristics in the vicinity of the action;

4. assess the potential for nearby communities to be exposed to changes to the visual amenity, including views and blade glint from project infrastructure;

5. identify sensitive viewpoints and prepare visual exposure and visual sensitivity mapping (viewshed maps that model the visual connectivity (visual exposure) of the project area from sensitive viewpoints of the Victorian coast), taking into account topographies and viewscreens;

6. assess the potential visual impact from viewpoints within the public and private domain, including key tourism sites;

7. understand any cumulative visual impacts of the action with other existing or approved developments and any proposals for which development applications have been submitted; and

8. characterise visual impacts to industry (for example the tourism industry) and communities, including potential effects on significant state and regional landscape values and national parks.

5.1.8 Vessel interactions and movements

The EIS must include an assessment of the potential direct and indirect impacts to listed species as a result of increased vessel movements and potential vessel collision. The following will be required:

1. identify the relevant listed species that utilise the project area and area potentially impacted by the action, taking into account potential variation in occurrence;

2. identify listed species and if they are at risk from increased vessel movements and vessel collision, noting that the assumptions, calibration, validation, and related uncertainty of any modelling predictions must be provided; and

3. potential disruption of migration, breeding, or foraging behaviours of listed species as a result of increased vessel movements and potential collision, and any long-term decrease in populations.

5.1.9 Routine vessel discharges and unplanned spills impacts

The EIS must identify and evaluate the potential impact of routine vessel discharges and accidental spills on MNES, including the water quality and ecological character of the Corner Inlet and the Gippsland Lakes Ramsar sites, and the ability for these wetland systems to support habitat for listed species and communities and the marine environment generally.

5.1.10 Invasive marine species (IMS), spread of weeds and pathogens

1. The EIS must consider potential impacts to MNES from introducing and spreading invasive species and pathogens (onshore and offshore). The EIS must identify the vectors for potential introduction of invasive species and pathogens and characterise the risk to MNES.

5.1.11 Disturbance of underwater cultural heritage

The EIS must include an assessment of the potential direct and indirect impacts to underwater cultural heritage. The following will be required:

1. identify any known or potential underwater cultural heritage in the area potentially impacted by the action, supported by maps (including the layout or proposed design of offshore infrastructure) and appropriately detailed survey work and consultation; and

2. a description of how any information obtained from people and/or organisations who provided information through being consulted, has been taken into account in the evaluation of impacts.

5.1.12 Impacts on First Nations cultural values

The EIS must include an assessment of the potential direct and indirect impacts of the action to First Nations cultural values of the CMA and from activities occurring within the CMA (including but not limited to biogeographical features, songlines, and culturally significant species), to which people, in accordance with Indigenous tradition, may have spiritual and cultural connections (whether tangible or intangible), as a result of construction, operation and decommissioning of the action. The following, to the extent permitted by relevant First Nations knowledge holders, will be required:

1. the methods and results of the evaluation on any identified First Nations cultural values within the project area and areas that may be impacted to which people, in accordance with Indigenous tradition, may have spiritual and cultural connections;

2. details of relevant legislation, policies and guidance that apply to the action and its impacts on First Nations cultural values and a demonstration of how those will be met;

3. details, including the locations of, any First Nations cultural values, supported by maps (including the finalised layout of offshore infrastructure) and appropriate survey work and consultation with relevant First Nations people;

4. details of the extent, severity and persistence of potential impacts to First Nations cultural values; and

5. a description of how any information obtained from people and/or organisations who provided information through being consulted, has been considered in the evaluation.

5.1.13 Terrestrial impacts

The EIS must include an assessment of the potential direct and indirect impacts MNES arising from the terrestrial components of the action, particularly native vegetation clearance for onshore infrastructure, and hydrological impacts. The following will be required:

1. identify and characterise threatened species and their habitat, and ecological communities present within terrestrial environments of the project area, supported by maps and survey work;

2. identify and characterise potential impacts to the hydrology of the Gippsland Lakes and Corner Inlet Ramsar sites, including from sediment runoff, sedimentology, water chemistry, hydrology and geomorphology of the wetlands, stream beds and banks and increased nutrient enrichment and eutrophication;

3. quantify the total amount of habitat likely to be impacted, including from vegetation removal, habitat degradation and fragmentation.

5.1.14 Waste

The EIS must describe and assess the potential impacts of all wastes to be generated by the action and provide details of each waste in terms of:

1. the potential level of impact on MNES;

2. operational handling and fate of all wastes including storage, reuse and disposal;

3. on-site treatment methods proposed for the wastes (including grey-waste);

4. methods **of** disposal (including the need to transport wastes off-site for disposal) proposed to be used for any trade wastes, liquid wastes and solid wastes;

5. methods of sediment reuse (if applicable); and

6. proposed discharge/disposal criteria for liquid and solid wastes.

5.1.15 Consequential and facilitated impacts

The EIS must provide a detailed assessment of any likely impacts that the action may facilitate at the local, regional, state or national scale. Assessment of consequential and facilitated impacts must include consideration of:

1. any other known development proposals which may be facilitated or impacted (either positively or negatively) by the action;

2. the potential to disturb contaminated land or contaminated seabed (including in relation to unexploded ordnance);

3. whether the action will result in an intensification of development or proposals in the region, or an increase in workforce or in local and regional community changes; and

4. any requirements for further proposals of major regional infrastructure to allow the action to go ahead.

5.1.16 Cumulative impacts

The EIS should identify and address cumulative impacts where potential impacts are in addition to existing impacts of other activities, known potential future expansions or developments by the proponent and other proponents in the region and vicinity that are approved or where development applications have been submitted. Cumulative impacts must be considered in terms of the potential overall consequence or magnitude of impacts on each MNES. The assessment of cumulative impacts must include:

1. receptor-based analyses of cumulative impacts in and adjacent to the project site;

2. reference to appropriate cumulative impact studies that describe potential impacts on a larger/regional scale particularly in regard to threatened and migratory species

3. review and analysis of residual impacts of the action and of other known proposals where there may be a spatial or temporal overlap;

4. consideration of the potential for cumulative impacts on the resilience of any listed species and ecological communities and on overall habitat quality and availability;

5. consideration of the potential for cumulative impacts on the ecological character of the Corner Inlet and the Gippsland Lakes Ramsar sites; and

6. discussion of the potential for existing pressures and threats to be exacerbated by the action.

The EIS should also address the potential cumulative impact of the action on ecosystem resilience and from multiple coalescing stressors. The cumulative effects of climate change impacts on the environment must also be considered in the assessment of ecosystem resilience and listed species attributes, where scientific information on the effects of climate change on ecosystem resilience is available.

The discussion must include an evaluation of the likely short term and long-term cumulative impacts on the general environment and ecosystem function where relevant to MNES. In this regard consideration must be given to the potential magnitude of effects and the duration and reversibility of effects.

6 Proposed Avoidance, Management and Mitigation Measures

The EIS must provide information on proposed avoidance, management, and mitigation measures to deal with the relevant impacts of the action on MNES, including those required by other Commonwealth, State, and local government approvals.

Management and mitigation measures must reduce the level of impact and risk to an acceptable level in consideration of the EPBC Act. Measures include any practices that will reduce the impacts and risks in order to meet the performance criteria, any relevant legal requirements (related specifically to the impact/risk) and any requirements that are identified through the stakeholder consultation process.

Specific and detailed descriptions of proposed measures must be provided and substantiated, based on best available practices, appropriate standards and supported by scientific evidence, and must include the following elements:

1. a description of each proposed avoidance, minimisation or mitigation measure in relation to the likely impacts;

2. an assessment of the expected or predicted effectiveness and achievability of each proposed avoidance, minimisation or mitigation measure including timeframes for achieving and maintaining effectiveness; and

3. an evaluation of whether residual impacts (following the application of impact avoidance, minimisation and/or mitigation measures) are likely to be significant.

The EIS must include a consolidated list of measures proposed to be undertaken to avoid, minimise, mitigate or offset the relevant impacts of the action, including:

1. a description of the environmental outcomes the measures are expected to achieve including details of any baseline data, environmental indicators and proposed monitoring to demonstrate progress towards achieving these outcomes;

2. a description of proposed mitigation measures to mitigate relevant direct and indirect impacts of the action, including measures to avoid areas of high conservation value as far as possible;

3. a description of the measures proposed to be undertaken by the proponent that have been proposed by State or local governments; and

4. details of ongoing management of the construction, operation and decommissioning of the action, an analysis as to the effectiveness of these management measures, monitoring programs to verify the effectiveness of the measures proposed, and a framework for adaptive management including:

    a. management strategies that will be implemented if mitigation and management measures are insufficient and/or ineffective;

b. adequate monitoring regimes and defined trigger levels that will prompt further management and/or remediation actions to prevent unacceptable impacts to protected matters occurring, and so that environmental outcomes continue to be met; and

c. who will be responsible for such measures and the extent of their responsibility.

The EIS must not just state proposed management plans and/or broad objectives to describe avoidance, mitigation and management measures but must include detailed measures that will be implemented to avoid, minimise, mitigate and manage impacts on MNES. Committed language (i.e. 'will') rather than non-committal language (i.e. 'may', 'where possible', 'if required', etc.) should be used.

All actions and mitigation measures relating to the Corner Inlet and Gippsland Lakes Ramsar Sites must be consistent with the Australian Ramsar management principles, which are set out in Schedule 6 of the EPBC Regulations, and with Australia's obligations under the Ramsar Convention. The EIS should discuss how the measures proposed have had regard to these principles which include:

1. actions to maintain the ecological character of the wetland;
2. wise and sustainable use of the wetland;
3. public consultation, and continuing community and technical input;
4. actions to deal with impacts, including physical loss, modification or encroachment on the wetland, loss of biodiversity, pollution and nutrient input, changes to water regimes, utilisation of resources, introduction of invasive species;
5. restoration or rehabilitation actions; and
6. monitoring and reporting against ecological outcomes for the life of the impact.

The EIS must detail the ongoing monitoring and reporting during construction, commissioning, operation and decommissioning phases. These measures should enable DCCEEW to assess any local or wider impacts of the development, including any impacts that may occur outside of the project area.

If responsibility for implementation or management of mitigation measures during the operation of the action is proposed to be transferred to parties other than the proponent, the EIS must detail the stages at which such transfer would occur and how ongoing mitigation measures will be managed and audited.

The EIS must consider the environmental outcomes that will be achieved by the action. This must include consideration of the DCCEEW's outcomes-based conditions policy and guidance documents.

The Outcomes-based conditions policy and guidance is available at: Outcomes-based conditions policy and guidance - DCCEEW.

The EIS must demonstrate how a net benefit will be achieved for the Corner Inlet and Gippsland Lakes Ramsar sites and other MNES through the implementation of avoidance, mitigation and offset measures in a timely, transparent and scientifically robust manner. Offset measures must be additional to what is already required under existing laws or schemes. This may include actions which will maintain the ecological character and condition of the Corner Inlet and Gippsland Lakes Ramsar sites as a whole, improve existing habitat for MNES, create new habitat for MNES, and reduce threats to habitat for MNES.

The entities responsible for undertaking the proposed measures must be included as well as a description and a map to clearly define the location and boundaries of any proposed additional conservation areas to achieve net benefit. This must be accompanied by net benefit attributes and shapefiles.

The EIS must include detailed costings for the measures that will be implemented to achieve net benefit outcomes. Timeframes and key milestones for implementation of net benefits and a discussion of risks and uncertainties associated with the proposed net benefits must also be included.

The EIS must include mechanisms to ensure that net benefits are maintained for the duration of the impacts. There must also be mechanisms for monitoring and reporting of net benefit milestones and outcomes. The EIS must detail the timing and frequency of any monitoring and reporting activities.

The EIS must include an analysis of the likely effectiveness of the mitigating measures in protecting MNES at the regional landscape and seascape scale, including associated regulatory and policy arrangements to implement commitments.

The EIS must include an analysis of how the mitigation measures will achieve outcomes that are not inconsistent with any statutory or policy requirements, including but not limited to:

- any relevant threat abatement plan for listed threatened species and communities;
- any relevant recovery plan for listed threatened species and communities; and
- relevant conventions and agreements under which a migratory species is listed, including the Ramsar Convention on Wetlands, Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention), the China-Australia Migratory Bird Agreement (CAMBA), Japan-Australia Migratory Bird Agreement (JAMBA), Republic of Korea-Australia Migratory Bird Species (ROKAMBA) and agreements relevant to the conservation of the species.

6.1 Action Management Plans

The EIS must include a detailed outline of any Action Management Plans (AMPs) that sets out the framework for management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

When developing AMPs, the proponent should be mindful that if the action were to be approved under the EPBC Act, it will also be required to meet requirements under section 115 of the OEI Act which sets out specific requirements in relation to management plans for OEI Act licences. Specifically, section 115(c) provides that an OEI Act management plan must address environmental management, including how the licence holder is to comply with any obligations under the EPBC Act, or regulations under that Act, in relation to the activities to be carried out under the licence.

The EIS must establish clear measurable outcomes to be achieved and detail the proponent's performance targets and risk controls for environmental management needed to meet these outcomes. In line with requirements of section 115 of the OEI Act, OEI Act management plan submissions made to the OIR must describe any environmental obligations applied as conditions of an EPBC approval and must describe the measures that the OEI license holder will implement to comply with those obligations.

The AMPs need to address the project phases (construction, commissioning, operation and decommissioning) and any staging of each phase separately. Each AMP must state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

The AMPs must also describe contingencies for events such as accidental vessel or machinery spills, heavy or prolonged rainfall, storms, or saltwater intrusion into ground water.

The Department may request a draft AMP prior to making an approval decision, where necessary, to provide decision-makers with additional confidence that the proposed management measures will effectively mitigate impacts.

The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program must be provided.

All AMPs must be in accordance with DCCEEW's Environmental Management Plan Guidelines and take account of all requirements relevant to the action and its impacts, including but not limited to the Australian Ramsar Management Principles (EPBC Regulations) that require:

1. clear, measurable, time specific environmental outcomes to be achieved by implementing the plan. The plan must define environmental outcomes as measurable extent and condition targets, or circumstances of, the protected matter (e.g. water quality, environmental values, ecological attributes, and ecological function).

2. clear, measurable, time specific performance and completion criteria:

    a. performance criteria are time-bound short and medium-term targets, for management interventions and environmental condition, that are used to monitor, evaluate, review and improve the effectiveness of the plan; and

b. completion criteria are time-bound longer term values, specified for measurable parameters, that if attained and maintained ensure the plan's environmental outcome/s have been achieved.

3. clear, measurable, time specific management measures that will be implemented to avoid and/or mitigate environmental impacts. Each management measure and corrective measure:

    a. has timeframes for implementation;

    b. is described sufficiently to avoid ambiguity and to inform plan implementation;

    c. is related to quantitative and auditable performance and completion criteria; and

    d. is derived from recognised principles, practice, or guidelines, and is justified - technically, scientifically and/or legally – as an effective and appropriate measure to achieve the plan's objective/s.

4. A clear, measurable, time specific schedule and triggers for auditing the implementation and effectiveness of the plan and outlines auditable systems for recording plan implementation and the environmental outcomes achieved.

DCCEEW's Environmental Management Plan Guidelines 2024 are available at: www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines.

The Australian Wetlands Database gives access to information on the Gippsland Lakes and Corner Inlet Ramsar sites, including a Ramsar Information Sheet and Ecological Character Descriptions for both sites, and Management Plans for the Gippsland Lakes Ramsar site. These are available at: https://www.dcceew.gov.au/water/wetlands/ramsar/documents.

The proponent is encouraged to engage with DCCEEW and the Offshore Infrastructure Regulator (OIR) when developing AMP content of the EIS to allow early identification of any opportunities and constraints associated with interfacing EIS/EPBC Act AMP requirements with management plans required under the OEI Act. OIR guidance on environmental management regulation for offshore renewables is available at: https://www.oir.gov.au/how-we-regulate/regulatory-guidance

6.1.1 Adaptive management: addressing uncertainty and managing risk

The EIS must identify key adaptive management measures addressing uncertainties and inherent risks. Sources of uncertainty could, for example, include limitations of predictions or assumptions, limitations on the understanding of future best practice (e.g. – especially as it relates to recycling, waste management and decommissioning), knowledge gaps in scientific understanding and baselines status of the environment, and the timing, effectiveness, or capacity to implement, maintain, operate and implement management measures.

The EIS must describe how the adaptive management strategies will be implemented to ensure MNES are effectively protected from project-related impacts over the life of the action. This includes how:

1. monitoring of MNES will occur, including monitoring of progress in achieving the desired environmental outcomes identified in the EIS, how the environmental monitoring data will be collected, analysed and interpreted throughout the life of the action and how the results of the monitoring will influence project execution and environmental management;

2. criteria or thresholds (that may be either empirical or narrative) will be defined and used to interpret environmental monitoring data to inform decisions about whether to trigger investigation of potential problems and/or adaptive management actions to prevent unacceptable impacts from occurring;

3. an explanation of how monitoring and adaptive management will be effective in detecting and managing potential impacts on MNES throughout the life of the action; and

4. new information relating to MNES or the EIS is to be assessed and accounted for in management of the area affected by the action.

7 Offsets

Environmental offsets are broadly understood to mean actions taken outside a project area that compensate for the significant residual impacts of that development. Offsets are not intended to replace the practice of avoidance and mitigation which are expected to be the primary strategies for managing the potential impacts of the action. The EIS must provide details of:

1. residual significant impacts on MNES that are likely to occur after the proposed activities to avoid and mitigate all impacts are taken into account; and

2. where residual significant impacts are likely to occur, the reasons why the avoidance or mitigation of these significant impacts is not expected to be achieved.

The EIS must include details of an offset strategy proposed to be implemented to compensate for the residual significant impacts of the action if these are determined likely, as well as an analysis about how the offset(s) meets the requirements in the DCCEEW's *EPBC Act Environmental Offsets Policy* (October 2012) (EPBC Act Offset Policy).

Offsets must directly contribute to the ongoing viability of the MNES impacted by the action for the duration of the impact, be based on scientifically robust information and deliver an overall conservation outcome that improves or maintains the viability of the MNES as compared to what is likely to have occurred under the status quo, that is, if neither the action nor the offset had taken place.

The outcomes of the offset strategy need to be specific, measurable, and achievable, based on robust baseline data and demonstrate with a high degree of certainty that predicted outcomes will be achieved.

Where offset area/s have been nominated, include an offset strategy as an appendix to the EIS which includes information to demonstrate how the environmental offset/s compensate for residual significant impacts of the action on relevant MNES, and/or their habitat, in accordance with the principles of the Offsets Policy.

In developing an offset strategy, the proponent is encouraged to identify opportunities to engage with First Nations stakeholders to develop and deliver environmental offsets. The proponent must consider that offsets on Indigenous owned lands should include a commitment from Traditional Owners to accept and manage the offset, in accordance with the EPBC Act Offset Policy.

The offsets strategy must include:

1. quantity and nature of impacts which are being offset and details of the environmental offsets (in hectares) for residual significant impacts of the action on relevant MNES, and/or their habitat;

2. the availability and suitability of available offsets and evidence that the relevant MNES, and/or their habitat, is present in the potential offset area/s;

3. information about how the proposed offset/s area provide a conservation benefit for the protected matter;

4. specific environmental outcomes to be achieved through the offset, and reasoning for these in reference to relevant statutory recovery plans, conservation advices, and threat abatement plans;

5. details of the proposed mechanism to legally secure the environmental offsets (under Victorian legislation or equivalent) to provide protection for the offset area/s against development incompatible with conservation;

6. how any proposed staging of the overall development will impact the delivery of offsets;

7. roles and responsibilities (clearly stating who is responsible for activities);

8. auditing and review mechanisms; and

9. an analysis of how the offset package meets the requirements of the EPBC Act Offsets Policy.

8 Other Approvals and Conditions

8.1 Commonwealth, State and local Government approvals

The EIS must set out as far as practicable at this stage of the action, the scope and likely schedule of applications and assessment requirements and whether the action is in accordance with the various Commonwealth, State and local government statutory processes.

Given there are components of the action located in the Gippsland Declared Area, the action will also be regulated under the OEI Act and associated regulations if approved under the EPBC Act. At a minimum, the EIS must set out the relevant legislative requirements of the OEI Act that will apply to the action.

8.2 Other Requirements

The EIS 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 action. This must include:

1. details of any local or Commonwealth, State Government planning scheme, or plan or policy under any local or State Government planning system that deals with the action, including:

    a. what environmental assessment of the action has been, or is being, carried out under the scheme, plan or policy; and

    b. how the scheme provides for the prevention, minimisation and management of any relevant impacts.

2. 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;

3. a statement identifying any additional approval that is required; and

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

Relevant legislation under which additional approval may be required includes but is not limited to:

- *Offshore Electricity Infrastructure Act 2021;*
- *Underwater Cultural Heritage Act 2018;*
- *Environment Protection (Sea Dumping) Act 1981;*
- *Civil Aviation Act 1988;*
- Victorian *Marine and Coastal Act 2018;*
- Victorian *Aboriginal Heritage Act 2006*; and
- Victorian *Planning and Environment Act 1987*.

9 Endorsement Criteria

The EIS must set out how the action meets the objectives of the EPBC Act. In determining whether or not to approve the action, the Minister will apply, and comply with, the relevant parts of the EPBC Act, and have regard to the extent to which the action meets the objectives of the EPBC Act including how the action:

1. protects the environment, especially MNES;
2. promotes ecologically sustainable development;
3. promotes the conservation of biodiversity;
4. promotes a cooperative approach to the protection and management of biodiversity and MNES; and
5. assists in the co-operative implementation of Australia's international environmental responsibilities.

In determining whether or not to approve the action the Minister must be satisfied that commitments for the protection and management of MNES must be enforceable and achievable over the life of the action. The EIS must demonstrate an effective system of establishing measurable environmental outcomes that reflect acceptable levels of impact and risk, establishing effective management strategies to ensure that impacts and risks remain within acceptable levels, robust monitoring and adaptive management that addresses uncertainty and contingency management as well as procedures for monitoring, auditing and public reporting on implementation.

10 Promoting ecologically sustainable development

The EIS must describe how the following principles of ecologically sustainable development (ESD) have been applied in the action:

1. decision making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations.
2. 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.
3. 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.
4. the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision making.

11 Auditing and reporting

The EIS must set out:

1. A program of baseline reporting on the current status/condition of the project area and surrounding region;

2. A program of monitoring, public reporting and independent or third-party auditing to be undertaken;

3. A process that will incorporate these findings into ongoing management;

4. Who is responsible for overseeing and taking these actions; and

5. Record keeping and review processes under the approval.

Further to Section 8.1 above, the EIS should also outline any relationships, to the extent they are known at the EPBC Act assessment stage of project planning, between the EIS requirements in points (1) to (5) and how obligations under the OEI Act will be met.

12 Review, modification or abandonment

The EIS must identify and analyse the likely circumstances and procedures that may result in the review, modification or abandonment of the action. This is to include a discussion of how any commitments under the EIS will continue to be met.

13 Consultation

The EIS must include details of any consultation about the action, including:

1. any consultation that has already taken place;

2. proposed consultation about relevant impacts of the action with persons, groups or organisations that may be directly affected by the action;

3. proposed consultation about relevant impacts of the action with interested parties;

4. if there has been consultation about the action, identification of any objections or claims about the action and a documented response to, or result of, the consultation;

5. identification of affected parties, including a statement mentioning any communities that may be affected and describing their views; and

6. a summary of how and when stakeholders will be notified of the commencement of the key phases of the development and how any ongoing consultation after approval will be undertaken.

The Minister must be provided with a report on the public submissions received on the draft EIS, together with proposed final drafts of the EIS, incorporating any revisions made in response to public comments.

13.1 Indigenous Engagement

The EIS must include a process for, and information on, engagement with First Nations people whose rights, interests and aspirations may be affected by the action. This process should be for the life of the action and include:

1. identification of the relevant First Nations people and information on how they have been identified;

2. details of the level and type of engagement and participation sought by the First Nations stakeholder individuals and groups;

3. identification of the rights, interests and other concerns expressed by the First Nations stakeholder individuals and groups in relation to the action, including but not limited to native title rights, and any areas and objects that are of particular significance to First Nations people and communities possibly impacted by the action and the potential for managing those impacts;

4. information on the views, aspirations and concerns expressed by the First Nations people about the action;

5. a description of any state requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the action with regards to First Nations people and communities;

6. details of past and planned future communication, engagement, agreements, partnerships, benefit sharing arrangements and relationship building with the First Nations people; and

7. information on how this First Nations communication and engagement has been, and will be, conducted in a culturally appropriate manner and in accordance with stakeholders' preferences.

This process must provide evidence on whether First Nations people consider that they have been adequately engaged on matters that may affect their rights and interests, and include evidence to show:

1. the steps taken to inform First Nations people about the action and its potential impacts and opportunities;

2. whether the First Nations people consider they have been adequately informed about the action; and

3. the views of the First Nations people regarding the action and its potential impacts and opportunities.

This process must also provide information on the steps taken to address the First Nations peoples' views and concerns, including:

1. how their feedback has been incorporated into project planning and implementation;

2. any First Nations feedback that has not been addressed and the reasons for not doing so; and

3. information on any agreements, plans, ongoing engagement arrangements, partnerships and benefit-sharing arrangements entered into with relevant First Nations people, including any Cultural Heritage Management Plans that may exist, taking account of any cultural sensitivities. Note that this information should only be provided to the extent possible and with the consent of the Indigenous party, to ensure that confidential or sensitive information is not disclosed information on how related legislated requirements, for example compliance with the Future Acts regime of the *Native Title Act 1993*, if applicable, are being addressed, and any possible mitigation actions necessary.

4. The proponent is encouraged to work with appropriate Indigenous bodies to develop an Indigenous Land Use Agreement (ILUA) or another agreement type suited to the project. Engaging with Traditional Owners to establish an ILUA for the life of the project would support a shared understanding of land access and use, provide a dispute resolution mechanism, and create a framework for ongoing consultation should the project proceed.

The process for consultation with Indigenous people must be taken into consideration and in accordance with the *Guidance for proponents on best practice Indigenous engagement for environmental assessments under the EPBC Act* (2016) and *Dhawura Ngilan: A vision for Aboriginal and Torres Strait Islander heritage in Australia and the Best Practice Standards in Indigenous cultural heritage management and legislation* (2020).

14 Environmental Record of Person 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:

1. The person proposing to take the action; and

2. 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.

15 Economic and Social Matters

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

1. details of any public consultation activities undertaken, and their outcomes;

2. projected economic costs and benefits of the action, including the basis for their estimation through cost/benefit analysis or similar studies;

3. information on the amount of domestic and/or overseas investment for capital infrastructure (versus alternatives);

4. employment opportunities expected to be generated by the action (including construction and operational phases);

5. consideration of economic opportunities and social benefits for First Nations people, communities and businesses in the region, including any related plans and agreements developed in collaboration with First Nations people. This may include opportunities for a minimum employment target, environmental and cultural heritage management, project management, construction and operational activities, training and enterprise opportunities and apprenticeships for First Nations people; and

6. consideration of opportunities for long-term energy use and benefits for local First Nations communities. This may include opportunities to improve local First Nations community energy access, security and affordability through measures such as infrastructure upgrades; provision of batteries for housing; power purchase agreements with First Nations corporations; and community grants funded through a Social Contribution Action Plan.

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 action, as identified in section 2 above, should also be included.

16 Information Sources Provided in the EIS

For information given in a draft EIS, the draft must state:

1. the source of the information;

2. how recent the information is;

3. how the reliability of the information was tested; and

4. what uncertainties (if any) are in the information.

17 Conclusion

An overall conclusion as to the environmental acceptability of the action must be provided, including discussion on compliance with principles of ESD and the objects and requirements of the EPBC Act. Reasons justifying undertaking the action in the manner proposed must also be outlined.

Measures proposed or required by way of offset for any unavoidable impacts on 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 Objects 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.

(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 2

MATTERS TO BE ADDRESSED BY DRAFT PUBLIC ENVIRONMENT REPORT AND ENVIRONMENTAL IMPACT STATEMENT

(SCHEDULE 4 OF THE EPBC REGULATIONS 2025)

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.

(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 in a draft public environment report or environmental impact statement, the draft 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

The definition of environment

UNDER THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

SECTION 528

environment includes:

(a) ecosystems and their constituent parts, including people and communities; and

(b) natural and physical resources; and

(c) the qualities and characteristics of locations, places and areas; and

(d) heritage values of places; and

(e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).