

Draft assessment criteria – Part A

Draft guidelines for assessment of
matters of national environmental
significance – Part B

Cellars Hill Wind Farm Major Project

prepared by the Development Assessment Panel
for the Cellars Hill Wind Farm Major Project

14 July 2025

Draft Assessment Criteria - *Land Use Planning and Approvals Act 1993* &

Draft Guidelines for assessment of matters of national environmental significance
– *Environment Protection and Biodiversity Conservation Act 1999*

Cellars Hill Wind Farm Major Project

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Preamble

In this document, this preamble, the table of contents, footnotes, and appendices are included to help users understand the assessment criteria. They are for information but do not form an operative part of the assessment criteria.

What is the purpose of the assessment criteria?

In an overall sense, the assessment criteria serve two important roles:

- (a) they outline the matters the Major Project Impact Statement (MPIS) is to address; and
- (b) in determining whether to grant or refuse to grant a major project permit, the Development Assessment Panel (Panel) must consider if the assessment criteria have been satisfied.

How were identified matters incorporated into the assessment criteria?

The assessment criteria have been derived from the collective consideration of:

- (c) advice from participating regulators that identified matters the MPIS is to address;
- (d) relevant land use planning matters; and
- (e) submissions from other stakeholders.

A range of relevant identified matters may be incorporated into a single assessment criterion, or a single matter may be addressed across a number of criteria.

Requirements of the Act for the determination of a major project

The Panel's consideration of the assessment criteria and its determination of whether to grant or refuse to grant a major project permit will be undertaken in accordance with the procedures and requirements of section 60ZZM of the *Land Use Planning and Approvals Act 1993* (the LUPA Act).

The LUPA Act requires that the Panel must only grant a major project permit where:

- (a) it is satisfied that the major project (the project) is an effective and appropriate use or development of the land related to the project;
- (b) the assessment criteria in relation to the project have been satisfied; and
- (c) it is satisfied that:
 - (i) the project would be consistent with furthering the objectives specified in Schedule 1;
 - (ii) the project would not be in contravention of a State Policy;
 - (iii) the project would not be in contravention of the Tasmanian Planning Policies (TPPs); and
 - (iv) the project would not be inconsistent with a regional land use strategy that applies to the land on which the project is to be situated.

The LUPA Act does not require the considerations under (a) and (c) above to be addressed in the MPIS, however the proponent may choose to address them in a separate submission. Where the proponent chooses to make a separate submission, it is preferable that it be provided prior to the MPIS going on public exhibition.

The considerations under (a) and (c) above are equally as important as the assessment criteria to the Panel's decision on whether to grant a major project permit.

Section 60ZZM also requires that in deciding whether to grant a major project permit, the Panel must:

- (a) have regard to the relevant planning scheme;
- (b) consider any representations made in relation to the major project;
- (c) consider any matters raised in hearings in relation to the major project; and
- (d) consider all final advices from participating regulators.

Environment Protection and Biodiversity Conservation Act 1999 (Cth) guidelines

On 14 March 2025 a delegate of the Commonwealth Minister for the Environment decided that the Cellars Hill Wind Farm was a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) ([EPBC 2025/10112](#)).

The controlling provisions of the controlled action decision are:

- listed threatened species and ecological communities and
- listed migratory species.

The Commonwealth has decided that assessment of the major project under the EPBC Act will be undertaken by the Panel as an accredited assessment under the LUPA Act.

This accredited state assessment process will help avoid process duplication and enable integrated and efficient consideration of related impacts on relevant Commonwealth and Tasmanian matters, as well as improve alignment of permit conditions.

The Panel is undertaking two assessments of ecological matters:

- The Panel's decision under the LUPA Act, considers the effects of the major project on species and communities listed under the EPBC Act, but this occurs under Tasmania's RMPS not Commonwealth legislation.
- In addition to this the Panel will separately assess the major project against the requirements of the EPBC Act.

The final assessment report will be provided to the Commonwealth Minister who will make a decision whether or not to approve the action under section 130(1) of the EPBC Act, and any conditions that apply to such approval.

Why are many of the assessment criteria subjective?

Generally, the assessment criteria have been drafted to provide an outline of a topic and a test to determine if the project achieves an acceptable outcome in relation to that topic. The Panel is then required to judge whether the project satisfies the test in relation to each topic. Consequently, most assessment criteria are subjective.

In some instances, such as for noise and shadow flicker, the criteria include quantitative requirements. The Panel considers that providing clear, objectively verifiable criteria on matters where there is a substantial body of understanding around acceptable thresholds provides a benefit to all parties.

How does the Panel determine if the assessment criteria have been satisfied?

The project will be considered against each assessment criterion. To grant a major project permit, the Panel must determine that the project satisfies each assessment criterion.

The Panel's consideration of whether the assessment criteria have been satisfied will involve forming a judgement on a range of interrelated matters. The Panel's judgement on these matters will be exercised in a way that satisfies general requirements for discretionary decision-making, in line with other discretionary decision-making undertaken by the Commission.

Where satisfaction of a criterion is based on whether an acceptable level has been achieved, the Panel may assess this in light of the project as a whole. This means that the threshold of what the Panel considers to be an acceptable level may be different for each criterion.

How does the 'context' relate to the assessment criteria?

For the assessment criteria related to policy context and strategy, some context is provided to explain the background relating to that criterion. This is to assist understanding of the issue addressed but is not an operative part of that criterion.

What are the lists of factors 'the Panel may have regard to' in the assessment criteria?

Many of the assessment criteria include a list of factors the 'Panel may have regard to' when it considers that criterion. These are not operative parts of the criteria.

Generally, these factors have been included when the Panel considers:

- (a) professional practice has demonstrated there are likely to be particular factors that may be relevant to the criterion; or
- (b) it is important for a specific factor to be transparently mentioned.

The list of factors the Panel may have regard to is not intended to be exhaustive, nor is it a complete outline of the scope or content of what should be included in the MPIS.

What is the purpose of the description of terms?

The description of terms is provided to help users understand the assessment criteria, and to clarify how the Panel will interpret particular terms in their consideration of the assessment criteria.

Described terms are shown in bold where used in the assessment criteria.

The description of terms is not applicable to the Guidelines for assessment of matters of national environmental significance.

What are the matters the MPIS is to address for the assessment criteria?

The MPIS is to address the assessment criteria specified under each topic.

Where the assessment criteria identify factors that the 'Panel may have regard to', the MPIS should be prepared in a way that enables these to be considered.

EPBC Act information and analysis

The information and analysis necessary to meet EPBC Act requirements are set out in Part B guidelines for the assessment of matters of national environmental significance.

Part B includes guidance how information required for assessment under the EPBC Act can be provided within or alongside the MPIS.

Who should prepare the MPIS?

The MPIS is to be prepared by suitably qualified people. Where findings or conclusions are reached, the MPIS should clearly outline:

- (a) the evidence that supports or relates to the findings or conclusions; and
- (b) the degree to which the findings or conclusions are based on professional opinion.

Where the proponent provides statements and opinions, as additional to the assessment by suitably qualified people, on:

- (a) the merits of a matter;
- (b) the merits of the project as a whole; or
- (c) views on matters outside of the assessment criteria or the information required for assessment under the EPBC Act,

this should be provided as a separate written submission, preferably at the same time as the MPIS.

What is the purpose of the appendices?

The appendices are provided as guidance and do not form an operative part of the Part A assessment criteria or the Part B Guidelines.

Appendices A and B outline the information that the plans for the project should contain. The MPIS is to propose the use and development for which a major project permit is sought. The proposal is to include:

- (a) details of the location of the proposed use and development; and
- (b) a full description of the proposed use and development.

It is expected that this will be fulfilled by providing the information outlined in Appendix A.

In addition, the MPIS is to provide plans and descriptions of the project site, the locality, and existing use and development, that is able to be understood with

reference to the proposed use and development. It is expected that the provision of this information will be satisfied by providing the information contained in Appendix B.

Appendix C outlines a list of reference guidance materials. These materials are provided as guides that may be relevant to the preparation of the MPIS, and generally relate to commonly accepted practices or methods that provide a means of assessing a matter. In some instances, the methods themselves are of greater relevance than the particular subject matter.

The list in Appendix C is not exhaustive and following the guidance is not mandatory. The list of guidance materials does not constrain or limit the ability to address matters through other practices or methods.

Appendix C also includes a link to the Commission's website, which contains feedback on matters for the assessment criteria provided by participating regulators, agencies and landowners. These documents include content that may provide guidance on information or assessment methods for the MPIS that is considered appropriate by the participating regulator or other stakeholder.

The Part B Guidelines and Appendices D, E and F includes guidance material relevant to information and analysis of MNES for the purposes of the EPBC Act.

What level of survey and assessment detail will be required to address the assessment criteria?

The level of detail required by surveys and assessments for each matter should be appropriate to allow evaluation of the level of significance of the project's effect on that matter. Consequently, the extent, timing and comprehensiveness of surveys and assessments needs to be informed by the proposed use and development, initial findings, professional opinion, and best practice approaches, as well as any specific guidance included in the Part B Guidelines.

The coordination of advice between participating regulators and the Commission on assessment procedures will assist all parties and enable methods to be understood early in the process.

This approach is intended to increase the likelihood that the MPIS will address the assessment criteria to the extent necessary for the Panel to assess the criteria and for participating regulators to consider their final advice to the Panel, while minimising the likelihood that the proponent undertakes unnecessary studies.

Part A – Draft Assessment Criteria

1.0 Policy context and strategy

1.1 Industry development and climate change

Context: The Tasmanian Government has developed a series of related policies and strategies that aim to increase renewable energy generation, reduce greenhouse gas emissions and grow energy intensive industries in a cost-effective manner.

To meet the Tasmania's Renewable Energy Target, it is anticipated that approximately 2500MW-3000MW of additional wind capacity will be required by 2040.

Growth in energy intensive industries, such as hydrogen production, are seen by government as being able to benefit from Tasmania's comparative strength in low cost wind and other forms of renewable generation.

Assessment criterion

The characteristics of the **project site** and location as well as the proposed **use** and **development** are capable of providing the basis for a low **delivered cost** wind energy facility that positively contributes to the:

- (a) Commonwealth and State greenhouse gas emission reduction policies;
- (b) Commonwealth and State renewable energy targets, and
- (c) any relevant State or regional industry development strategies, to an acceptable level.

1.2 Infrastructure coordination

Context: Achieving growth in renewable energy that, delivers the least cost and optimally located generation and transmission, avoids significant adverse cumulative effects of congestion and meets electricity consumer demand where it is needed, requires coordination of:

- the optimal use of existing transmission capacity;
- network connection requirements;
- cost effective network augmentations that benefit electricity consumers; and
- the location and capacity of new generation/energy storage.

Assessment criterion

The capacity of the wind farm and its connection to the National Electricity Market (NEM) aligns:

- (a) with strategies that optimise and coordinate transmission and generation/storage investment, planning and delivery to meet forecast demand; and

- (b) with potential requirements for public or electricity consumer funded transmission infrastructure to the level of long term benefit those parties receive,

to an acceptable level.

1.3 Low cost renewable energy

Context: Harnessing Tasmania's comparative advantage in its wind resource to produce low **delivered cost** renewable energy is an important element of Tasmania's Renewable Energy Target and the Government's Renewable Energy Action Plan, as well as associated projects such as Marinus link and hydrogen production hubs.

Australian Energy Market Operator's plans for Australian energy transition recognises that Tasmania's strong wind resources, in comparison to other jurisdictions such as Victoria and New South Wales, provides part of the basis for it to provide additional energy to the National Energy Market at a comparatively low whole of system cost.

To be capable of providing the benefits of low **delivered cost** of renewable electricity, wind farms are located, sited and designed to harness strong wind resources and optimise transmission use to meet the forecast demand of energy consumers.

Assessment criterion

The **project site** characteristics and the design of proposed **use** and **development** including:

- wind resource across the **project site**, including its long-term speed, direction, reliability and variability;
- the location, siting and spacing of wind turbines;
- the scale of the wind energy facility; and
- its location with respect to the current and planned **shared transmission network** and current and potential future load,

are capable of providing the basis for a wind energy facility with a low **delivered cost** of electricity to an acceptable level.

1.4 Community, social and economic wellbeing

Context: Large scale renewable energy projects can have a range of beneficial and detrimental outcomes, during both construction and operating phases.

Beneficial and detrimental effects include effects on the social and economic wellbeing of local communities in the areas surrounding the project, regional communities where key activities occur, and the wider Tasmanian community that benefits from State agency ownership of land and key infrastructure.

Assessment criterion

The effects of the project, during both construction and operating phases, on the community, social and economic wellbeing of local,

regional and State communities including:

- (a) the distribution of economic and material benefits, including positive and negative effects;
 - (b) the degree to which labour, material, or products required for the project are sourced locally;
 - (c) effects on the availability of workforce for other industries;
 - (d) opportunities for employment, business, and training;
 - (e) opportunities for co-located, aligned, or downstream community and commercial activities;
 - (f) changes to the supply, affordability, and accessibility of housing, visitor accommodation, and community and business services;
 - (g) the potential for increased costs to electricity consumers due to requirements for system security management or due to investment to avoid network congestion; and
 - (h) increased demand for public/customer funded augmentations to publicly owned/regulated infrastructure,
- are at an acceptable level.

2.0 Design and management

2.1 Design response

Assessment criterion

Development is located, designed, and sited to respond to the context, attributes, values, and constraints of the **project site** and locality, and avoids significant adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the degree to which the location, design and siting of the **development** has been informed by, contributes positively to, and avoids or minimises adverse effects on, each of the issues under '3.0 planning assessment' below, including consideration of the cumulative effects across the issues;
- how the functional requirements of the **use** have informed the location, design and siting of the **development** in the context of the **project site** and locality; and
- measures to avoid, remedy or mitigate potential adverse effects through design and siting and the degree to which alternatives exist.

2.2 Management practices

Assessment criterion

Management actions applied during construction, operation and decommissioning of the proposed **use** and **development** eliminate, minimise, mitigate or offset adverse social, cultural, economic and environmental effects, in relation to:

- (a) the matters addressed by the assessment criteria in section 3.0 Planning assessment;
 - (b) television reception and radio communications;
 - (c) reduction in the services provide by digital networks impacted by additional use;
 - (d) construction phase noise and vibration;
 - (e) use, production, handling, transport and storage of dangerous goods and environmentally hazardous materials;
 - (f) complaints investigation and response;
 - (g) accident and emergency response;
 - (h) air emissions including dust, vehicle emissions, and odour;
 - (i) waste management; and
 - (j) rehabilitation of public land,
- to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance of any social, cultural, economic or environmental effects;
- the potential for effects to cause environmental harm or nuisance;
- best practice management techniques;
- risk-weighted evidence that the project will not lead to serious or irreversible adverse ecological effects;
- the accuracy of information provided to assess effects and management actions;
- the purpose and management objectives of land reserved and managed under an Act or the obligations of any relevant conservation covenant;
- the likelihood of land disturbance and degradation of public land not being reversible in a timely and cost-effective manner;
- the maximum timeframe proposed for the use of the land as well as the process for initiating, and the program to undertake, decommissioning and public land rehabilitation;
- the risk of invasive organisms being introduced or spread;
- the degree to which materials are proposed to be recycled or reused following decommissioning;
- the level of certainty that potential management actions will eliminate, minimise or mitigate effects; and
- the potential to provide offsets where residual effects are likely, and the level of benefit of any offset.

3.0 Planning assessment

3.1 Land use compatibility

Assessment Criterion

The proposed **use** and **development**:

- (a) has an acceptable level of compatibility with land management activities and operations associated with land used reserved or available for nature conservation, timber harvesting and mining purposes, including:
 - managing the risk of weeds, diseases and pests being introduced and spread; and
 - implementing fuel-reduction, ecological or cultural burning, or similar production or conservation management practices;
- (b) has an acceptable level of compatibility with:
 - (i) existing and potential agricultural **use**;
 - (ii) existing and potential **use** of land used, reserved or available for mineral exploration or development purposes;
 - (iii) existing irrigation dams and pipelines;
 - (iv) obligations of any relevant conservation covenant; and
 - (v) activities undertaken in accordance with an authority or agreement of a landowner or manager,on land within and adjoining the **project site**; and
- (c) has an acceptable level of compatibility with:
 - (i) public and commercial access to, and recreational use of, reserves and public land; and
 - (ii) the purpose and management objectives of land reserved and managed under an Act (excluding land reserved or managed for transport and infrastructure),on land managed for these purposes, within and adjoining the **project site**.

In considering the criterion, the Panel may have regard to:

- the location of infrastructure and access tracks and any buffer or exclusion areas either proposed or necessary for the safe operation of the proposed **use**;
- the existing and potential future **use** of the land associated with mining, forestry, public recreation, and land management activities and the like;
- the degree to which the tenure, reserve type, purpose and management objectives of land have informed the location, design and siting of the proposed **development**;

- potential constraints on existing and future **use** of the land;
- the effects of wind turbines, overhead power lines and underground cables on mineral exploration and extraction methods;
- the potential to inhibit or limit land management activities required for production or maintenance of conservation values, including the feasibility for implementing fuel reduction, ecological or cultural burning;
- the potential effect that changes in accessibility to the land has on the operations of land managers, occupiers, businesses and public recreation;
- the potential effects of the proposed **use** and **development** on public recreation and sports, including bushwalking, mountain biking; canoeing, hunting and fishing;
- any benefits that would accrue to existing and potential future **use** of the land;
- advice from landowners, land managers and relevant authorities, including, the Department of Natural Resources and Environment Tasmania, Forest Practices Authority, Private Forests Tasmania, Sustainable Timbers Tasmania, Tasmanian Irrigation, Tasmania Fire Service;
- advice from the Aboriginal community;
- measures to avoid, minimise, remedy, mitigate, or manage potential adverse effects and the degree to which alternatives exist; and
- measures proposed to ameliorate potential constraints or improve compatibility with current and potential future **use** of the land.

3.2 Transport, traffic and access

Assessment criterion

- (a) The design and condition of existing, new or upgraded **public road** infrastructure, both within and outside of the **project site**, is at an acceptable level to cater for the transport task of the project while maintaining road user safety, infrastructure condition and the efficiency of the **public road** network;
- (b) The selection of transport routes, traffic management arrangements and **development** of new or upgraded **public road** infrastructure required to accommodate the transport task of the project, both within and outside of the **project site**, avoid, minimise or mitigate adverse effects on:
 - (i) natural values;
 - (ii) the safety of other road users; and
 - (iii) the amenity of local communities,to an acceptable level; and

- (c) The **development** of new or upgraded **public road** transport infrastructure and short- and long-term road maintenance intervention required to accommodate the transport task of the project, both within and outside of the **project site**, avoids additional costs to **public road** owners and managers to an acceptable level.

In considering the criterion, the Panel may have regard to:

- viable options and alternatives to the routes that may be used to transport materials and equipment to the project site, the timing of transport and the site access locations;
- the maximum extent of the transport task and associated traffic across different stages of the project, including worker commuting routes;
- the likely transport task associated with accessing civil construction materials and water resources from proven viable sites;
- the design and location of permanent and temporary access points to the public road network;
- the degree to which access points and supporting infrastructure meet security, resilience and emergency management needs;
- the condition of existing transport infrastructure assets and any asset upgrade, maintenance or rehabilitation works that may be required;
- how the condition of existing transport infrastructure will be monitored during different construction and operation phases;
- the degree of new civil works, asset improvements, or vegetation clearing associated with the transport of oversize or overmass equipment;
- proposed measures to manage oversize/over mass loads travelling on the **public road** network between the port/s of origin and the construction site, including movements during the construction, commissioning, operational and maintenance phases.
- potential effects of proposed transport and traffic arrangements to threatened ecological communities and species, or significant ecological systems;
- potential effects of proposed transport and traffic arrangements on amenity, natural values and human health through roadkill, noise, dust and emissions; and
- proposed measures to minimise or manage adverse effects on safety and amenity of road users, the public road network, the local environment and surrounding areas.

3.3 Landscape and visual

Assessment criterion

The proposed **use** and **development**:

- (a) responds to the character of the landscape, and maintains significant landscape values and features; and
- (b) avoids or minimises significant adverse effects on views and visual amenity,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the character of the landscape and discrete features within the landscape as expressed by its natural and cultural elements, patterns and processes;
- the extent of public access to, and visibility of, the land;
- the significance of effects as viewed from key vantage points both within and outside of the project site;
- the perceived size, scale, and geographic extent of the project and density of the wind turbine layout;
- the degree of any cumulative and sequential impacts and effects, including any cumulative landscape effects from existing and proposed wind energy facilities, overhead power lines, and roads and access tracks;
- the degree to which the scale, location and density of wind turbines and other visible elements relate to the characteristics of landforms and the landscape and have been designed to avoid or minimise landscape and visual effects; and
- the anticipated duration of the use, including the potential for turbine replacement/ upgrades, and the reversibility of effects through decommissioning and rehabilitation actions.

3.4 Aboriginal cultural values and landscape

Assessment Criterion

The proposed **use** and **development** maintains the tangible and intangible Aboriginal cultural values linked to the Aboriginal community's connection to, use of, and associations with the landscape character of the place, to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the nature and degree of effects on Aboriginal cultural values associated with the physical, associative and perceptual attributes of the landscape character;
- any cumulative landscape effects from existing and proposed wind energy facilities, including overhead power lines;

- any effects on the cultural landscape as a result of effects on **Aboriginal heritage**;
- the purpose and management objectives of land reserved and managed under an Act;
- the advice of Aboriginal Heritage Tasmania:
 - from its review of Aboriginal cultural values and landscape assessment reports; and
 - on any matters relevant to the Panel's consideration of the criterion;
- advice from the Aboriginal community, including on the significance of the cultural values;
- the duration and reversibility of effects;
- measures to avoid, minimise, remedy, or mitigate potential adverse effects and the degree to which alternatives exist; and
- the degree to which any conservation benefits, offsets or enhancements of cultural values may offset adverse effects.

3.5 **Aboriginal heritage**

Assessment criterion

The proposed **use** and **development**, including during the construction phase, protects known and potential **Aboriginal heritage** from adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the advice of Aboriginal Heritage Tasmania;
- **Aboriginal heritage** assessment reports;
- professional and Aboriginal community advice on the significance of heritage;
- the nature and degree of effects on **Aboriginal heritage**;
- the extent to which information is based on ground survey evidence;
- the purpose and management objectives of land reserved and managed under an Act; and
- measures to avoid, minimise, remedy, mitigate or manage potential adverse effects and the degree to which alternatives exist.

3.6 Historic cultural heritage

Assessment criterion

The proposed **use** and **development** maintains the characteristics, values and significance of known and potential places of historic cultural heritage significance to an acceptable level.

In considering the criterion, the Panel may have regard to:

- advice from Heritage Tasmania or the Tasmanian Heritage Council;
- the extent to which information is based on ground survey evidence;
- the characteristics, values, level of any historic cultural heritage significance, and the nature and degree of effects;
- the duration and reversibility of any effects;
- measures to avoid, minimise, remedy, mitigate or manage potential adverse effects and the degree to which alternatives exist; and
- whether the project will result in any heritage conservation benefit that might offset any adverse effects.

3.7 Natural values – flora

Assessment criterion

The proposed **use** and **development**, including the construction phase:

- (a) protects **listed native flora** and **listed native vegetation communities** from adverse effects; and
- (b) does not significantly adversely affect non-listed native flora and non-listed native vegetation communities,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance and extent to which the proposed **use** and **development** has the potential to cause adverse effects to both terrestrial and aquatic species and communities;
- the conservation status of native flora and vegetation communities;
- the extent, threats, likely viability and importance of native flora in a local, regional, state and national context;
- site-specific surveys for the condition, extent, threats, importance and likely viability of native vegetation communities, in a local, regional, state and national context;
- site-specific surveys for **listed native flora** and **listed native vegetation communities** known or likely to occur in the area;
- the degree to which the proposed **use** and **development** affects a Comprehensive Adequate and Representative (CAR) reserve system;

- any recovery plans, conservation advices or listing statements made, adopted, or proposed for the relevant native flora or vegetation communities;
- the need to remove native flora or vegetation communities to mitigate the risk of bushfire to human life and property, considering other available measures to mitigate the risk of bushfire;
- the potential for the proposed **use** and **development** to cause adverse effects, including:
 - direct impacts from direct loss, clearing and conversion, and edge effects;
 - changes to the native vegetation community composition;
 - if the clearance and conversion of native vegetation communities will contribute to cumulative impacts on **listed native flora** or **listed fauna**
 - indirect impacts caused by fragmenting habitat and native vegetation communities, or caused by changes to sedimentation, scouring, altering nutrient cycles or hydrological conditions, the mobilisation of acid sulfate soils, or the introduction or spread of pests and disease, including *Phytophthora cinnamomi*; and
 - cumulative and interactive effects in the context of other **development** in the region, including nearby wind energy facilities;
- the purpose and management objectives of land reserved and managed under an Act or the obligations of any relevant conservation covenant;
- any programs proposed to be implemented to validate the ecological outcomes sought during operation; and
- the likelihood that measures to avoid or minimise and mitigate or offset potential adverse effects through design, construction and operational responses will ameliorate those effects.

3.8 Natural values – fauna

Assessment criterion

The proposed **use** and **development**, including the construction phase:

- (a) protects **listed fauna** from adverse effects; and
- (b) does not significantly adversely affect non-listed native fauna, to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance and extent to which the proposed **use** and **development** has the potential to cause adverse effects on aquatic, avian, and terrestrial fauna;

- the degree and certainty of effects, and how uncertainty of effects will be managed;
- site-specific surveys for **listed fauna** known or likely to occur in the area, in particular key species;
- the conservation status of species;
- the current distribution, threats, likely viability, and importance of native fauna in a local, regional, state and national context;
- the condition, extent and potential for fragmentation and isolation of habitat;
- any recovery plans, conservation advices or listing statements made, adopted, or proposed for the relevant native fauna species;
- whether native fauna species' use of the **project site** and relevant surrounding area has the potential to change during construction and operation, due to factors such as roadkill or bird strike increasing the available food sources;
- the potential for the project to cause adverse effects, and the significance of those effects, including the potential:
 - for collision or forcing species to the ground due to turbulence, considering observed or modelled utilisation and flight behaviours in the **project site** and relevant surrounding area, rates of collision at comparable Tasmanian sites, the veracity of collision data at comparable Tasmanian sites, along with the worst-case scenario and likely scenarios for bird (including eagle) deaths in any given year and over the life of the project;
 - for collision from vehicles travelling to and within the **project site**, during both construction and operation;
 - for direct loss of the species habitat, nests, and den sites through clearing;
 - of cumulative and interactive effects in the context of other **development** in the region, including nearby wind energy facilities and including the potential to contribute to population decline, where observed and predicted deaths are greater than likely recruitment of the population in the region;
 - disturbance or disruption to normal behaviours caused by noise and vibration, lighting or other emissions;
 - disturbance to eagle nesting during breeding seasons considering the potential to sensitise to repeated disturbance, cause flushing of nests, or otherwise increase the likelihood of nest failure;
 - for direct loss of freshwater species due to changes in ecological condition or flows of water; and

- for indirect loss of terrestrial or freshwater species or habitat caused by changes to sedimentation, erosion, scouring, altering nutrient cycles or hydrological conditions, the mobilisation of acid sulfate soils, or the introduction or spread of pests and disease;
- the purpose and management objectives of land reserved and managed under an Act;
- any programs proposed to be implemented to validate the ecological outcomes sought during operation; and
- the likelihood that measures to avoid or minimise, and mitigate or offset potential adverse effects through design, construction and operational responses will ameliorate those effects.

3.9 Wildlife and products of wildlife

Assessment criterion

The proposed **use** and **development**, including the construction phase, is designed, constructed and operated to protect **wildlife and products of wildlife** from potential adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the importance of wildlife habitat within and nearby to the **project site** and relevant surrounding area;
- the potential for the proposed **use** and **development** to cause adverse effects, and the significance of those effects, including the potential:
 - of killing, injuring, catching, damaging, destroying, or collecting wildlife; or
 - of destroying nests, including dens, roosting sites and the like;
- cumulative and interactive effects in the context of existing and proposed projects in the region, including nearby renewable energy facilities and associated infrastructure for connection to the **shared transmission network**;
- the purpose and management objectives of land reserved and managed under an Act, or the obligations of any relevant conservation covenant;
- how potential adverse effects will be avoided; and
- where potential adverse effects are not avoidable, how those effects will be mitigated and managed.

3.10 Water quality and flow

Assessment criterion

The proposed **use** and **development**, including works during the construction phase, maintains:

- (a) the flows of groundwater and surface water;
- (b) the quality of groundwater and surface water;
- (c) **beneficial uses of water**; and
- (d) the health of ecological systems and organisms in relation to changes in water flow, disturbance of riparian areas and release of sediments or pollution,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- effects both within and outside of the **project site**;
- the principles of the State Policy on Water Quality Management 1997 in relation to the management of surface water and groundwater quality and the maintenance of protected environmental values;
- the degree to which **use** and **development** avoids or manages the risk of hydrogeological changes, erosion, pollution, sedimentation and releasing or disturbing land that may contain acid sulfate soils;
- the degree to which the **use** and **development** results in changed sedimentation, scouring and deposition post construction;
- the degree to which changes to water quality or flows have the potential to impact on beneficial uses of surface waters and groundwater aquifers, including groundwater dependent ecosystems and surface water ecosystems receiving groundwater;
- the degree to which the **use** and **development** affects values identified by the Conservation of Freshwater Ecosystem Values (CFEV) program;
- the purpose and management objectives of land reserved and managed under an Act, or the obligations of any relevant conservation covenant;
- measures to monitor water quality; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

3.11 Aviation safety

Assessment criterion

The proposed **use** and **development** maintains the operational integrity, safety and efficiency of air services and aircraft operations to an acceptable level.

In considering the criterion, the Panel may have regard to:

- comments and advice on aviation safety matters from relevant stakeholders including the Civil Aviation Safety Authority, Air Services Australia, aerodrome or landing field operators, and aircraft operators; and
- whether a risk assessment determines there is a need for obstacle lighting or whether risk mitigation measures provide an acceptable alternative to obstacle lighting.

3.12 Amenity and interference

Assessment criterion

The proposed **use** and **development** maintains communication service quality and the amenity of the **project site** and vicinity by:

- (a) protecting pre-existing **radio communication services** from interference due to physical structures or electric and magnetic fields, to an acceptable level;
- (b) not exceeding a modelled blade shadow flicker impact at any existing residential dwelling intended for continued residential use of 30 hours per year or, implementing mitigation actions that limit the predicted actual level of shadow flicker, to an acceptable level;
- (c) complying with New Zealand Standard NZS 6808:2010, Acoustics – Wind farm noise for the sound level of operating wind turbines, including an assessment of whether a high amenity noise limit is applicable to locations zoned General Residential or Low Density Residential;
- (d) minimising the operating sound and vibration levels from substations, energy storage systems, and overhead power lines at **noise sensitive premises**, to an acceptable level;
- (e) minimising effects of blade glint at any existing residential dwelling, to an acceptable level; and
- (f) maintaining the amenity of public recreation users of the **project site** and adjacent land in relation to shadow flicker, and noise and vibration,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the advice of radio communication operators on the likelihood for services to be affected and their preferred solutions;

- the level of certainty associated with both the potential for services to be affected and the likelihood of avoidance or mitigation strategies to prevent or remedy the degradation of services;
- whether relocation of **radio communication services** can be agreed;
- the extent of potential shadow flicker at existing dwellings, expressed as the modelled maximum of shadow flicker for a 50m area surrounding dwellings;
- any agreements in place with landowners that alter the use of existing dwellings during the operation of the wind farm;
- the principles and procedures of the Environment Protection Authority (EPA) Environment Protection Policy (Noise) 2009¹ as well as;
 - any cumulative effect from existing or proposed wind farms;
 - the extent of any wind turbine exclusion zones from sensitive receptors;
 - the results of predictive modelling based on potential wind turbines with the maximum sound level and the modelled sound level from existing wind turbines in the locality; and
 - any sound level penalty that should be added to modelling to reflect tonal or other special audible characteristics;
- design, siting and operation of the proposed **use** and **development** in relation to areas regularly used by the public for recreation; and
- measures to monitor noise and vibration, interference of **radio communication services**, and shadow flicker.

3.13 Natural hazards

Assessment criterion

The proposed **use** and **development**, including temporary **development**:

- (a) maintains an acceptable level of risk of causing, or contributing to, landslip and flooding of the **project site** and nearby land;
- (b) maintains an acceptable level of risk of causing, or contributing to the spread and intensification of, bushfire; and
- (c) minimises potential adverse effects from landslip, flooding and bushfire, including on other values and human health,

to an acceptable level.

In considering the criterion, the panel may have regard to:

- any advice from the Tasmania Fire Service, an accredited bushfire practitioner, State Emergency Service Tasmania, other state

¹ https://epa.tas.gov.au/Documents/EPP_Noise_2009.pdf

authority or a council;

- the significance and extent to which the **use** and **development** has the potential to cause adverse effects;
- the degree and certainty of effects;
- whether hazardous chemicals of manifest quantity are stored on site.
- the extent to which design and siting of buildings and works and fire protection measures can:
 - manage the risk of and effects from landslip, flooding, and bushfire;
 - limit the potential for bushfire to ignite on the **project site**;
 - minimise the exposure of people and the environment to hazardous chemicals or emissions as a consequence of bushfire; and
- reduce risk to emergency service personnel;
- measures to monitor risks and effects; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

3.14 Design, siting, subdivision and signs

Assessment criterion

The design and siting of buildings and works (including for temporary **development**), subdivision, proposed lease and licence arrangements, and signs:

- (a) provide for the safe and effective operation of the project;
- (b) are compatible with public and commercial access, uses, and activities on the land;
- (c) are compatible with water, electricity, and road network infrastructure;
- (d) minimise the risk of, and adverse effects on, the environment, human health, amenity of nearby land and amenity of recreational and commercial users due to emissions;
- (e) minimise the risk of, and adverse effects from, contamination and pollution; and
- (f) provide for signs that are compatible with the characteristics and visual amenity of the **project site** and locality, and minimise adverse effects for transport users,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- any advice from a road authority, a council, or state authority;
- the extent to which buildings and works are necessary for the

construction or operation of the project;

- the area, dimensions, term, extent, purpose, and exclusivity of any proposed lease or licence arrangements;
- the extent to which the design and siting of buildings, works, subdivision, and proposed lease and licence arrangements:
 - provide for the ability to manoeuvre vehicles on the **project site**, the ability of emergency services to access the **project site** and the safety of vehicle crossings and the road network;
 - are compatible with continued public and commercial access, use and activities on the land; and
 - maintain the safety of public and commercial users of the land;
- the effects of the proposed **use** and **development** on metallic below ground infrastructure, including access to carry out repairs and maintenance;
- the effects of the proposed **use** and **development** on the safety and operability of the road network;
- the type, size, location, necessity, and degree of permanency of signage;
- the purpose and management objectives of land reserved and managed under an Act;
- minimise and manage risks and adverse effects associated with contaminated land;
- analysis of the potential for a range of emissions, including extremely low frequency (ELF) and electric and magnetic fields (EMF), to have effects on human health;
- minimise the potential for adverse effects on the environment, amenity of nearby land, amenity of recreational and commercial users, and human health due to emissions of waste water, stormwater, noise, vibration, dust, engine emissions, lighting, odour, or other pollutants, including during the construction phase;
- measures to monitor risks, emissions, and effects; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

Part B – Draft guidelines for assessment of matters of national environmental significance

The information requirements and guidance in Part B applies to the assessment of matters of national environmental significance (MNES) under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) by accredited assessment under the LUPA Act.

The proponent is required to include sufficient information to enable the action to be assessed by the Panel in accordance with the requirements of the EPBC Act.

There may be a significant overlap in the information required under the LUPA Act assessment criteria and under the EPBC Act as:

- the use and development being assessed under LUPA Act is the action that is being assessed under the EPBC Act; and
- the MNES that are controlling provisions under the EPBC Act are also referred to in the LUPA Act assessment criteria and must be addressed in the MPIS.

Some information requirements of the EPBC Act are also either not required or not relevant considerations under the LUPA Act.

It is not necessary for the proponent to duplicate information or analysis that may already have been set out in addressing the LUPA Act assessment criteria.

To ensure clarity, the information and analysis provided to address MNES should be shown and structured in a manner so that:

- information, analysis and conclusions relating only to LUPA Act assessment criteria are clearly identified in the MPIS;
- information, analysis, and conclusions that are specific to the EPBC Act assessment are clearly identified in a separate section or sections of the MPIS, or in a separate report; and
- where information or analysis is provided regarding LUPA Act assessment criteria but is also relevant to assessment of MNES, it is not necessary to duplicate that material in full. However, the proponent should cross reference that information or analysis and indicate how it meets the EPBC Act requirements in a separate section or sections of the MPIS, or in a separate report.

1.0 General information

In respect of assessment of MNES, the matters to be addressed include:

- (a) an assessment of compliance of the action with the principles of Ecological Sustainable Development as set out in the EPBC Act, and the objects of the EPBC Act (see Appendix F).
- (b) details of 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;

- (c) details of any consultation about the action including any consultation that has already taken place and any proposed consultation about relevant impacts of the action (see Section 10.2 for Indigenous engagement); and
- (d) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

Further guidance and detail on the information required to address these matters is provided in subsequent sections. The proponent should also refer to Schedule 4 of the EPBC Regulations.

2.0 Description of the action

All construction, operational and decommissioning components of the action should be described in detail. This should include the precise location (including coordinates) of all works to be undertaken, structures to be built or elements of the action that may have impacts on MNES.

The description of the action must also include details on how the works are to be undertaken (including stages of development and their timing) and design parameters for those aspects of the structures or elements of the action that may have relevant impacts. Wind turbine specifications should be provided including maximum hub height, minimum and maximum blade tip height, blade length and dimensions of the rotor swept area (RSA).

Include an indicative layout plan for the project area, including the location and type of land use, turbine locations (include distance from escarpment edges where applicable), access tracks (include track width across the project area, particularly within riparian zones and biodiversity corridors), key infrastructure (including any battery energy storage systems (BESS)), and the number and location of other relevant buildings and features. Include mapping for each of the above that includes grid coordinates.

Provide the total size (in hectares) of the project area, the disturbance area and construction footprint.

Include a description of the operational requirements of the action including any anticipated maintenance works and details on whether wind turbine components will need to be replaced during operation as a standard procedure. For any works that come under this point, provide detail of potential impacts to protected matters, such as clearing of habitat for protected matters along roadsides to facilitate replacement of wind turbine blades.

Indicate whether rehabilitation areas will be re-disturbed for decommissioning or recommissioning activities.

Provide a description of decommissioning including, but not limited to:

- the activities that will be undertaken for decommissioning;
- timing and duration of decommissioning activities; and
- clearing of vegetation to facilitate the removal of wind turbine blades and other infrastructure.

Include updated information if any changes have been made to the proposed action since the referral documentation was submitted.

3.0 Feasible alternatives

Provide a detailed description of any feasible alternatives to the action to the extent reasonably practicable, including:

- (a) if relevant, the alternative of taking no action;
- (b) a comparative description of the impacts of each alternative on the MNES protected by controlling provisions of Part 3 of the EPBC Act for the action;
- (c) sufficient detail to make clear why any alternative is preferred to another; and
- (d) discussion of the short, medium and long-term advantages and disadvantages of the options.

If there are no feasible alternatives, the MPIS must provide sufficient information as to why this is the case. Explain with supporting evidence, why there are not alternatives for constructing this project elsewhere which would result in reducing impacts on MNES.

4.0 Description of the environment

The MPIS must contain a description of the existing environment of the proposed action area and the surrounding areas that may be affected by the action (this may include outside of the project site). This must include details of current and historical land use of the area. It is recommended that this includes, but is not limited to, the following information:

Information required

- 4.1 Provide a full description of the hydrology within and adjacent to the project area including water courses and water bodies. The description must include an assessment of the interface between the project infrastructure and all relevant watercourses.
- 4.2 Describe soil types across the project area to enable an assessment of potential impacts of sedimentation and run-off associated with the action on MNES, including, but not limited to, information on their erosivity.
- 4.3 Provide information on topography and elevation across the project area and surrounds to enable an assessment of the potential impacts to MNES such as sediment run-off and erosion. Include a map with clearly labelled contour intervals.
- 4.4 Describe the vegetation communities within, and adjacent to, the project area including the area (in hectares) they each cover, and the percent (%) cover for each vegetation type. Details of the scope, timing (survey season/s) and methodology for studies or surveys used to provide information on the vegetation communities.

5.0 Matters of national environmental significance

5.1 General MNES information

The information provided must include a detailed assessment of the presence, or likelihood of presence, of MNES in the project area and its vicinity.

The description and assessment of protected matters should focus on the following controlling provisions:

- listed threatened species and ecological communities (s18 & s18A of the EPBC Act); and
- listed migratory species (s20 & s20A of the EPBC Act).

In these guidelines reference to listed threatened species, listed ecological communities, and listed migratory species is reference to those species and communities that are protected matters under sections 18, 18A, 20 and 20A of the EPBC Act. The information provided must make reference to key policy and guidance documents developed by DCCEEW when addressing the above requirements under the EPBC Act (Attachment D3).

Additional guidance for listed threatened species and ecological communities that are listed at both a Commonwealth and State level are provided in the Tasmanian EPA and Department of Natural Resources and Environment Tasmania guidance referenced in Appendix C.

It is the Proponent's responsibility to be aware of any changes to the distribution of listed threatened species, migratory species, ecological communities and information available in the Species Profile and Threats (SPRAT) Database. The Proponent must ensure that a recent Protected Matters Search Tool (PMST) report has been generated and included as an appendix to the MPIS. This can be accessed at the following website: <https://www.dcceew.gov.au/environment/epbc/protected-matters-search-tool>.

Habitat assessments must be informed by desktop searches (such as Atlas of Living Australia, iNaturalist, aerial imagery, etc.) and field surveys (in accordance with relevant guidelines or as supported by evidence-based best practice). Habitat assessments must refer to relevant guidance documents (e.g. approved Conservation Advices, recovery plans, guidelines and Listing Advices, and the SPRAT Database), including published research and other relevant sources. Where habitat assessments depart from relevant guidance information, adequate justification must be provided to substantiate the suitability of the assessment.

Information must be provided of the impacts to any MNES identified as potentially being significantly impacted by the proposed action, including but not limited to the species listed in Table 1.

Table 1 - listed threatened species and ecological communities (s18 & s18A) and listed migratory species (section 20 & section 20A).

Species	Threatened Listing	Migratory
Birds		
Swift Parrot (<i>Lathamus discolor</i>)	Critically Endangered	No
Tasmanian Wedge-tailed Eagle (<i>Aquila audax fleayi</i>)	Endangered	No
Tasmanian Azure Kingfisher (<i>Ceyx azureus diemenensis</i>)	Endangered	No
Latham's Snipe (<i>Gallinago hardwickii</i>)	Vulnerable	Yes
White-throated needletail (<i>Hirunndapus caudacutus</i>)	Vulnerable	Yes
Blue-winged Parrot (<i>Neophema chrysostoma</i>)	Vulnerable	No
Masked Owl (Tasmanian) (<i>Tyto novaehollandiae castanops</i>)	Vulnerable	No
Mammals		
Spotted-tail Quoll (Tasmanian population) (<i>Dasyurus maculatus maculatus</i>)	Vulnerable	No
Eastern Quoll (<i>Dasyurus viverrinus</i>)	Endangered	No
Eastern Barred Bandicoot (Tasmania) (<i>Perameles gunnii gunnii</i>)	Vulnerable	No
Tasmanian Devil (<i>Sarcophilus harrisii</i>)	Endangered	No
Reptiles		
Boulder Cool-skink (<i>Carinascincus microlepidotus</i>)	Endangered	No
Fish		
Australian Grayling (<i>Prototroctes maraena</i>)	Vulnerable	No
Amphibians		
Green and Gold Frog (<i>Litoria raniformis</i>)	Vulnerable	No
Insects		
Ptunarra Brown Butterfly (<i>Oreixenica ptunarra</i>)	Endangered	No
Plants		
Black-tipped Spider-orchid (<i>Caladenia anthracina</i>)	Critically Endangered	No
Midland Greenhood (<i>Pterostylis commutata</i>)	Critically Endangered	No

Native Wintercress (<i>Barbarea australis</i>)	Endangered	No
Matted Flax-lily (<i>Dianella amoena</i>)	Endangered	No
Miena Cider Gum (<i>Eucalyptus gunnii</i> subsp. <i>divaricata</i>)	Endangered	No
Basalt Pepper-cress (<i>Lepidium hyssopifolium</i>)	Endangered	No
Hoary Sunray (<i>Leucochrysum albicans</i> subsp. <i>tricolor</i>)	Endangered	No
Midlands Wattle (<i>Acacia axillaris</i>)	Vulnerable	No
Curtis' Colobanth (<i>Colobanthus curtisiae</i>)	Vulnerable	No
Clover Glycine (<i>Glycine latrobeana</i>)	Vulnerable	No
Grassland Greenhood (<i>Pterostylis ziegeleri</i>)	Vulnerable	No
Swamp Everlasting (<i>Xerochrysum palustre</i>)	Vulnerable	No
Ecological communities		
Lowland Native Grasslands of Tasmania	Critically endangered	No
Tasmanian Forests and Woodlands dominated by black gum or Brookers gum (<i>Eucalyptus ovata</i> / <i>Eucalyptus brookeriana</i>)	Critically endangered	No
Tasmanian white gum (<i>Eucalyptus viminalis</i>) wet forest	Critically endangered	No

Note: Table 1 may not be a complete list and it is the proponent's responsibility to ensure that any MNES, listed at the time of the controlled action decision, which may be present or potentially significantly impacted, are assessed in the information provided.

5.2 General information required for all MNES

The following information is required, as relevant, for all MNES.

- 5.2.1 Provide a habitat assessment for the relevant protected matters in the project area, including protected matters outside the project area where they have the potential to be impacted (including downstream).
- 5.2.2 Provide distinct, specific definitions (including any thresholds or exclusions used) for each identified category of habitat (breeding/denning, foraging, dispersal, etc).
- 5.2.3 Identify and describe known historical records of protected matters in the broader region.

All known records must be supported by an appropriate source (i.e., Commonwealth and State databases, Atlas of Living Australia,

iNaturalist, published research, publicly available survey reports, etc.), and, where possible, include the year of the record and a description of the habitat in which the record was identified.

- 5.2.4 Provide detailed mapping of suitable habitat (within, adjacent to, and downstream of the project area, where relevant) for all listed threatened species and communities, which:
- (a) is specific to the habitat assessment undertaken for each listed threatened species and ecological community (i.e. does not only illustrate relevant TASVEG vegetation communities);
 - (b) includes an overlay of the project disturbance footprint;
 - (c) includes an overlay of the survey effort undertaken;
 - (d) includes known records of individuals derived from desktop analysis and field surveys;
 - (e) includes a legend listing mapped features sized in hectares;
 - (f) is of a suitable scale to allow interpretation and representation of mapped features; and
 - (g) is provided separately as attachments in JPEG format.
- 5.2.5 Provide details of the scope, methodology, timing and effort of field surveys to identify protected matters in the project area and surrounds, including:
- (a) how surveys were undertaken in accordance with relevant Commonwealth, State and/or best practice survey guidelines, including the survey guidelines listed at <https://www.dcceew.gov.au/environment/epbc/advice/survey-s-and-data>;
 - (b) evidence that surveys were undertaken over a sufficient scale and period to adequately determine the likely presence or absence of the targeted species or value, or confirmation that a precautionary approach was taken where this was not possible (i.e. assumed presence);
 - (c) if relevant, the justification for divergence from relevant Commonwealth, State and/or best practice survey guidelines; and
 - (d) Any limitations associated with the surveys which may have impacted on the results, including but not limited to, resource limitations (time, equipment failure), inadequate sampling and/or effort.
- 5.2.6 Attach all referenced ecological surveys as supporting documents.
- 5.2.7 Include the total area of habitat (in hectares) for each relevant protected matter, including:
- (a) the total habitat within the project area; and

- (b) where relevant, total habitat in the project area and surrounds.
- 5.2.8 Where potential habitat for protected matters is identified in the project area, an assessment must be undertaken regardless of whether the species was recorded. As such, the potential for occurrence of these species must also be considered and assessed.
- 5.2.9 Provide details of how the surface water hydrology and quality associated with the project site relate to protected matters and their habitat.
- 5.2.10 Wherever practicable, surveys should be undertaken during a season and time period relevant to adequately determine the likely presence or absence of the target species or value. A precautionary approach to species presence should be taken where this is not possible.
- 5.2.11 Include an appendix of occurrence records (both sightings and evidence of presence) for all listed threatened species and migratory species identified during field surveys for the proposed action. This data may be used by the DCCEEW to update the relevant species distribution models that underpin the publicly available Protected Matters Search Tool (PMST).

Species occurrence records must be provided in accordance with the *Guidelines for biological survey and mapped data (2018)*⁰ (available at <https://www.dcceew.gov.au/environment/environmental-information-data/information-policy/guidelines-for-biological-survey-mapped-data>) and using the *Species observation data template* (available at <https://www.dcceew.gov.au/environment/environmental-information-data/information-policy/guidelines-for-biological-survey-mapped-data>).

Sensitive ecological data must be identified and treated in accordance with the *Sensitive Ecological Data – Access and Management Policy V1.0 (2016)* (available at <https://www.dcceew.gov.au/sites/default/files/documents/sensitive-ecological-data-access-mgt-policy.pdf>).

6.0 Impact assessment

6.1 General impact information

The information provided must include a description of all the relevant impacts of the action (including direct, indirect and consequential impacts). Relevant impacts are impacts that the action will have or is likely to have on a matter protected by a controlling provision. Impacts during the construction, operational and (if relevant) the decommissioning phases of the project must be addressed.

Information required

- 6.1.1 A detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts.

- 6.1.2 A statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible.
- 6.1.3 An assessment of the likely duration of impacts to MNES.
- 6.1.4 A discussion of whether the impacts are likely to be repeated, for example as part of maintenance.
- 6.1.5 An analysis of the significance of the relevant impact.
- 6.1.6 Any technical data and other information used or needed to make a detailed assessment of the relevant impacts.
- 6.1.7 A summary table containing the following information:
 - (a) the name of the species or ecological community;
 - (b) a habitat description;
 - (c) the likelihood of occurrence;
 - (d) the direct and indirect impacts; and
 - (e) a significance conclusion.
- 6.1.8 A clear description of the following:
 - (a) the project footprint (including the total extent of habitat - including habitat critical to survival - that is present for each relevant protected matter);
 - (b) direct and indirect impact areas (including the total extent of habitat - including habitat critical to survival - for each relevant protected matter to be impacted); and
 - (c) total areas proposed to be retained/avoided (including the total extent of habitat - including habitat critical to survival - present for each relevant protected matter to be avoided). Please describe how any retention areas will still provide ecological value and be considered functionally viable to MNES.
- 6.1.9 Details of the direct and indirect loss and/or disturbance of protected matters and their habitat - including habitat critical to survival - as a result of the proposed action. This must include the area (in hectares) for each category of habitat, the quality of the habitat to be impacted, and quantification of the individuals to be impacted (where applicable)
- 6.1.10 An assessment of potential impacts to MNES from the proposed action (during all project phases) within the project area and surrounds, including, but not limited to:
 - (a) habitat loss, degradation and individual mortality from waterbody alteration and/or vegetation clearing; and
 - (b) habitat fragmentation and patch isolation (with consideration of species' movement patterns and site utilisation), including site alienation resulting in fauna avoiding the project area, including consideration of, at a minimum:

- (i) increased edge effects, including the potential for the introduction of weed species and pathogens in the proposed action area and adjacent environment;
- (ii) increased anthropogenic activities, including disturbance from dogs and other animals, illegal rubbish dumping and littering;
- (iii) increased vehicle movement and risk of fauna-vehicle collision; and
- (iv) disturbance from environmental pollution, including sedimentation and other impacts to waterbodies, increased noise, artificial light, sediment/dust generation and other relevant stressors during construction and operation.

In providing this assessment, describe which component/s and stage/s of the action and/or consequential actions are of relevance to impacts on each MNES.

6.1.11 Where there are potential project impacts in addition to the existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the region and vicinity):

- (a) describe the cumulative impacts considered and the appropriateness of the temporal and geographical scales applied; and
- (b) detail cumulative effect of surrounding development, where relevant to MNES.

6.1.12 Details of any facilitated impacts that may result from further actions (including actions by third parties) which are made possible by the proposed action, including potential impacts on MNES from the use of the land by occupants.

6.2 Impact to listed threatened species and ecological communities

For listed threatened species and ecological communities, the information provided must include relevant information listed in Section 6.1 in addition to the following information listed below.

Information required

6.2.1 Justification, with supporting evidence, as to how the proposed action will not be inconsistent with:

- (a) Australia's obligations under the Biodiversity Convention, the Convention on Conservation of Nature in the South Pacific (Apia Convention), and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and
- (b) any relevant recovery plan or threat abatement plan.

- 6.2.2 Justification, with supporting evidence, as to how the proposed action has taken into account any relevant approved conservation advice.

6.3 Impacts to listed migratory species

For listed migratory species, the information provided must include relevant information listed in Section 6.1 in addition to the following information listed below.

Information required

- 6.3.1 Justification, with supporting evidence, as to how the proposed action will not be inconsistent with Australia's obligations under:
- (a) The Bonn Convention;
 - (b) China-Australia Migratory Bird Agreement;
 - (c) Japan-Australia Migratory Bird Agreement;
 - (d) International Agreement – Republic of Korea-Australia Migratory Bird Agreement; and
 - (e) Any international agreement approved under subsection 209(4) of the EPBC Act.

6.4 Impacts associated with turbine strike and site utilisation

The information provided must include the information in Section 6.1 in addition to the following information listed below for relevant listed threatened and migratory bird species. Please note, these requirements are also set out in Appendix D in relation to the preparation of a draft Bird and Bat Management Plan (BBMP).

Information required

- 6.4.1 A desktop assessment - site characterisation

To predict the potential for at risk threatened and migratory bird species to use the project area and its surrounds, the information provided must include the process and outcomes of a preliminary site characterisation (desktop and/or initial site visit) for each species to identify all drivers of presence on the project area and utilisation of the project area. This characterisation must include, at a minimum, the consideration of:

- (a) site characteristics: focal habitat features, topography, prevailing wind and weather patterns, wetlands (including adjacent to project area), and distance to potential nesting, roosting and foraging areas; and
- (b) species characteristics: behaviour, flight or demographic factors (e.g. species presence [ongoing, transitory/migratory]), site use (e.g. transit, roosting, breeding/denning and/or foraging), flight paths (including migratory flight paths), flight heights, soaring, flocking, and population numbers.

- 6.4.2 A site-specific assessment

To validate the outcomes of the desktop assessment, the information provided must include a site-specific assessment of how at-risk listed threatened and migratory bird species are using, or likely to use, the project area and surrounds. This assessment must be informed by site-specific and species-specific site utilisation surveys (undertaken by a suitably qualified expert) and supported by other relevant scientific evidence.

At least 24 months of site utilisation surveys must be undertaken to provide sufficient baseline data on a relevant species' potential to utilise the project area and its surrounds. This means that site utilisation surveys must be undertaken for each relevant season over a minimum two years (up to 8 survey events).

Each site utilisation survey must be of an appropriate duration and spatial coverage (including taking into consideration the potential turbine layout and visibility) to adequately evaluate site utilisation.

At a minimum, each site utilisation survey must record the relevant information specified in 'Species characteristics' of the 'Desktop Assessment' requirements (6.4.1) for each relevant species.

The proposed site utilisation survey methodology for each relevant species must be included in the information provided, for example as an appendix to the MPIS.

Discussion must be provided that includes detailed information on:

- (a) How the design of the site utilisation surveys for each relevant species has been informed by its drivers of presence on the project area and utilisation of the project area and its surrounds (as determined through preliminary site characterisation); and
- (b) How site utilisation surveys for each relevant species have been designed to improve understanding of site utilisation of the project area and its surrounds, and support an ongoing Before-After, Control Impact (BACI) framework for an adaptive Bird and Bat Management Plan (BBMP).

6.4.3 A long-term impact risk assessment

The information provided must include, at a minimum:

- (a) an assessment of the potential impact pathways on each relevant species (based on the desktop assessment and site utilisation surveys) including, at a minimum:
 - the direct mortality from turbine collision and barotrauma; and
 - the potential changes to species utilisation of the project area and surrounds during construction and operation of the proposed action; and
- (b) identification of potential impacts to each relevant species from direct mortality, including but not limited to:

- an analysis and mapping of suitable habitat, territories and activity/utilisation patterns/rates (e.g. 'heat maps') in the project area and its surrounds;
 - a flight path analysis of relevant birds including heights and speeds; and
 - an estimation of the quantity of individuals to be impacted; and
- (c) a collision risk assessment, which must incorporate:
- an assessment of the project area and surrounds to identify any high-risk turbines;
 - baseline data collected during the minimum 24 months of site utilisation surveys; and
 - a statement of all assumptions and uncertainties.

The information provided must include a map for each relevant species that identifies area/s in the project area and its surrounds determined to be 'high risk' based on the collision risk assessment.

The information provided must clearly demonstrate how relevant DCCEEW policies and guidelines, and the SPRAT Database, have been used to assess the above potential impacts on listed threatened and migratory bird species.

7.0 Proposed avoidance, minimisation, mitigation and management measures

Avoidance and mitigation measures are the primary methods of eliminating and reducing impacts on MNES. Where possible and practicable, it is best to avoid impacts. Even if it is not possible to completely avoid a protected matter there may be ways to reduce the impact. If impacts cannot be avoided, then they should be minimised or mitigated as much as possible. Residual impacts should then be managed. This is referred to as the mitigation hierarchy. Avoidance, minimisation and mitigation measures must be investigated thoroughly as a part of the assessment and be supported by evidence to demonstrate likely success.

The information provided must demonstrate how the mitigation hierarchy has been applied and all options exhausted to avoid and mitigate harm to protected matters, before resorting to environmental offsets.

The proponent is encouraged to establish, test, and monitor novel methods for avoiding, minimising and mitigating impacts of the proposed action on protected matters. The development of scientifically rigorous monitoring programs to measure impacts and assess the effectiveness of mitigation is also recommended.

7.1 Avoidance, mitigation and management measures

The information provided must include the following relevant details on avoidance, minimisation, mitigation and management measures, along with relevant monitoring, for all stages of the project.

Information required

- 7.1.1 A detailed summary of all measures proposed to be undertaken by the proponent to avoid, mitigate and manage relevant impacts of the proposed action on MNES, for all stages of the proposed action.

Details of any relevant measures to avoid, mitigate and manage impacts required through other Commonwealth, State and local government approvals.

- 7.1.2 A discussion on the measures employed to avoid, minimise and mitigate impacts to MNES from turbine strike, including but not limited to:

- (a) turbine placement;
- (b) turbine design (e.g. blade design features);
- (c) acoustic and visual deterrents (e.g. ultrasound acoustic devices);
- (d) scheduling of activity (to avoid ecologically sensitive periods across construction, operation and decommissioning stages), including curtailment and consideration of appropriate cut-in speeds; and
- (e) artificial intelligence that can detect MNES at risk from turbine collision impacts (e.g. bats, raptors and migratory species).

- 7.1.3 A discussion on the measures employed to avoid, minimise and mitigate impacts to MNES from habitat loss and fragmentation, including but not limited to:

- (a) micro-siting of infrastructure to utilise existing clearance areas and avoid habitat fragmentation and patch isolation, with consideration of whether avoidance areas would still be connected to habitat in the broader landscape;
- (b) avoidance of raptor nests, including but not limited to Wedge-tailed Eagle and Tasmanian Masked Owl (Note: the Threatened Tasmanian Eagles recovery plan: 2006-2010 outlines breeding season buffers against disturbance of 500m and 1000m in line-of-sight to protect nests from disturbance);
- (c) minimising clearance widths for linear infrastructure;
- (d) incorporating road pinch points to maintain habitat connectivity;
- (e) innovative turbine blade transportation, including methods to minimise necessary clearance widths (e.g. 'Blade Manipulator' trucks);
- (f) adjusting powerline heights to avoid fauna obstruction/entanglement and maximise canopy retention; and

- (g) where fencing is proposed, incorporating fauna friendly design to avoid fauna obstruction/entanglement (e.g. avoiding the use of barbed wire, or where required to meet Australian Safety Standards or necessary for insurance, include measures to increase visibility to MNES).
- 7.1.4 A discussion on proposed pre-clearance and clearance procedures to ensure fauna are detected and managed to minimise mortality, stress, injury, or introduction of disease.
- A description of any statutory or policy basis for the proposed procedures (e.g. any State or local government requirements).
- 7.1.5 A discussion on the measures employed to avoid, minimise and mitigate impacts to MNES from short- and long-term erosion and sedimentation, including but not limited to:
- (a) identification of potentially affected wetlands, waterways, tributaries and drainage lines;
 - (b) scheduling of soil disturbance activities (e.g. avoiding construction during wet periods);
 - (c) minimising the extent and duration of soil disturbance;
 - (d) prompt stabilisation of disturbed areas;
 - (e) control of water movement through the project area, including the diversion of clean flows around disturbed areas;
 - (f) regular monitoring during construction, operation and decommissioning to ensure performance criteria are being maintained;
 - (g) the development of performance criteria to assess soil erosion and sedimentation impacts on MNES and wetlands, waterways, tributaries and drainage lines;
 - (h) implementation of best-practice erosion and sediment control measures, including the details of the type and location of erosion and sediment control devices to be installed, based on the anticipated soil, weather and construction conditions; and
 - (i) reference any mandatory or voluntary regulations, best practice standards, codes of practice, guidelines etc, with which the action will comply.
- 7.1.6 A discussion on the measures employed to avoid, minimise and mitigate impacts to MNES from short- and long-term erosion and sedimentation, including but not limited to:
- (a) identification of potentially affected wetlands, waterways, tributaries and drainage lines;
 - (b) scheduling of soil disturbance activities (e.g. avoiding construction during wet periods);

- (c) minimising the extent and duration of soil disturbance;
- (d) prompt stabilisation of disturbed areas;
- (e) control of water movement through the project area, including the diversion of clean flows around disturbed areas;
- (f) regular monitoring during construction, operation and decommissioning to ensure performance criteria are being maintained;
- (g) the development of performance criteria to assess soil erosion and sedimentation impacts on MNES and wetlands, waterways, tributaries and drainage lines;
- (h) implementation of best-practice erosion and sediment control measures, including the details of the type and location of erosion and sediment control devices to be installed, based on the anticipated soil, weather and construction conditions; and
- (i) reference any mandatory or voluntary regulations, best practice standards, codes of practice, guidelines etc, with which the action will comply.

7.1.7 Detail if the proposed measures must be based on best available practices, appropriate standards, evidence of success for other similar actions and supported by published scientific evidence.

The SPRAT Database, conservation advice, recovery plans and associated statutory and policy documents may provide a starting point for relevant mitigation and management measures.

7.1.8 Sufficient detail to establish the proposed measures meet the 'S.M.A.R.T' principle:

S - Specific (what and how)

M - Measurable (supported by baseline information, number/value, quantifiable, auditable)

A - Achievable (with consideration of e.g., timeframe, money, personnel)

R - Relevant (consistent with conservation advices, recovery plans, threat abatement plans, scientific literature)

T - Time-bound (specific timeframe to complete, include timeframe and frequency)

7.1.9 Details of specific and measurable environmental outcomes to be achieved for relevant MNES. All commitments must be drafted using committal language (e.g. 'will' and 'must') when describing the proposed measures.

Any commitments by the person proposing to take the action must be clearly distinguished from recommendations or statements of best practice made by the document author or other technical expert.

- 7.1.10 An assessment of the expected or predicted effectiveness of the proposed measures.
- 7.1.11 Detail any statutory or policy basis for the proposed measures, including reference to the SPRAT Database and relevant approved conservation advice, recovery plan or threat abatement plan, and a discussion on how the proposed measures are not inconsistent with relevant plans.
- 7.1.12 Detail any ongoing management, including monitoring programs to support an adaptive management approach, that validate the effectiveness of the proposed measures and overall demonstrate that environmental outcomes will be achieved.

Detail any monitoring program for the detection/quantification of impacts on protected matters, including as a result of turbine strike and barotrauma. The monitoring program must be scientifically robust and

- (a) be able to accurately and in a timely manner detect when impact triggers are reached;
- (b) detect potential collision risk and manage/ curtail wind turbine generators (WTGs) when triggers are reached; and
- (c) made public and published on an accessible website hosted by the approval-holder after approval.

Detail proposed impact triggers, at suitable increments. The impact triggers should be informed by scientific literature and relevant guidelines, such as, the Referral guideline for 14 birds listed as migratory species under the EPBC Act (available at:

<https://www.dcceew.gov.au/sites/default/files/documents/migratory-birds-draft-referral-guideline.pdf>).

- 7.1.13 Detail tangible, on-ground corrective actions that will be implemented in the event the monitoring programs indicate that the environmental outcomes have not or will not be achieved, and when these corrective actions would be triggered (e.g. inclusion of live footage from AI systems designed to monitor bird and bat impacts).
- 7.1.14 Describe the corrective actions to be undertaken in the event that incremental impact triggers are reached or exceeded from impacts on protected matters from turbine strike and barotrauma, including:
 - (a) the implementation of additional/alternative mitigation measures (such as additional curtailment or deterrents); and
 - (b) shutdown procedures - the wind turbine/s that contributed to reaching or exceeding an impact trigger to cease operation.

Note that provision of environmental offsets will also be expected for any residual significant impact (see section 9 of Part B).

7.2 Management Plans

The information provided must include a detailed outline of any Environmental Management Plans (EMPs) that sets out the framework for management, mitigation

and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

Management plans describe how an action might impact on the natural environment in which it occurs and set out clear commitments from the person taking the action on how those impacts will be avoided, minimised and managed so that they are environmentally acceptable. Management plans should be designed to achieve the best possible environmental outcome for the relevant MNES.

Any management plans relevant to the mitigation and management of impacts to protected matters should be provided as separate documents. A final version of each management plan is likely to require approval prior to commencement of the action, should it be approved.

Consideration should be given to outcomes-based commitments and management plans. Combining management plans to simplify management arrangements should be considered, where appropriate.

Information required

- 7.2.1 A detailed outline of any proposed Environmental Management Plan (EMP) that sets out the framework for management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

The EMP needs to address the project phases (construction, operation, decommissioning) separately. It must state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

In the construction phase, the EMP is to outline management measures such as dust suppression and enforcement of reduced construction zone vehicle speeds.

The EMP should make provision for incorporating weed and pest management plans, including, but not limited to, ongoing monitoring, specific triggers that will engage remediation actions, consideration to the effects of weeds and pests to the environment within and adjacent to the proposed action area, targets for the control of invasive or pest species and methodologies for the control of weeds and pest if triggers are met or exceeded. The weed and pest management plan may be submitted as a standalone management plan if desired.

The Environmental *Management Plan Guidelines* (available at: <https://www.dcceew.gov.au/sites/default/files/documents/environmental-management-plan-guidelines.pdf>) provides general guidance to stakeholders preparing environmental management plans for environmental impact assessments and approvals under Chapter 4 of the EPBC Act.

Environmental management plans that are likely to be required, if the action is approved include the following:

- (a) A Sediment and Erosion Management Plan outlining avoidance, mitigation and monitoring of sediment loads (see section 7.1.5 of Part B) and developed in accordance with the *International Erosion Control Association (IECA) Best Practice Erosion and Sediment Control Manual (2008)* (available at: <https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document>).
- (b) A Bird and Bat Management Plan (BBMP) in relation to risk of turbine collision and barotrauma. A framework for this plan is provided in Appendix D.
- (c) A Rehabilitation Management Plan. Requirements are set out in Section 8 of Part B.
- (d) An Offset Management Plan (OMP) or Offset Management Strategy (OMS). Requirements are set out in Section 9 and in Appendix E.

8.0 Rehabilitation requirements

Where rehabilitation to establishment is proposed and relevant to MNES, the information set out below must be included in a Rehabilitation Management Plan.

Information required

- 8.1 Details of rehabilitation methods and how they meet best practice standards, including for the restoration of habitat for relevant MNES and avoidance of sedimentation/erosion.
- 8.2 A summary of the vegetation community/habitat that is being rehabilitated and the dominant species that will be included in the rehabilitation site.
- 8.3 Details of any rehabilitation activities proposed to be undertaken as required by Commonwealth, State or Territory, and local government legislation.
- 8.4 Maps showing the areas that will be rehabilitated within the project area and the size in hectares of these areas.
- 8.5 Information on management of the rehabilitation site, including, but not limited to, weed and pest management.
- 8.6 Rehabilitation acceptance criteria relevant to MNES and the procedures, including contingency measures, that will be undertaken to achieve them.
- 8.7 Details of a monitoring program to determine the success of rehabilitation activities implemented by the proponent, including any contingency measures and when they would be triggered.
- 8.8 Information on whether any post-construction rehabilitation sites will be subsequently cleared during the decommissioning stage.

9.0 Offsets

Environmental offsets are measures that compensate for the residual significant impacts of an action on protected matters. Offsets provide environmental benefits to counterbalance the impacts that remain after consideration of avoidance and mitigation measures. Please note, offsets do not reduce the impacts of an action and are not intended to make proposals with unacceptable impacts acceptable.

It is important to consider environmental offsets early in the assessment process for MNES, noting that Commonwealth offset requirements differ from those of the Tasmanian government. The Commonwealth's *EPBC Act Environmental Offsets Policy (2012) (Offsets Policy)* is available at:

<https://www.dcceew.gov.au/environment/epbc/publications/epbc-act-environmental-offsets-policy>

Any proposed offsets must meet the key principles of the Offsets Policy.

The information provided must include an assessment of the likelihood of residual significant impacts occurring on MNES for each controlling provision after avoidance, mitigation and management measures have been applied. If a residual significant impact is likely, then environmental offsets will be required.

The assessment of residual significant impacts must also take into account likely impacts to MNES from turbine strike and barotrauma. Conditions of Commonwealth approval may require the monitoring of incremental impact triggers that, if reached or exceeded, result in additional mitigation measures, shutdown procedures, and, if necessary, provision of offsets for any residual significant impact.

Include a draft Offset Management Strategy (OMS) or a draft Offset Area Management Plan (OAMP) as a separate document. If an offset area has been nominated, then provide an OAMP. If not, provide an OMS. Further, the DCCEEW is likely to recommend to the Minister (or delegate) that the conditions of approval require the environmental offset/s or the OAMP be approved and implemented prior to the commencement of the proposed action.

Information required

- 9.1 An assessment of the likelihood of residual significant impacts occurring on relevant MNES, after avoidance, mitigation and management measures have been applied.
- 9.2 A summary of the proposed environmental offset and key commitments to achieve a conservation gain for each protected matter. Note: Offset proposals must engage specifically with the ecological requirements of the protected matter.
- 9.3 The environmental offset/s proposed for the project must meet the core principles of the Offset Policy.
- 9.4 A draft OMP or OMS that meet the information requirements set out in Appendix E, and must be prepared by a suitably qualified ecologist and in accordance with the *Environmental Management Plan Guidelines (2014)* (available here: <https://www.dcceew.gov.au/environment/epbc/publications/environmental-management-plan-guidelines>).

10.0 Consultation

10.1 General consultation information

Discuss any consultation undertaken in relation to the proposed action, including:

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

10.2 Indigenous engagement

Identify existing or potential native title rights and interests that may be impacted by the proposed action, including any areas and objects that are of particular significance to Indigenous peoples and communities. Include information on how these impacts will be managed.

Describe any Indigenous consultation that has been undertaken, or will be undertaken, in relation to the proposed action and their outcomes. This should include details regarding the specific Indigenous groups and Traditional Owners consulted and an indication of the areas, both tangible and intangible, of cultural significance across the project area.

Best practice consultation, in accordance with *The Interim Engaging with First Nations People and Communities on Assessments and Approvals under Environment Protection and Biodiversity Conservation Act 1999 (interim guidance)* - DCCEEW (2023) (available at:

<https://www.dcceew.gov.au/environment/epbc/advice/engagement-first-nations-people-referrals-under-epbc-act>) includes:

- ensuring cultural safety;
- building and maintaining trust;
- engaging early and often;
- negotiating suitable timeframes; and
- negotiating suitable submission formats.

Describe any State requirements for approval or conditions that the proponent reasonably believes are likely to apply to the proposed action with regards to Indigenous peoples and communities.

11.0 Environmental record of person(s) proposing to take the action

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

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

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

12.0 Ecologically sustainable development

Describe how the proposed action meets the principle of ecologically sustainable development, as defined in section 3A of the EPBC Act (see [Attachment D-1](#)).

13.0 Economic and social matters

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

- (a) details of any public consultation activities undertaken, and their outcomes (see Section 10);
- (b) projected economic costs and benefits of the project, including the basis for their estimation through cost/benefit analysis or similar studies; and
- (c) employment opportunities expected to be generated by the project (including construction and operational phases).

Economic and social impacts should be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the proposed action, as identified in Section 3 above, should also be included.

14.0 Conclusion regarding MNES

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

Measures proposed or required by way of offset for any unavoidable impacts on MNES, and the relative degree of compensation, should be summarised in the conclusion.

Description of terms

This description of terms applies to the Part A assessment criteria.

Aboriginal heritage: as protected under the *Aboriginal Heritage Act 1975*.

Australian Energy Market Operator: the manager of electricity and gas systems and markets across Australia.

beneficial uses of water: use of water for purposes that have clear and tangible benefits, such as household uses, primary industry uses, industrial processing and cooling, hydro-electric generation, ecosystem values, navigation, and recreation, aesthetic and cultural values.

conservation covenant: includes a covenant under section 34 of the *Nature Conservation Act 2002*, or a covenant under the *Forestry Rights Registration Act 1990*.

delivered cost: is the total cumulative cost of supplying electricity to consumers and includes generation, transmission and power system management costs.

development: as defined under the *Land Use Planning and Approvals Act 1993*. Includes temporary development.

key species: are the following species known to occur in the area:

- Tasmanian wedge-tailed eagle (*Aquila audax subsp. fleayi*);
- white-bellied sea eagle (*Haliaeetus leucogaster*);
- Tasmanian masked owl (*Tyto novaehollandiae castanops*);
- swift parrot (*Lathamus discolor*);
- blue-winged parrot (*Neophema chrysostoma*);
- Tasmanian devil (*Sarcophilus harrisii*);
- spotted-tailed quoll (*Dasyurus maculatus subsp. maculatus*); and
- Latham's snipe (*Gallinago hardwickii*).

Listed fauna: threatened fauna species under the *Threatened Species Protection Act 1995*, listed threatened fauna species under the *Environment Protection and Biodiversity Conservation Act 1999* and migratory species listed under the *Environment Protection and Biodiversity Conservation Act 1999*.

Listed native flora: native threatened flora species under the *Threatened Species Protection Act 1995* and native listed threatened flora species under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Listed native vegetation communities: ecological communities listed as endangered or critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* and threatened native vegetation communities under Schedule 3A of the *Nature Conservation Act 2002*.

noise sensitive premises: means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

project site: the area described as the 'project location' in the Cellars Hill Wind Farm Major Project declaration.

public road: includes roads owned or operated by the Tasmanian Government, a council, Hydro Tasmania, or Sustainable Timbers Tasmania, over which the general public has access.

radio communication services: radio communication assets used by emergency services, broadcast radio and television, satellite television and internet, including fixed and other licence types.

shared transmission network: the transmission network owned, operated or controlled by TasNetworks used to convey electricity between connected generators and consumers.

use: as defined under the *Land Use Planning and Approvals Act 1993*.

wildlife and products of wildlife: includes wildlife or the products of any form of wildlife set out in sections 3(1) and (2) of the *Nature Conservation Act 2002* and listed as protected wildlife, specially protected or partially protected wildlife under schedules 1, 5 and 8 of the *Nature Conservation (Wildlife) Regulations 2021*.

Appendix A. Plans of proposed use and development

Plans and elevations of the proposed **use** and **development** are to be provided as part of the MPIS in addition to a corresponding written description. The map book is to contain a consolidated set of information outlining the proposed **use** and **development** proposed, including the details as described below.

1.0 Project use and development plans

The **use** of land for a Wind Energy Facility (WEF) is an electricity generating system (incorporating any onsite energy storage) including all land and **development** used to operate the WEF, from the wind turbines through to the metering/connection point for that generation system. Each generating system with a metering/connection point into the **shared transmission network** is a separate WEF, regardless of whether it is intended to be owned and operated in conjunction with other WEFs.

The MPIS is to contain complete plans and a description of the proposed **use** of the land for the operating stage of each WEF, including any WEF incorporated as part of the operation of another WEF.

The description is to state the:

- maximum operating period proposed for each WEF;
- proposed decommissioning and rehabilitation period for each WEF; and
- any set periods of time during which any part of the operation of any WEF is proposed to be restricted or curtailed.

The MPIS is to contain plans of all **development** associated with each WEF that show the proposed location of:

- wind turbines;
- overhead power lines;
- underground cables;
- substations;
- any new water or sewer infrastructure;
- internal access tracks and whether the project involves a new track or an upgrade to an existing track;
- works to create a new or upgraded access to a **public road**;
- all accesses to **public roads**, and whether each is to be used in the construction or operation phase, or both;
- buildings, structures or compounds, battery energy storage, substations, control rooms, offices, storage and maintenance buildings;
- temporary sites proposed to be used in the construction process for activities such as storage, assembly and concrete batching; and
- any areas with identified values or attributes where all physical

works will be excluded.

2.0 Site development plans

Specific plans of areas within the **project site** where major buildings, structures and on-site quarries are proposed, that show:

- the area and dimensions of land to be leased or subdivided that will be managed by the wind farm operator, containing buildings, substations and battery storage systems;
- the location and dimensions of buildings, structures, perimeter fences, external lighting, access tracks, cut and fill, parking areas, landscaped areas of proposed facilities such as control room and maintenance functions, substations, and battery storage systems;
- the area and dimensions of typical hardstand, laydown or works areas associated with the construction and maintenance of high voltage overhead lines and wind turbines;
- the extent and depth of works, land used for storage and access, site water management, and stages of **development** of on-site quarries; and
- work exclusion areas.

3.0 Elevations/sections

Drawings of proposed buildings and major structures with scale and dimensions showing:

- the location of major works, buildings, and structures;
- the height of structures, buildings, and significant earth works relative to natural ground level; and
- the maximum extent of cut and fill.

For meteorological masts, drawings showing:

- maximum height above natural ground level;
- the typical arrangement of guy-wires; and
- the location of any aviation markers or any mast painting for aviation safety purposes.

For wind turbines, drawings showing:

- maximum distances from natural ground level to the top of the nacelle and to the tip of the blade;
- maximum blade diameter; and
- minimum distance between blade tip and ground level.

For overhead electricity poles/towers, drawings of typical span sections showing:

- the maximum sag/minimum height above ground level;
- the minimum and maximum of conductors and overhead power lines above ground level;

- the maximum blowout of conductors;
- easement width; and
- the maximum height and typical widths of proposed towers and typical spacing between towers.

4.0 Native vegetation removal plans

Plans and photographs of proposed native vegetation clearance showing:

- aerial images showing the spatial extent of native vegetation clearance;
- vegetation community descriptions and overall extent of vegetation areas where native vegetation is proposed to be cleared; and
- the location and recent photos of any large or remnant trees to be cleared.

Mapping of vegetation should be informed by Appendix 6 of the [Assessor's Handbook – Applications to remove, destroy or lop native vegetation, October 2018, Victorian Government](https://www.environment.vic.gov.au/data/assets/pdf_file/0022/91255/Assessors-handbook-Applications-to-remove,-lop-or-destroy-native-vegetation-V1.1-October-2018.pdf)².

5.0 Base information

The project **use** and **development** plans and site **development** plans provided are to include information relevant to the project and features of the **project site**, and the surrounding land, as follows:

Project information

- **project site** – the boundary of the land that relates to the proposed **use** and **development**, comprised of all titles and public land within which **development** is proposed.
- wind farm site – the boundary of the wind farm site that is comprised of all properties where agreements are in place that enable **development** of the project.
- host dwellings – the location of dwellings on land that is part of the wind farm site.

5.0 Base information

- concentric spheres showing, at an approximate distance from the footprint of peripheral wind turbines (the outer ring of wind turbines closest to the project site boundary), 1km intervals for 4km beyond the project.
- dwellings outside the wind farm site.
- parcel boundaries.
- publicly owned land.
- assets and works associated with the operation of the shared transmission network.

² https://www.environment.vic.gov.au/data/assets/pdf_file/0022/91255/Assessors-handbook-Applications-to-remove,-lop-or-destroy-native-vegetation-V1.1-October-2018.pdf

- public roads.
- existing access tracks.
- elevation contours.
- recent high-resolution aerial imagery and LiDAR.

Appendix B. Site and locality plans and information

1.0 Site and locality context plans

The MPIS is to contain site and locality context plans that show a range of information that enables a site and locality context analysis as outlined in assessment criterion 2.1.

The MPIS is to contain maps, plans and photos, including the proposed location of wind turbines and other infrastructure where relevant, that enable the context of the **project site** and locality to be understood and, where relevant, show and depict:

- the **project site** and wind farm site.
- other existing and proposed renewable energy sites in the locality.
- land topography and land system types.
- significant landscape features.
- Aboriginal heritage sites and potential areas of sensitivity.
- the wind resource across the site and surrounding area.
- existing vegetation types and native communities.
- waterways and the class of streams.
- wetlands and any RAMSAR wetlands.
- fauna and flora listed under the *Threatened Species Protection Act 1995* and *Environment Protection and Biodiversity Conservation Act 1999*.
- any significant constraints such as acid sulfate soils or highly erodible soils.
- land reserve types under the *Crown Lands Act 1976*, *Forest Management Act 2014*, the *Forest (RFI) Act 2014*, and *Nature Conservation Act 2002*.
- existing land **uses** and dwellings.
- **public roads** and rail network and the function of transport routes.
- above-ground utilities, energy generation facilities and infrastructure.
- existing below-ground TasWater infrastructure, including notation of any proposed **development** within 2m horizontally or 3m vertically of that infrastructure.
- the location of towns, shack communities, significant conservation and recreational areas, and walking tracks.

2.0 Design response plan

The MPIS is to contain plans and information that show how the design and siting of **development** responds to the attributes of the **project site** and locality, and how the design and siting avoids significant adverse effects, as outlined in assessment criterion 2.1.

The MPIS is to include maps, plans and diagrams that show and depict:

- the location of specific attributes, such as landforms, values and constraints and how these factors have:
 - shaped the overall location and layout of wind turbines; and
 - influenced the design and siting of the proposed **development**; and
- where the potential of significant adverse effects has not been avoided, where the effects occur and the alternatives considered.

3.0 Turbines and dwellings

The MPIS is to contain plans of the **project site** and the surrounding area showing:

- The location of proposed wind turbines and a unique identifier.
- The location of dwellings and a unique identifier, within 4km of a wind turbine but not within the wind farm site.
- The location of dwellings and a unique identifier within the wind farm site.
- The wind farm site and the **project site** (see Appendix A section 5.0 Base information).
- Tables with:
 - The spatial coordinates and elevation of each wind turbine.
 - The location of each dwelling and the distance between the dwelling and the closest turbine.

Appendix C. Guidance materials

1.0 Standards, guidelines, practices and procedures

Aboriginal Heritage Standards and Procedures, Aboriginal Heritage Tasmania, July 2023

<https://www.aboriginalheritage.tas.gov.au/assessment-process/aboriginal-heritage-standards-and-procedures>

Advisory Circular AC 139.E-05 v1.1, Obstacles (including wind farms) outside the vicinity of a CASA certified aerodrome, Civil Aviation Safety Authority, October 2022

[advisory-circular-139-e-05-obstacles-including-wind-farms-outside-vicinity-casa-certified-aerodrome \(5\).pdf](#)

Ask First: A guide to respecting indigenous heritage places and values, Australian Heritage Commission, 2002

https://www.wipo.int/export/sites/www/tk/en/databases/creative_heritage/docs/ask_first.pdf

Assessing the cumulative landscape and visual impact of onshore wind energy developments, Scottish Natural Heritage, March 2021

<https://www.nature.scot/doc/guidance-assessing-cumulative-landscape-and-visual-impact-onshore-wind-energy-developments>

Assessor's Handbook – Applications to remove, destroy or lop native vegetation, October 2018, Victorian Government

https://www.environment.vic.gov.au/_data/assets/pdf_file/0022/91255/Assessors-handbook-Applications-to-remove,-lop-or-destroy-native-vegetation-V1.1-October-2018.pdf

Australian Code for the Transport of Dangerous Goods by Road and Rail: Edition 7.9, National Transport Commission, 2024

[Australian Dangerous Goods Code | National Transport Commission \(ntc.gov.au\)](#)

Australian and New Zealand Guidelines for Fresh and Marine Water Quality. Australian and New Zealand Governments and Australian state and territory governments, 2018

<https://www.waterquality.gov.au/anz-guidelines>

Best Practice Erosion and Sediment Control: For Building and Construction Sites, Grant Witheridge, 2008

<https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document>

Best Practice Guide 10.2 - Visual Simulations, New Zealand Institute of Landscape Architects, 2010

https://nzila.co.nz/media/uploads/2017_01/vissim_bpg102_lowfinal_gQFss9X.pdf

Draft Construction Noise Guideline, NSW EPA, 2020

<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/noise/20p2281-draft-construction-noise-guideline.pdf> (sections on infrastructure construction)

Draft National Wind Farm Development Guidelines, Environment Protection and Heritage Council, July 2010 (sections on shadow flicker, electromagnetic interference, aircraft safety and blade glint)

<https://www.nepc.gov.au/sites/default/files/2022-09/draft-national-wind-farm-development-guidelines-july-2010.pdf>

Environmental Management Goals for Tasmanian Surface Waters: Derwent River Catchment, Department of Primary Industries, Water and Environment Tasmania, April 2003

https://epa.tas.gov.au/documents/derwent_river_catchment_final_paper.pdf

Environment Protection and Biodiversity Control Act 1999 Offsets Policy, Department of Sustainability, Environment, Water, Population and Communities, October 2012

[Environment Protection and Biodiversity Conservation Act 1999
Environmental Offsets Policy \(agriculture.gov.au\)](#)

Fauna Technical Note 1: Eagle nest searching, activity checking and nest management, Forest Practices Authority, April 2024

<https://fpa.tas.gov.au/Documents/Fauna%20Tech%20Note%201%20-%20Eagle%20nest%20management.pdf>

Forest Practices Code, Forest Practices Authority, 2020

https://fpa.tas.gov.au/Documents/Forest_Practices_Code_2020.pdf

Forest Protection Survey Program: Survey Guideline – Reptile Survey (V4.1), The State of Victoria Department of Land, Water and Planning, 2020

https://www.vic.gov.au/sites/default/files/2021-04/FPSPSurvGuide_Reptiles-V4.1.pdf

Forestry Botany Manual: Module 3 – Ben Lomond Region, Forest Practices Authority, 2005

https://fpa.tas.gov.au/data/assets/pdf_file/0004/225319/Forest_Botany_Manual_Module_3_Ben_Lomond.pdf

Guidelines for Natural Values Surveys – Terrestrial Development Proposals, Department of Primary Industries, Parks, Water and Environment, 2015

<https://nre.tas.gov.au/Documents/Guidelines%20for%20Natural%20Values%20Surveys%20related%20to%20Development%20Proposals.pdf>

Guide to Eagle Nest Searching and Nest Activity Checks, Environment Protection Authority, May 2023

<https://epa.tas.gov.au/Documents/EPA%20Guide%20to%20Eagle%20Nest%20Searching%20and%20Nest%20Activity%20Checks.pdf>

Guide to Traffic Management, Part 12: Integrated Transport Assessments for Developments, Austroads, 2020

<https://austroads.com.au/publications/traffic-management/agtm12>

National Acid Sulfate Soils Guidance – A Synthesis, Water Quality Australia, June 2018

<https://www.waterquality.gov.au/issues/acid-sulfate-soils/a-synthesis>

National airports safeguarding framework Guideline D: Managing the risk to aviation safety of wind turbine installation/wind monitoring towers, July 2012

https://www.infrastructure.gov.au/sites/default/files/documents/4.1.3_Guideline_D_Wind_Turbines.pdf

National Light Pollution Guidelines for Wildlife, Australian Government Department of Climate Change, Energy, the Environment and Water, May 2023

<https://www.dcceew.gov.au/sites/default/files/documents/national-light-pollution-guidelines-wildlife.pdf>

Noise Measurement Procedure Manual, Department of Environment, Parks, Heritage and the Arts, July 2008.

https://epa.tas.gov.au/Documents/Noise_Measurement_Procedures_Manual_2008.pdf

Offset Guidelines for Impacts to Threatened Eagles from Wind Farm Developments, Department of Natural Resource and the Environment Tasmania, February 2022

<https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/offset-guidelines-for-impacts-to-threatened-eagles-from-wind-farm-developments>

Practice Note 1B – Preparation of Heritage Impact Statements, Tasmanian Heritage Council, April 2023

<https://heritage.tas.gov.au/Documents/Preparing%20Heritage%20Impact%20Statements.pdf>

Practice Note: cultural landscapes, Australia ICOMOS

https://australia.icomos.org/wp-content/uploads/Burra-Charter-Practice-Note_Cultural-Landscapes_22.12.2022.pdf

Practice Note: intangible cultural heritage and place, Australia ICOMOS

https://australia.icomos.org/wp-content/uploads/Practice-Note_Intangible-Cultural-Heritage-Place.pdf

Principles for Engagement in Projects Concerning Aboriginal and Torres Strait Islander Peoples, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2020.

<https://aiatsis.gov.au/publication/94687>

Quarry Code of Practice, Environment Protection Authority, 3rd Edition, May 2017

<https://epa.tas.gov.au/Documents/Quarry%20Code%20of%20Practice%20May%202017%20-%20web.pdf>

Siting and Designing Wind Farms in the Landscape, Scottish Natural Heritage, version 3a August 2017

<https://www.nature.scot/doc/siting-and-designing-wind-farms-landscape-version-3a>

Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian Devil (*Sarcophilus harrisii*), Department of Primary Industries, Parks, Water and Environment, 2023

<https://nre.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

Survey guidelines for Australia's threatened reptiles, Australian Government Department of Sustainability, Environment, Water, Population and Communities, 2011

<https://www.dcceew.gov.au/sites/default/files/documents/survey-guidelines-reptiles.pdf>

Tasmania Noise Measurement Procedures Manual, Department of Environment, Parks, Heritage and the Arts, July 2008.

https://epa.tas.gov.au/Documents/Noise_Measurement_Procedures_Manual_2008.pdf

Tasmanian Acid Sulfate Soils Management Guidelines, Department of Primary Industries, Parks, Water and the Environment, 2009

<https://nre.tas.gov.au/Documents/ASS-Guidelines-FINAL.pdf>

Tasmanian Environmental Protection Policy (Air Quality), Department of Environment, Parks, Heritage and the Arts, 2009

[https://epa.tas.gov.au/about-the-epa/policy-legislation-cooperative-arrangements/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-\(noise\)-2009](https://epa.tas.gov.au/about-the-epa/policy-legislation-cooperative-arrangements/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-(noise)-2009)

Tasmanian Renewable Hydrogen Action Plan, Department of State Growth, 2020

https://renewabletasmania.tas.gov.au/_data/assets/pdf_file/0004/274693/Tasmanian_Renewable_Hydrogen_Action_Plan_web_27_March_2020.pdf

Technical Guidance for Water Quality Objectives (WQOs) Setting for Tasmania, Environment Protection Authority, August 2020

[https://epa.tas.gov.au/Documents/Technical%20Guidance%20for%20Water%20Quality%20Objectives%20\(WQOs\)%20Setting%20for%20Tasmania.pdf](https://epa.tas.gov.au/Documents/Technical%20Guidance%20for%20Water%20Quality%20Objectives%20(WQOs)%20Setting%20for%20Tasmania.pdf)

'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

https://nzila.co.nz/media/uploads/2022_09/Te_Tangi_a_te_Manu_Version_01_2022.pdf

The Interim Engaging with First Nations People and Communities on Assessments and Approvals under Environment Protection and Biodiversity Conservation Act, Department of Climate Change, Energy, the Environment and Water, 1999

<https://www.dcceew.gov.au/environment/epbc/publications/engage-early>

Traffic Impact Assessment Guidelines, Department of State Growth, August 2020

https://www.transport.tas.gov.au/_data/assets/pdf_file/0005/108491/TIA_Guidelines_-_PDF_Version.PDF

Visual representation of wind farms: Guidance, Scottish Natural Heritage, February 2017

<https://www.nature.scot/doc/visual-representation-wind-farms-guidance>

Water Quality Guidelines, ANZG, 2018

<https://www.waterquality.gov.au/anz-guidelines>

Wetlands and Waterways Works Manual, Department of Primary Industries, Water and Environment, 2003

<https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual>

Works Guidelines for Historic Heritage Places, Tasmanian Heritage Council, November 2015

https://heritage.tas.gov.au/Documents/Works_Guidelines_FINAL_Nov2015.pdf

2.0 Guidance provided by participating regulators, agencies and landowners

The major project process consolidates the assessment of major projects under several pieces of legislation, and in some cases the permits that would have been issued.

The process provides for the regulators of the consolidated legislation to participate by providing the Panel advice.

For this project, participating regulators have provided feedback on matters for the assessment criteria. This takes the form of assessment requirement notices, which detail the matters those regulators require to be included in the assessment criteria.

The participating regulators for this project are:

- The Board of the Environment Protection Authority (EPA Board) in relation to the *Environmental Management and Pollution Control Act 1994*;
- The Secretary of the Department of Natural Resources and Environment Tasmania (NRE Tas) in relation to the *Threatened Species Protection Act 1995*, the *Nature Conservation Act 2002* and the *Aboriginal Heritage Act 1975*.
- Tasmanian Heritage Council in relation the *Historic Cultural Heritage Act 1995*.

Along with the assessment requirements notice, participating regulators may provide guidance on issues arising from the project, potential environmental impacts, information related to current and best practice approaches for surveys, and other related considerations.

Some participating regulators have a determining role in the major project process. This means the Panel must refuse to grant a permit if that is the advice of those regulators, or impose any permit conditions provided by those regulators. For this project, determining participating regulators are NRE Tas in relation to the *Threatened Species Protection Act 1995* and *Aboriginal Heritage Act 1975*. Project-specific guidance has been provided to the Panel by these determining participating regulators, below:

- [NRE Tas guidance information](https://www.planning.tas.gov.au/__data/assets/pdf_file/0011/805196/Department-of-Natural-Resources-and-Environment-Tasmania-Assessment-Requirement-Notice-s60Zj-comments-and-guidance-information-11-March-2025.PDF)³.

Other participating regulators have an advisory role - in the case of this project:

- EPA Board; and
- NRE Tas in relation to listed native vegetation communities under the *Nature Conservation Act 2002*.

Under the Act, the EPA Board is required to carry out an environmental impact assessment of the project and provide advice to the Panel. The EPA

³ https://www.planning.tas.gov.au/__data/assets/pdf_file/0011/805196/Department-of-Natural-Resources-and-Environment-Tasmania-Assessment-Requirement-Notice-s60Zj-comments-and-guidance-information-11-March-2025.PDF

Board has provided detailed guidance to the Panel on information related to environmental assessment, below:

- [EPA indicative guidance](#)⁴; and
- [EPA Public Health Service comments](#)⁵.

The MPIS is required to address the assessment criteria. In doing this, the information that the MPIS contains is to be informed by the substance of the guidance provided by regulators. The Proponent should provide the information and level of detail that would have been required for participating regulators to assess or determine matters under their specific Acts. The level of detail provided should be appropriate to the level of significance of that issue for the proposal. This ensures the MPIS provides an information base that enables participating regulators to assess matters in accordance with their specific procedures. This will in turn enable participating regulators to provide advice to the Panel in a timely and effective manner.

In addition, advice and representations have been received from councils, State Service Agencies and Tasmanian Government Business including:

- Department of State Growth;
- Homes Tasmania; and
- State Emergency Service.

These documents provide a range of advice, information and guidance that may also assist in addressing specific assessment criteria.

Some landowners in the area also provided feedback.

All assessment requirement notices, guidance on information and general feedback is available at the [Commission's website](#)⁶.

⁴ https://www.planning.tas.gov.au/__data/assets/pdf_file/0004/805198/Environment-Protection-Authority-Assessment-Requirement-Notice-and-indicative-guidance-11-March-2025.PDF

⁵ https://www.planning.tas.gov.au/__data/assets/pdf_file/0015/805200/Environment-Protection-Authority-provision-of-Public-Health-Service-comments-3-March-2025.PDF

⁶ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/cellars-hill-wind-farm-assessment-criteria>

Appendix D. Bird and bat management plan (BBMP) framework

The following table outlines the framework for the preparation and submission of a draft BBMP as an appendix to the MPIS. The purpose of the BBMP is to enable a robust long-term approach to mitigate and manage potential impacts of the proposed action associated with individual mortality from turbine collision and barotrauma, and potential changes to species utilisation of the project area and its surrounds on relevant listed threatened and migratory bird species.

The draft BBMP must be prepared by a suitably qualified ecologist and in accordance with DCCEEW's Environmental Management Plan Guidelines (2014) (available here: <https://www.dcceew.gov.au/environment/epbc/publications/environmental-management-plan-guidelines>). The draft BBMP must be informed by desktop and field-derived information, best available practices, appropriate standards, evidence of effectiveness for other similar actions and supported by published scientific evidence.

C1. Pre-commissioning requirements

C1.1 Desktop assessment

To predict the potential for listed threatened and migratory bird species to be using the project area and its surrounds, the BBMP must include the process and outcomes of a preliminary site characterisation (desktop and/or initial site visit) for each species to identify all drivers of presence on the project area and utilisation of the project area. This characterisation must include, at a minimum, the consideration of:

- site characteristics: focal habitat features, topography, prevailing wind and weather patterns, wetlands (including adjacent to project area), and distance to potential nesting, roosting and foraging areas (including nearby national parks, state forests and biodiversity corridors).
- species characteristics: behaviour, flight or demographic factors (e.g. species presence [ongoing, transitory/migratory]), site use (e.g. transit, roosting, breeding/denning and/or foraging), flight paths (including migratory flight paths), flight heights, soaring, flocking, and population numbers.

C1.2 Site-specific assessment

To validate the outcomes of the desktop assessment, the BBMP must include a site-specific assessment of how at-risk listed threatened and migratory bird species are using, or likely to use, the project area and surrounds. This assessment must be informed by site-specific and species-specific site utilisation surveys (undertaken by a suitably qualified expert) and supported by other relevant scientific evidence.

At least 24 months of site utilisation surveys must be undertaken to provide sufficient baseline data about a relevant species' potential to utilise the project area and its surrounds. This means that site utilisation surveys must

be undertaken for each relevant season over a minimum two years (up to 8 survey events).

Each site utilisation survey must be of an appropriate duration and spatial coverage (including taking into consideration the potential turbine layout and visibility) to adequately evaluate site utilisation.

At a minimum, each site utilisation survey must record the relevant information specified in 'Species characteristics' of the desktop assessment (Section C1.1 above).

The BBMP must include the site utilisation survey methodology for each relevant species.

Discussion must be provided that includes detailed information on:

- How the design of the site utilisation surveys for each relevant species has been informed by its drivers of presence on the project area and utilisation of the project area (as determined through the preliminary site characterisation).
- How site utilisation surveys for each relevant species have been designed to improve understanding of site utilisation on the project area and its surrounds, and support an ongoing Before- After, Control Impact (BACI) framework in the BBMP.

Applicability of artificial intelligence detection systems for each MNES at risk of turbine collision impacts.

C1.3 Long-term impact risk assessment

To enable a robust assessment of the potential impacts of the proposed action on listed threatened and migratory bird species, the BBMP must include, at a minimum:

- An assessment of the potential impact pathways on each relevant species (based on the desktop assessment [Section C1.1 above] and site utilisation surveys [Section C1.2 above]) including, at a minimum:
 - direct mortality from turbine collision and barotrauma
 - potential changes to species utilisation of the project area and surrounds during construction and operation of the proposed action.
- Identification of potential impacts to each relevant species from direct mortality, including but not limited to:
 - analysis and mapping of suitable habitat, territories and activity/utilisation patterns/rates (e.g. 'heat maps') in the project area and its surrounds
 - flight path analysis of relevant birds including heights and speeds.
- a collision risk assessment, which must incorporate:
 - an assessment of the project area and surrounds to

- identify any high risk turbines
- baseline data collected during the minimum 24 months of site utilisation surveys
- a statement of all assumptions and uncertainties.

The BBMP must include a map for each relevant species that identifies area/s in the project area and its surrounds determined to be 'high risk' based on the collision risk assessment.

The BBMP must clearly demonstrate how relevant DCCEEW policies and guidelines, and the SPRAT Database, have been used to assess the above potential impacts on listed threatened and migratory bird species.

C2. Post-commissioning requirements

C2.1 Environmental outcomes

To enable a robust long-term approach to mitigate and manage potential impacts from turbine collision and barotrauma, and potential changes to species utilisation of the project area and its surrounds, the BBMP must include specific environmental outcomes to be achieved by the implementation of the BBMP. This may include, but is not limited to:

- an improved understanding of the risk of turbine collision and barotrauma impacts on listed bird and bat species.
- an improved understanding of whether or how project area usage changes as a result of wind farm construction and operation.
- an improved monitoring approach for the timely identification of turbine collisions and the timely collection and analysis of data.
- an improved approach to the timely and regular validation and update to the collision risk assessment using monitoring data, to support a robust adaptive management approach.
- the development and implementation of tangible, on-ground management measures and corrective actions to promote a long-term reduction in the risk of turbine collision and barotrauma impacts on listed bird and bat species.

C2.2 Long-term site utilisation surveys

To detect potential long-term changes to species utilisation of the project area and its surrounds as a result of operations, the BBMP must include a long-term site utilisation survey program (prepared by a suitably qualified expert) for each relevant species. The program must, at a minimum:

- be designed to ensure that species behavioural responses can be detected, including avoidance of turbines and changes to site utilisation
- be designed to support a BACI monitoring framework

- include site utilisation survey methodologies, and proposed timings, which are consistent with the pre-commissioning site utilisation survey methodologies
- be undertaken by a suitable qualified expert
- be statistically reliable
- be able to inform adaptive mitigation and management measures, and corrective actions, to ensure environmental outcomes will be achieved and impacts are minimised to the greatest extent reasonably possible.

C2.3 Long-term turbine collision and barotrauma monitoring

To manage potential long-term mortality impacts on relevant species as a result of turbine collision and barotrauma, the BBMP must include a long-term monitoring and collision risk assessment update approach. The approach must, at a minimum:

- include details of the nature, timing and frequency of monitoring to inform progress against achieving the environmental outcomes, and be sufficient to determine whether the BBMP is likely to achieve those environmental outcomes in adequate time to implement all necessary corrective actions
- demonstrate how species-specific factors (e.g., size, colour) and site-specific factors (e.g., terrain, ground cover, seasonality, obstructions) have been incorporated into the design of monitoring programs (i.e., turbine selection, feasibility of conducting searches etc.)
- include a proposed timeframe for the regular validation and update of the collision risk assessment using site-specific data collected through ongoing monitoring activities
- include a commitment to DNA test carcasses, where identification of a carcass based upon morphology is inconclusive and cannot rule out a potential listed species
- include a commitment for carcass persistence trials and searcher efficiency trials to maximise the accuracy of total mortality estimates by determining the appropriate correction factor.
 - For carcass persistence trials, ensure carcass type and placement around the site is appropriate.
 - For searcher efficiency trials, ensure trials are completely blind.
- include a commitment to determine whether there is variation in detection and persistence rates due to seasonality, substrate, or location at windfarm.
- include an artificial intelligence method to avoid, manage and mitigate potential impacts.

In the development of a long-term monitoring program, the BBMP must

take into account Moloney, P.D., Lumsden, L.F. and Smales, I. (2019). *Investigation of existing post- construction mortality monitoring at Victorian wind farms to assess its utility in estimating mortality rates. Arthur Rylah Institute for Environmental Research Technical Report Series No. 302.* Department of Environment, Land, Water and Planning, Heidelberg, Victoria, accessible from https://www.ari.vic.gov.au/_data/assets/pdf_file/0024/435309/ARI-Technical-Report-302-Investigation-of-existing-post-construction-monitoring-at-Victorian-wind-farms.pdf. This includes taking into account, Appendix 2: Data requirements for effective estimation of annual mortality rates in Moloney *et al* (2019).

C2.4 Reporting requirements to DCCEEW

The BBMP must include, at a minimum, the following reporting commitments (and proposed timeframes) for the provision of site-specific and species-specific information to DCCEEW:

- Annual turbine strike reports, comprising:
 - raw strike data and strike notifications
 - survey methodologies
 - results of detection/persistence trials
 - environmental/meteorological conditions
 - associated statistical analysis.
- Estimations of annual mortality rate for each relevant species, comprising:
 - supporting evidence from case studies of listed species carcass size classes
 - results of persistence trials and searcher efficiency trials
 - annual probability of detection and monthly strike monitoring
 - collision monitoring protocol and survey effort.
- Species occurrence records for all listed threatened and migratory species recorded during surveys in accordance with the DCCEEW's Guidelines for biological survey and mapped data (2018) (available here: <https://www.dcceew.gov.au/environment/environmental-information-data/information-policy/guidelines-for-biological-survey-mapped-data>) using the species observation data template on the DCCEEW's website (sensitive ecological data must be identified and treated in accordance with the DCCEEW's Sensitive Ecological Data – Access and Management Policy V1.0 (2016) (available here: <https://www.dcceew.gov.au/sites/default/files/documents/sensitive-ecological-data-access-mgt-policy.pdf>).

C2.5 Public reporting requirements

The BBMP must provide details of ongoing management, including monitoring programs to support an adaptive management approach, that validate the effectiveness of the proposed measures and demonstrate that environmental outcomes will be achieved. The management program and results must be made available on a public-facing website hosted by the approval holder.

The monitoring program must:

- be scientifically robust to detect and quantify impacts on protected matters.
- be able to accurately and in a timely manner detect when impact triggers are reached.
- detect potential collision risk and manage/ curtail WTGs when triggers are reached.

C2.6 Adaptive management framework

To ensure the environmental outcomes will be achieved for relevant species, the BBMP must include an adaptive management framework. The adaptive management framework must, at a minimum:

- Be designed to clearly demonstrate the linkages between:
 - environmental outcomes
 - implementation of mitigation and management measures
 - monitoring, reporting and investigations
 - implementation of corrective actions to ensure environmental outcomes will be achieved.
- Be designed to incorporate site-specific data collected through ongoing monitoring activities (see requirement C2.4 above) and take into account changes to turbine risk ratings based on the collision risk assessment.
- Identify, with proposed timeframes for implementation, tangible, on-ground corrective actions to be implemented if monitoring activities indicate the environmental outcomes have not been achieved.

C2.7 Offset requirements and shutdown procedures

The BBMP must include a framework for the ongoing assessment of impacts on protected matters as a result of turbine strike and/or barotrauma. Annual impact triggers (informed by scientific literature and relevant DCCEE guidelines) must be tracked and reported to DCCEE. Incremental impact triggers must be tracked that, if reached or exceeded, require:

- the implementation of additional/alternative mitigation measures (including curtailment)
- the provision of environmental offsets

- shutdown procedures – the wind turbine/s that contributed to reaching or exceeding an impact trigger would be required to cease operation.

Appendix E. Information requirements for EPBC Act offset proposals

Guidance on environmental offsets is available on DCCEEW's website at: <https://www.dcceew.gov.au/environment/epbc/advice-for-complying-with-the-epbc-act/environmental-offsets-under-epbc/environmental-offsets-guidance>.

Please note, should the proposed action be approved, conditions of an approval are likely to require that environmental offset/s (and the OAMP) be approved and implemented prior to the commencement of the proposed action in accordance with the Offsets Policy.

If you propose a habitat quality gain of more than 2 points, or an achieved future habitat quality score 'with offset' of 9 or 10, it becomes less certain that the conservation outcome can be achieved. The justification of effectiveness of your proposed management measures and associated habitat quality score improvements and (reflected in the confidence in result) must be supported by substantial evidence.

Higher habitat quality gains will generally be associated with lower 'confidence in result' scores in the Offset Assessments Guide (2012) to reflect the difficulty associated with achieving the conservation outcomes. In these cases, it is likely that outcomes-based commitments will be required in the associated management plan for the site, including specifying binding metrics to be met to demonstrate quality improvement. For further information, please contact the DCCEEW to discuss the metrics that will be used to demonstrate achievement of quality standards.

D1. Minimum requirements for a draft Offset Management Strategy (OMS)

- D1.1 Specific details of the nature of the conservation gain to be achieved for relevant MNES, including the creation, restoration and revegetation of habitat in the proposed offset area/s.
- D1.2 Details of the environmental offset/s (in hectares) to compensate for the residual significant impacts of the proposed action on relevant MNES.
- D1.3 Details of the potential offset area/s (including a map) to compensate for the residual significant impacts of the proposed action on relevant MNES.
- D1.4 The methodology, with justification and supporting evidence, used to inform the inputs of the Offsets Assessment Guide in relation to the project site for each relevant MNES, including:
 - total area of habitat (in hectares); and
 - habitat quality
- D1.5 Details, with supporting evidence, of how the environmental offset/s meets the requirements of DCCEEW's EPBC Act Environmental Offsets Policy (2012) (Offsets Policy), available at: www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy.
- D1.6 The methodology, with justification and supporting evidence, used to inform the inputs of the Offsets Assessment Guide in relation to each potential offset area/s for each relevant MNES, including:

- time over which loss is averted (max. 20 years);
 - time until ecological benefit;
 - risk of loss (%) without offset;
 - risk of loss (%) with offset; and
 - confidence in result (%).
- D1.7 Evidence that the relevant MNES, and/or their habitat, can be present in the potential offset area/s.
- D1.8 Information about how the potential offset area/s provides connectivity with other relevant habitats and biodiversity corridors.
- D1.9 Details and execution timing of the mechanism to legally secure the environmental offset/s (under Tasmanian legislation or equivalent) to provide enduring protection for the potential offset area/s against development incompatible with conservation.
- D2. Minimum Requirements for a draft Offset Area Management Plan (OAMP)**
- D2.1 Specific, committal and measurable environmental outcomes which detail the nature of the conservation gain to be achieved for relevant MNES, including the creation, restoration and revegetation of habitat in the proposed offset area/s.
- D2.2 Details, with supporting evidence, to demonstrate how the environmental offset/s compensate for residual significant impacts of the proposed action on relevant MNES, and/or their habitat, in accordance with the principles of the Offsets Policy and all requirements of the Offsets Assessment Guide including:
- time over which loss is averted (max. 20 years);
 - time until ecological benefit;
 - risk of loss (%) without offset;
 - risk of loss (%) with offset; and
 - confidence in result (%).
- D2.3 A description of the offset area/s, including location, size, condition, environmental values present and surrounding land uses.
- D2.4 Baseline data and other supporting evidence that documents the presence of the relevant MNES, and the quality of their habitat within the offset area/s.
- D2.5 An assessment of the site habitat quality for the offset area/s.
- D2.6 Details of how the offset area/s will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the relevant MNES.
- D2.7 Maps and shapefiles to clearly define the location and boundaries of the offset area/s, accompanied by the offset attributes (e.g. physical address of the offset area/s, coordinates of the boundary points in decimal degrees,

- the relevant MNES that the environmental offset/s compensates for, and the size of the environmental offset/s in hectares).
- D2.8 Specific offset completion criteria derived from the site habitat quality to demonstrate the improvement in the quality of habitat in the offset area/s over a 20-year period.
 - D2.9 Details of the management actions, and timeframes for implementation, to be carried out to meet the offset completion criteria.
 - D2.10 Interim milestones that set targets at 5-yearly intervals for progress towards achieving the offset completion criteria.
 - D2.11 Details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the offset area/s are likely to achieve those milestones in adequate time to implement all necessary corrective actions).
 - D2.12 Proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved.
 - D2.13 Timing for the implementation of tangible, on-ground corrective actions to be implemented if monitoring activities indicate the interim milestones have not been achieved.
 - D2.14 Risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the OAMP and timely achievement of the offset completion criteria, including a rating of all initial and post-mitigation residual risks in accordance with a risk assessment matrix.
 - D2.15 Evidence of how the management actions and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans.
 - D2.16 Details and execution timing of the mechanism to legally secure the proposed offset area/s, such that legal security remains in force over the offset area/s for at least 20 years to provide enduring protection for the offset area/s against development incompatible with conservation.
 - D2.17 All proposed management actions, monitoring approach and corrective actions must be written using committed language (e.g. 'will' and 'must').

Appendix F. EPBC Act and Regulation excerpts

1.0 The Objects and Principles of the *Environment Protection and Biodiversity Conservation Act 1999*, sections 3 and 3A

Section 3 Objects of the Act

(1) ...

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

Section 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.

2.0 Matters that must be addressed as set out in Schedule 4 of the EPBC Regulations 2000

1. General information

1.01 The background of the action including:

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

2. Description

2.01 A description of the action, including:

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

- alternative is preferred to another;
- (h) any consultation about the action, including:
 - (i) any consultation that has already taken place;
 - (ii) proposed consultation about relevant impacts of the action; and
 - (iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation; and
 - (i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

3. Relevant impacts

3.01 Information given under paragraph 2.01(d) must include

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

4. Proposed safeguards and mitigation measures

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

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

proposed to be taken by State governments, local governments or the Proponent.

5. Other Approvals and Conditions

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

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

6. Environmental record of person proposing to take the action

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

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

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

7. Information sources

7.01 For information given the PER/EIS must state:

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