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## **Appendix C. Preliminary Documentation Request for Information**



## Appendix A

### Rockhampton Ring Road, Queensland (EPBC 2020/8628)

#### Additional information required for assessment by Preliminary Documentation

A delegate of the Minister for the Environment determined the above project is likely to have a significant impact on listed threatened species and communities (sections 18 and 18A) and migratory species (sections 20 and 20A), under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

It has also been determined the project will be assessed by Preliminary Documentation. Information about the project and its relevant impacts, as outlined in the referral documentation and provided in response to the below, is to be provided in the Preliminary Documentation.

#### 1. GENERAL CONTENT, FORMAT AND STYLE

The Preliminary Documentation, which includes the referral documentation and the additional information described below, must be a stand-alone document that containing sufficient information to avoid the need to search out previous or supplementary reports. The Preliminary Documentation should take into consideration the EPBC Act Significant Impact Guidelines 1.1 and EPBC Act Significant Impact Guidelines 1.2, available at:

[www.environment.gov.au/epbc/guidelines-policies.html](http://www.environment.gov.au/epbc/guidelines-policies.html).

The document must enable interested stakeholders and the Minister to easily understand the consequences of the project on matters of national environmental significance (MNES). Information provided in the document should be objective, clear, succinct, avoid technical jargon and, where appropriate, be supported by maps, plans, diagrams, data or other descriptive detail.

Detailed technical information, studies or investigations necessary to support the information in the stand-alone document must be included as appendices. It is recommended that any additional supporting documentation and studies, reports or literature not normally available to the public, from which information has been extracted, be made available at appropriate locations during the period of public display of the Preliminary Documentation. The proponent should also make sure the Preliminary Documentation is made available on the Internet.

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

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

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

The Preliminary Documentation must include a list of persons and agencies consulted and the names of, and work done by, the persons involved in preparing the Preliminary Documentation.

Maps, diagrams and other illustrative material should be included in the Preliminary Documentation. The document should be produced on A4 size paper capable of being photocopied, with maps and diagrams on A4 or A3 size and in colour. The proponent should consider the format and style of the document appropriate for publication on the Internet. The capacity of a website to store data and display the material may have some bearing on how the document is constructed.

The stand-alone document must include a copy of this request for information and a cross-reference table indicating where the information fulfilling this request is included in the Preliminary Documentation.

## **2. SPECIFIC CONTENT OF THE ADDITIONAL INFORMATION**

### **DESCRIPTION OF THE ACTION**

All construction, operational, rehabilitation and decommissioning components of the action must be described in detail. This must include the details of the final ring road design, construction methodologies, geotechnical field investigation results, no-go zones, road length, and updated maps. The description of the action must discuss flooding immunity of the ring road and describe the flood consideration in the design.

Provide the total size (in hectares) of the project area and the total size (in hectares) of the disturbance footprint once the final design has been approved. Please provide precise location of all works to be undertaken, structures to be built or elements of the action that may have impacts on MNES. The description must include a map (or maps) which clearly identify the final road design and all components of the action and their location within the project area.

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.

The description of the action must provide the details of the relevant condition of state approvals and other relevant approvals, if applicable. A copy of ecology report and hydrological assessments prepared to inform the state approval and other permits processes must be attached.

The Department notes that the final design for the Rockhampton Ring Road has not yet been finalised, therefore Preliminary Documentation must describe and assess each potential design option for the proposed action.

### **MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE (MNES)**

The Department considers the proposed action may have or is likely to have a significant impact on the listed threatened species and communities (sections 18 and 18A) and listed migratory species (section 20 and 20A) known to or likely to occur within the project area, including but not limited to:

*Listed threatened species and ecological communities:*

- The Fitzroy River Turtle (*Rheodytes leukops*) – Vulnerable;
- White-throated Snapping Turtle (*Elseya albagula*) – Critically endangered;
- Australian Painted Snipe (*Rostratus australis*) – Endangered;
- Curlew Sandpiper (*Calidris ferruginea*) – Critically endangered;

- Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) – Vulnerable;
- White-throated needletail (*Hirundapus caudacutus*) – Vulnerable;
- Squatter pigeon (*Geophaps scripta scripta*) – Vulnerable;
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – Vulnerable;
- *Cycas ophiolitica* – Critically endangered;
- Black ironbox (*Eucalyptus raveretiana*) – Endangered;
- Brigalow (*Acacia harpophylla* dominant and co-dominant) – Endangered;
- Coolibah – Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions – Endangered;
- Weeping Myall Woodland – Endangered.

#### Listed Migratory Species

- Latham's Snipe (*Gallinago hardwickii*) – Migratory;
- Caspian tern (*Hydroprogne caspia*) – Migratory;
- Eastern osprey (*Pandion haliaetus*) – Migratory;
- Glossy Ibis (*Plegadis falcinellus*) – Migratory;
- Marsh Sandpiper (*Tringa stagnatilis*) – Migratory.

**Note:** The list above may not be a complete list of MNES communities that will or are likely be impacted by the action. It is the proponent's responsibility to ensure that any MNES at the time of the controlled action decision, which will or are likely to be impacted by the project, are assessed for the Minister's consideration. Any listing events (e.g. the listing or up-listing of a species) that occur after the controlled action decision do not affect the assessment and approval process.

#### Habitat Assessment

Preliminary documentation must provide a robust assessment of the potential habitat available within, adjacent to and/or downstream of the project area for MNES. The habitat assessment for MNES must consider and align with the information in the SPRAT Database and relevant DAWE documents and, at a minimum, include:

- a quantification of the total individuals/populations and justifications of the survey methods;
- provide a discussion of the vegetation composition and structure on suitable soils (such as specific tree species, riparian areas and microhabitat features, etc.) and association with habitat types of a species;
- identify the MNES and their habitat within the project area including:
  - known records of individuals (or evidence of individuals) derived from desktop analysis and/or field surveys;
  - area (in hectares) and habitat condition;
  - any breeding, foraging, dispersal, refuge/shelter, suitable habitats, roosting, known important habitat;
  - for migratory species known Important Bird Area (IBA) and Directory of Important Wetlands (DIWA) of the Fitzroy floodplain and delta, etc.).

- provide mapping of MNES and their habitat type/s that are found to be, or may potentially be, present within, adjacent to and/or downstream of the project area including an overlay of the project disturbance footprint; and
- full justification of all discussions and conclusions based on the best available information, including relevant conservation advices, recovery plan, threat abatement plans and guidance documents, should be included if applicable.

### **Impact Assessment**

The Preliminary Documentation must include an assessment of potential impacts (including direct, indirect, facilitated, and cumulative impact, including longer impacts of the ring road operation) that may occur as a result of all elements and project phases of the proposed action (e.g. construction and post-construction) on the MNES, including but not limited to:

- the total size (in hectares) of the disturbance footprint for MNES and their habitat type;
- a discussion on the impacts associated with changes to surface hydrology to habitat in the proposed action area and surrounding areas including but not limited to:
  - flooding;
  - sedimentation and erosion;
  - increased water table;
  - increased in dissolved salt content and the potential of reduction of the extent of foraging habitat for migratory bird species.
- impacts associated with fragmentation and edge effects;
- the impacts of dust, noise, light and vehicle strike resulting from the construction and operation of the project;
- an assessment of the likely duration of impacts on MNES as a result of the proposed action;
- discussion of the risk of introduction and proliferation weeds and spread of pathogens during construction;
- details on whether any impacts are likely to be unknown, unpredictable, irreversible or sub-lethal (reversible over time) and what confidence level is placed on the predictions;
- in discussing potential impacts, consider how the interactions of extreme environmental events (for example: flood events) and any related cumulative impacts may have on the proposal and the environment;
- full justification of all discussions and conclusions based on the best available information, including relevant conservation advices, recovery plan, threat abatement plans and guidance documents, should be included if applicable.

For listed threatened species and ecological communities, the Preliminary Documentation must demonstrate, with supporting evidence, that the action will not be inconsistent with Australia's obligations under: (i) the Biodiversity Convention; (ii) the Convention on Conservation of Nature in the South Pacific (Apia Convention); (iii) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and (iv) a recovery plan or threat abatement plan.

For migratory species, the Preliminary Documentation must demonstrate, with supporting evidence, that the action will not be inconsistent with Australia's obligations under: (i) the Bonn Convention, (ii) CAMBA; (iii) JAMBA; (iv) ROKAMBA; and (v) any international agreement approved under subsection 209(4) of the EPBC Act.

### 3. PROPOSED AVOIDANCE, MITIGATION AND MANAGEMENT MEASURES

The Preliminary Documentation must provide information on proposed avoidance, safeguards and mitigation measures to deal with all stages of the action on MNES. The Preliminary Documentation must include relevant impacts of the proposed action on MNES, including those required by other Commonwealth, State and local government approvals. Committed language (e.g. 'will') rather than non-committal language (e.g. 'may', 'where possible', 'if required', etc.) must be used.

The proposed measures must consider the 'S.M.A.R.T' principle:

- S – Specific (what and how);
- M – Measurable (baseline information, number/value, auditable);
- A – Achievable (timeframe, money, personnel);
- R – Relevant (conservation advices, recovery plans, threat abatement plans); and
- T – Time-bound (specific timeframe to complete).

Specific and detailed descriptions of proposed measures must be provided and substantiated, based on best available practices, and must include the following elements:

- an assessment of the predicted effectiveness and environmental outcomes of the proposed measures, including details of any baseline data or proposed monitoring required to demonstrate progress towards achieving these outcomes;
- any statutory or policy basis for the proposed measures, including reference to the SPRAT Database and relevant approved conservation advices, and a discussion on whether the proposed measures are consistent with relevant recovery plans and threat abatement plans;
- details of ongoing management, including monitoring programs to support an adaptive management approach and determine the effectiveness of the proposed measures;
- information on the timing, frequency and duration of the measures to be implemented;
- the name of the agency responsible for endorsing or approving each measure or monitoring program; and
- details of the management actions such as Environmental Management Plan and Erosion Sediment Control Plan, and timeframes for implementation, to be carried out to meet the offset completion criteria. An outline of any management plans must:
  - set out the framework for management, mitigation and monitoring of relevant impacts of the proposed action, including any provisions for independent environmental auditing;
  - address the project phases (construction, operation, road maintenance, rehabilitation) separately;
  - state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each relevant MNES environmental issue;
  - describe contingencies for events such as heavy or prolonged rainfall, increased sedimentation, and/or weed invasion into the wetlands and floodplains.

#### 4. RESIDUAL IMPACTS/ PROPOSED ENVIRONMENTAL OFFSETS

Describe the residual impacts on MNES that are likely to occur as a result of the proposed action, after proposed avoidance and/or mitigation measures are taken into account. If it is determined that residual impacts are likely to be significant, please provide an environmental offsets package. If applicable, please include the reasons why avoidance or mitigation of impacts cannot be reasonably achieved.

Environmental offsets are measures to compensate for residual significant impacts to MNES. Offsets do not reduce the impacts of an action and are not intended to make proposals with unacceptable impacts acceptable. They simply provide an additional tool that can be used during project design and the Preliminary Documentation process.

Please note, the Department is likely to require an environmental offset be approved prior to the commencement of the action to align with the *EPBC Act Environmental Offsets Policy*. Offsets must directly contribute to the ongoing viability of the listed threatened and migratory species.

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

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

Where offset area/s have been nominated, include a draft Offset Area Management Plan (OAMP) that includes information to demonstrate how the environmental offset/s compensate for residual significant impacts of the proposed action on relevant MNES, and/or their habitat. The draft OAMP must be in accordance with the principles of the *EPBC Act Environmental Offsets Policy* and all requirements of the *Offsets Assessment Guide* include, at a minimum:

- a description of the offset area/s, including location, size, condition, environmental values present and surrounding land uses;
- baseline data and other supporting evidence, including the ecological field data, that documents the presence of the relevant MNES, and the quality of their habitat within the offset area/s;
- details of how the environmental offset/s meets the requirements of the Department's *EPBC Act Environmental Offsets Policy* (2012), including the *Offsets Assessment Guide* (2012), available at: [www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy](http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy);
- an assessment of the site habitat quality for the offset area/s using an appropriate methodology, with justification and supporting evidence (e.g. using the *Queensland Guide to determining terrestrial habitat quality: A toolkit for assessing land-based offsets under the Queensland Environmental Offsets Policy* (2020));
- the methodology, with justification and supporting evidence, used to inform the inputs of the *Offsets Assessment Guide* in relation to the impact site for each relevant MNES, including:
  - total area of habitat (in hectares);



- habitat quality (e.g. using *the Queensland Government Guide to determining terrestrial habitat quality: A toolkit for assessing land-based offsets under the Queensland Environmental Offsets Policy (2020)*). This guide can be found at the following website: [https://environment.des.qld.gov.au/\\_\\_\\_data/assets/pdf\\_file/0017/102833/habitat-quality-assessment-guide-v1-3.pdf](https://environment.des.qld.gov.au/___data/assets/pdf_file/0017/102833/habitat-quality-assessment-guide-v1-3.pdf).
- the methodology, with justification and supporting evidence, used to inform the inputs of the *Offsets Assessment Guide* in relation to each potential offset area for each relevant MNES, including:
  - time over which loss is averted;
  - time until ecological benefit;
  - risk of loss (%) without offset and risk of loss (%) with offset;
  - confidence in result (%).
- details of how the offset area/s will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the relevant listed threatened species and communities and migratory species;
- maps and shapefiles to clearly define the location and boundaries of the offset area/s, accompanied by the offset attributes (e.g. physical address of the offset area/s, coordinates of the boundary points in decimal degrees, the listed threatened species and migratory species that the environmental offset/s compensates for, and the size of the environmental offset/s in hectares);
- specific offset completion criteria derived to demonstrate the improvement in the quality of habitat in the offset area/s over an agreed completion timeframe and the interim milestones that set targets at certain time intervals;
- details of the nature, timing and frequency of monitoring to inform progress against achieving the 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);
- proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved;
- timing for the implementation of corrective actions if monitoring activities indicate the interim milestones have not been achieved;
- 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;
- if proposed for listed threatened species and communities and migratory species, evidence of how the management actions and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans; and
- details of the legal mechanism for legally securing the proposed offset area/s, such that legal security remains in force over the offset area/s for the whole period of offsets.

The draft Offset Management Plan must be prepared by a suitably qualified person and in accordance with the Department's *Environmental Management Plan Guidelines* (2014), available at: [www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines](http://www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines).

The draft OAMP must include robust scientific evidence (e.g. published research, pilot studies, previously successful projects/programs, etc.) to demonstrate the success of proposed measures to create, revegetate, regenerate and/or improve habitat (e.g. water quality monitoring, wetlands rehabilitation) in the proposed offset area/s for listed threatened species and communities and migratory species.

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

## **5. ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)**

The Preliminary Documentation must include a discussion of how the project will conform to the principles of ESD. To assist you, the National Strategy for Ecologically Sustainable Development (1992) is available at: [www.environment.gov.au/about-us/esd/publications/national-esd-strategy](http://www.environment.gov.au/about-us/esd/publications/national-esd-strategy).

## **6. ENVIRONMENTAL RECORD OF PERSON(S) PROPOSING TO TAKE THE ACTION**

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

- the person proposing to take the action; and
- 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.

## **7. SOCIAL AND ECONOMIC MATTERS**

The Preliminary Documentation must include a discussion and analysis of the social and economic impacts of the project, both positive and negative. Economic and social impacts should be considered at the local, regional and national levels. Matters of interest may include:

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