



GUIDELINES FOR THE CONTENT OF A DRAFT PUBLIC ENVIRONMENT REPORT

Mount Gibson Gold Project

Environment Protection and Biodiversity Conservation Act 1999

(Reference: 2023/09745)

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PREAMBLE

The proponent (Crimson Metals Pty Ltd) proposes to expand and operate the Mount Gibson Gold Mine in the Shire of Yalgoo, Western Australia, 280 km north-east of Perth (the proposed action).

The proposal was referred under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) to the Minister for the Environment on 27 February 2024. The Minister determined on 13 June 2024 that approval is required as the action has the potential to have a significant impact on the following matters of national environmental significance (NES) that are protected under Part 3 of the EPBC Act:

- Listed Threatened Species and Ecological Communities (sections 18 and 18(A))

A delegate determined on 13 June 2024 that the proposed action would be assessed through a Public Environment Report (PER).

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

The following provides advice and guidance relating to content and structure of the PER.

PART A- GENERAL ADVICE ON GUIDELINES

1. GENERAL CONTENT

- 1) The PER should be a stand-alone document that primarily focuses on the matters of NES listed above. It should contain sufficient information to avoid the need to search out previous or supplementary reports. The PER should take into consideration the relevant [EPBC Act Significant Impact Guidelines 1.1- Matters of National Environmental Significance](#).
- 2) The PER should enable interested stakeholders and the Minister to understand the environmental consequences of the proposed development. Information provided in the PER should be objective, clear, and succinct and, where appropriate, be supported by maps, plans, diagrams or other descriptive detail. The body of the PER is to be written in a clear and concise style that is easily understood by the general reader. Technical jargon should be avoided. Cross-referencing should be used to avoid unnecessary duplication of text.
- 3) Detailed technical information, studies or investigations necessary to support the main text should be included as appendices to the PER. It is recommended that any additional supporting documentation and studies, reports or literature not normally available to the public from which information has been extracted be made available at appropriate locations during the period of public display of the PER.
- 4) After receiving the Ministers approval to publish the report, the Proponent is required to make the draft PER available for a period of public comment. Specific instructions regarding publication requirements will be provided as part of the Minister's direction to publish.
- 5) If it is necessary to make use of material that is considered to be of a confidential nature, the Proponent should consult with the Department on the preferred presentation of that material, before submitting it to the Minister for approval for publication.
- 6) The level of analysis and detail in the PER should reflect the level of significance of the expected impacts on the environment. Any and all unknown variables or assumptions made in the assessment must be clearly stated and discussed. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.
- 7) The Proponent should ensure that the PER assesses compliance of the action with principles of Ecological Sustainable Development as set out in the EPBC Act, and the objects of the Act at Attachment 1. A copy of Schedule 4 of the EPBC Regulations, *Matters to be addressed by draft public environment report and environmental impact statement* is at Attachment 2.

2. FORMAT AND STYLE

- 8) The PER should comprise three elements, namely:
 - the executive summary;
 - the main text of the document, and

- appendices containing detailed technical information and other information that can be made publicly available.
- 9) The guidelines have been set out in a manner that may be adopted as the format for the PER. This format need not be followed where the required information can be more effectively presented in an alternative way. However, each of the elements must be addressed to meet the requirements of the EPBC Act and Regulations.
- 10) The PER should be written so that any conclusions reached can be independently assessed. To this end all sources must be appropriately referenced using the Harvard standard. The reference list should include the address of any Internet “web” pages used as data sources.
- 11) The main text of the PER should include a list of abbreviations, a glossary of terms and appendices containing:
- a copy of these guidelines;
 - a list of persons and agencies consulted during the PER;
 - contact details for the Proponent; and
 - the names of the persons involved in preparing the PER and work done by each of these persons.
- 12) Maps, diagrams and other illustrative material should be included in the PER. The PER should be produced on A4 size paper capable of being photocopied, with maps and diagrams on A4 or A3 size and in colour. Providing good-quality spatial information throughout the environmental assessment process may help avoid compliance issues. Information about the department’s expectations for providing maps and boundary data can be found here: [Guide to providing maps and boundary data for EPBC Act projects - DCCEEW](#).
- 13) The Proponent should consider the format and style of the document appropriate for publication on the Internet. The capacity of the website to store data and display the material may have some bearing on how the document is constructed.

3. DESCRIPTION OF ACTION

- 14) This must provide the background and context of the action including:
- the title of the action;
 - the full name and postal address of the designated Proponent;
 - a clear outline of the objective of the action;
 - the location of the action;
 - the background to the development of the action;

- 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;
- the current status of the action; and
- the consequences of not proceeding with the action.

15) The department notes that there has been an exploration programme undertaken since 2022, and that this is important context of the action. The PER must outline the type of exploration and demonstrate that the impacts of the exploration program were managed. The PER should clearly and succinctly describe any ongoing exploration activities or impacts that are not part of the current action.

3.1. Proposal details

16) All construction, operational and (if relevant) decommissioning components of the action must 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 Matters of National Environmental Significance.

17) 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.

18) The description of the action must also include how activities in the proposed action will be spaced over the life of mine, including the progressive rehabilitation proposed.

19) The PER must specify the total size (in hectares) of the proposal area (known as the development envelope) and the total size (in hectares) of the disturbance footprint.

3.2. Feasible alternatives

20) 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 NES matters protected by controlling provisions of Part 3 of the EPBC Act for the action; and
- (c) sufficient detail to make clear why any alternative is preferred to another.

21) Short, medium and long-term advantages and disadvantages of the options must be discussed.

4. DESCRIPTION OF THE ENVIRONMENT

22) A description of the environment of the proposal site and the surrounding areas that may be affected by the action. It is recommended that this includes the following information:

- climate

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

5. MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE (MNES)

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

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

5.1. Listed threatened species and ecological communities

24) The PER must address all listed threatened species and ecological communities identified as being significantly impacted by the proposed action, including but not limited to those specified in table 1, and any other threatened species or ecological communities listed under the EPBC Act at the time of the controlled action decision that may be impacted by the proposed action. This must include information on the species itself and its habitat.

Table 1: EPBC Act listed threatened species of particular relevance to the proposed action.

| Common name | Scientific name | Listing status |
|--|---------------------------|-----------------------|
| Eucalypt Woodlands of the Western Australian Wheatbelt | NA | Critically endangered |
| Malleefowl | <i>Leipoa ocellata</i> | Vulnerable |
| Varnish Bush | <i>Eremophila viscida</i> | Endangered |

| | | |
|--|--------------------------------|------------|
| Shield-backed trapdoor spider ¹ | <i>Idiosoma nigrum</i> | Vulnerable |
| Southern Whiteface | <i>Aphelocephala leucopsis</i> | Vulnerable |
| Chuditch | <i>Dasyurus geoffroii</i> | Vulnerable |

5.1.1. Desktop analysis

- 25) Describe the desktop assessment methodology used to inform the field surveys within and adjacent to the proposal area.
- 26) This section must provide context to the proposed action area by discussing known historical records of listed threatened species and ecological communities (if any) within the proposed action area and in the broader region.
- 27) The output from the Protected Matters Search Tool (PMST) must be included as an appendix.

5.1.2. Survey effort

- 28) Provide details of the scope, methodology, timing, prevailing weather and climatic conditions, and effort of field surveys (undertaken by qualified species experts with demonstrated experience in detecting the above species) within and/or adjacent to the proposal area. Provide details of:
- how surveys were undertaken in accordance with relevant Commonwealth, State guidelines or best practice survey guidelines at the time of the surveys; and
 - if relevant, the justification for divergence from relevant Commonwealth, State guidelines or best practice survey guidelines at the time of the surveys.
- 29) Any anticipated future/additional surveys to be conducted in relation to MNES, whether desktop-based or field-based, must also be discussed. Further specific survey requirements (i.e., in addition to those already provided at the referral stage) are identified in Table 2.
- 30) In addition to this within the PER, you must provide clear, concise and robust evidence (inclusive of any survey results) and reasoning which provide justification as to the method used for the survey of all protected matters that may occur. This includes justification for the suitability of the survey's scope, and the data and information used to inform this survey design.

Table 2: Additional survey requirements

¹ In the PER, discussion of this species must apply to all the species derived from the shield-backed trapdoor spider (*Idiosoma nigrum*), to reflect its current EPBC listing status.

| survey | Justification | Guidance (including but not limited to) |
|--|--|---|
| Follow-up Survey for Southern Whiteface | Information provided in the referral is insufficient to conclude the species is absent from the site. | While the species has been listed since the publication of these guidelines, the Survey guidelines for Australia’s threatened birds may provide applicable guidance: Survey guidelines for Australia's threatened birds (dcceew.gov.au) . |
| Chuditch habitat suitability survey | Information provided in the referral provides an incomplete picture of Chuditch habitat. | The Survey Guidelines for Australia’s threatened mammals provide guidance for the survey of Chuditch. |
| Survey for suitable habitat for Varnish Bush, and targeted surveys in areas with suitable habitat in the DE that were not previously included in the targeted flora survey | Information provided in the referral provides an incomplete picture of Varnish Bush habitat within the development envelope. | The EPA Technical Guidance - Flora and Vegetation survey Dec13.pdf provides guidance for flora surveys. Refer to the conservation advice and recovery plan for varnish bush. |

5.1.3. Survey outcomes

- 31) State the total number of records (individuals and evidence of presence) of listed threatened species and ecological communities (if any) within and/or adjacent to the proposal area. Provide maps identifying verified sightings of MNES during studies or surveys, and maps showing suitable habitat.
- 32) This section should include an assessment of the adequacy of any surveys undertaken (including survey effort and timing). In particular, the extent to which these surveys were appropriate and undertaken in accordance with the Department’s relevant scientific and policy guidance.
- 33) Refer to the Species Profile and Threats (SPRAT) Database for details.

5.1.4. Habitat Assessment

34) Provide a robust assessment of the potential habitat available within and adjacent to the Development envelope for listed threatened species and ecological communities. Habitat assessments must be derived from information obtained from:

- field surveys and vegetation assessments.
- the SPRAT Database.
- relevant Departmental documents (e.g., approved conservation advices, recovery plans, listing advices, referral guidelines, etc.); and
- published research and other relevant sources (where relevant).

35) Where habitat assessments depart from Departmental information, adequate justification must be provided to substantiate its suitability to the assessment.

36) Where habitat for other listed threatened species and ecological communities is identified on site, an assessment must be undertaken regardless of whether or not the species/community is listed under Table 1. As such, the potential for occurrence of listed threatened species and ecological communities must also be considered and assessed.

37) At a minimum, the habitat assessment for each listed threatened species and ecological community must:

- identify any specific habitat requirement/s (e.g., breeding, foraging, dispersal, known important habitat, suitable habitats, denning habitat, etc).
- include an assessment of the quality and importance of known or potential habitat for the species/ communities within the proposed action area and surrounding areas including whether the habitat is critical habitat or supporting habitat, and whether it hosts an important population.
- discuss existing threats (e.g., feral predators, traffic, etc.) with reference to threats posed by the proposed action.
- consider the regional context, describing the connectivity of habitat in the broader landscape, providing maps wherever relevant; and
- provide the total amount of each type of habitat (e.g., breeding, foraging, dispersal, important habitat, roosting, etc.) (in hectares) in the proposal area.

38) The total amount of each type of habitat must also be presented on a map for each listed threatened species and ecological community. Each map must:

- include an appropriate base map that provides the geographical context of the proposal area in the surrounding environment (i.e., aerial imagery).

- be specific to the habitat assessment undertaken for each listed threatened species and ecological community.
- include an overlay of the proposed action disturbance footprint.
- include known records of individuals (or evidence of individuals) derived from desktop analysis and/or field surveys;
- highlight the location (or locations) of important populations.
- highlight critical and supporting habitat types.

39) Maps must be developed in accordance with the department’s Guide to providing maps and boundary data for EPBC Act projects, which is available at <https://www.dcceew.gov.au/sites/default/files/documents/epbca-maps-data-guidelines.pdf>.

40) The PER must present the document ‘Assessment of Fauna Values’ in full as an appendix to the PER.

41) The habitat assessment must include, but not be limited to, the specific requirements in table 3.

Table 3. Species-specific habitat assessment requirements

| Information required | |
|-----------------------------|--|
| Wheatbelt TEC | <p>a) Provide a map showing patches of Wheatbelt TEC in the DE and their average condition.</p> <p>b) Provide a table which shows the patch condition, the patch size, and information that informed the condition scores, for example exotic plant cover and presence and number of mature trees (as explained in the conservation advice)</p> <p>c) Provide a map, table and assessment of areas important to the survival of the ecological community, but which do not meet condition thresholds (refer section 3.5 of conservation advice)².</p> |
| Malleefowl | <p>a) Establish whether this population is an important population of malleefowl, with reference to data and relevant</p> |

² Available from [Approved Conservation Advice \(including listing advice\) for the Eucalypt Woodlands of the Western Australian Wheatbelt \(environment.gov.au\)](https://www.environment.gov.au/conservation/advice/conservation-advice-for-eucalypt-woodlands-of-the-western-australian-wheatbelt)

| | |
|--------------------|--|
| | <p>information sources. This must include discussion of:</p> <ol style="list-style-type: none"> i. Whether the population is important for the species' long-term survival and recovery ii. Whether they are key source populations either for breeding or dispersal iii. Whether they are necessary for maintaining genetic diversity, and/or iv. Whether it is a population that are near the limit of the species range. <p>b) Using information available, estimate the size and range of this population.</p> |
| Varnish bush | <p>a) The definition of suitable habitat for varnish bush is specified in the Recovery plan³ and the Conservation advice⁴.</p> <ol style="list-style-type: none"> a. Map the suitable habitat for varnish bush within the development envelope. b. Describe and assess the quantity of critical habitat within 200m of the known population. <p>b) In your assessment, provide information as to how the site supports the species - i.e., what characteristics of the site enable this population to occur here? This must include a discussion of the local catchment for the surface and ground waters that may provide the ephemeral creek line habitat of the species, as described in the recovery plan, or justify if and why this is not relevant.</p> |
| Southern whiteface | <p>a) Provide a map of suitable habitat for breeding, foraging, and dispersal.</p> <p>b) Southern Whiteface occurs in the surrounding area in Callitris woodland and acacia/melaleuca shrubland sites. Justify the level of suitability of the different Vegetation Substrate Associations on site and assess the potential for occurrence in each.</p> |
| Chuditch | <p>a) Map the potential breeding, foraging, and dispersal habitat for chuditch.</p> |

³ Available at [Varnish bush \(Eremophila viscida\) Interim Recovery Plan 2003-2008 - DCCEEW](#)

⁴ Available at [Conservation Advice Eremophila viscida Varnish bush \(environment.gov.au\)](#)

| | |
|-----------------------------|---|
| Shield-back trapdoor spider | <ul style="list-style-type: none"> a) Discussion of this species must apply to any of the species derived from <i>Idiosoma nigrum</i> (as listed in 2013) that are known to occur b) Provide a current estimate of the size of the population and identify the range of this population and each species derived from <i>Idiosoma nigrum</i> c) Map the extent of available habitat for this population and each species derived from <i>Idiosoma nigrum</i> d) Discuss, using evidence, whether this population is: <ul style="list-style-type: none"> i. A key source population for breeding or dispersal ii. Necessary for maintaining genetic diversity iii. Near the limit of the species range |
|-----------------------------|---|

5.1.5. Species description

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

6. RELEVANT IMPACTS

6.1. impact assessment

43) The PER must include a detailed assessment of all relevant direct and indirect, short and long-term impacts during both the construction and operational phases of the action.

44) Relevant impacts are impacts that the action will have, or is likely to have, on MNES (as listed in the preamble of this document), during the construction, operational, (if relevant) the decommissioning phases and rehabilitation of the proposal. The assessment must also address the nature, likelihood, significance, and extent of relevant impacts and whether they are likely to be unknown, unpredictable or irreversible.

45) The PER should identify and address cumulative impacts, where potential proposal impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the region and vicinity). The PER should also address the potential cumulative impact of the proposal on ecosystem resilience. The cumulative effects of climate change impacts on the environment must also be considered in the assessment of ecosystem resilience. Where relevant to the potential impact, a risk assessment should be conducted and documented.

46) The PER should also provide a detailed assessment of any likely impact that this proposed action may facilitate on the following (at the local, regional, state, national and international scale) in relation to listed threatened species and ecological communities. The impact assessment must include, but not be limited to, the following:

- a detailed assessment of the nature and extent of the likely short-term and long-term relevant direct and indirect impacts.
- a statement on whether any relevant impacts are likely to be unknown, unpredictable or irreversible.
- a risk analysis to determine the greatest risks to EPBC listed threatened species and communities and their habitats.
- an interpretation of the risk analyses and how the proposal will impact the surrounding ecosystems.
- an analysis of the significance of the relevant impacts; and
- any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

47) All existing threats must be outlined in the PER with reference to the relevant statutory documents. Where a threat or impact is not expected, provide sufficient justification for why this is the case.

48) It is the Proponent's responsibility to ensure that any known or likely impacts to listed threatened species and ecological communities are assessed for the Minister's consideration. The impact assessment must always be substantiated by evidence (i.e., scientific literature, case studies, technical reports, modelling) and provide consideration to the SPRAT Database and relevant Departmental policies and guidelines, including the *2013 Significant Impact Guidelines 1.1: Environment Protection and Biodiversity Conservation Act 1999* (Significant Impact Guidelines 1.1)⁵.

49) The impact assessment must consider, but not be limited to, the following impact pathways.

6.1.1. Habitat clearing and degradation

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

- the clearing footprint within the proposed action area.

⁵ Available from <https://www.dcceew.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance>

- the total quantum of direct and/or indirect impacts on critical and supporting habitat types for each species; and
- the percentage of each of fauna habitat type expected to be cleared within the proposal area.

6.1.2. Noise and vibration

51) The PER must include an assessment of the impacts of noise and vibration associated with the construction, and ongoing operation of the mine and associated activities (e.g., vehicle traffic, blasting, etc.).

52) This must include an assessment of short-term and long-term impacts, including measured background noise levels. The magnitude, timing, duration, and frequency of any vibration must be discussed, as well as the total area predicted to be affected by vibrations. In addition to this, the following must also be detailed:

- Blasting and vibration assessments to predict the effects of blasting activities on the ecological functions, habitat and population of the species listed in table 1 within and surrounding the development envelope.
- The risk that other listed species will be affected by noise and vibration from the proposed action.

6.1.3. Lighting

53) The PER must include an assessment of the potential impacts of increased lighting associated with construction and operation of the proposed action on MNES. This assessment must provide details of the lighting used, location, and the effects of lighting on listed threatened species. Consideration and specific reference must be made to the National Light Pollution Guidelines for Wildlife (2023).⁶

54) Fragmentation

55) The PER must include an assessment of the potential impacts of fragmentation on MNES. This assessment must include consideration of:

- The impact of fragmentation on populations and important populations
- Distance from surrounding populations
- Barriers to ecological functions requiring movement, including but not limited to breeding, dispersal, foraging, pollination/seed dispersal, and the likely consequences of this on a species and population level.
- Barriers to gene flow, when applicable

⁶ Available from [National Light Pollution Guidelines for Wildlife - DCCEEW](#)

6.1.4. Dust

56) The PER must include an assessment of the potential impacts of increased dust emissions within and adjacent to the development envelope, with reference to habitat critical to the survival of MNES.

6.1.5. Invasive species including feral predators

57) The PER must include an assessment on the potential impacts to MNES in association with the introduction of invasive species and feral predators due to the construction and operation of the mine and associated infrastructure. Consideration should be given to invasive species such as, but not limited to the Rabbit (*Oryctolagus cuniculus*), red fox (*Vulpes vulpes*) and Cat (*Felis catus*), and the associated threat abatements plans.

6.1.6. Mortality during construction and life of mine

58) The PER must include an assessment on the potential impacts to MNES in association with mortality of threatened species during all activities of the proposed action.

6.1.7. Changes to surface and groundwater conditions

59) The PER must include an assessment on the potential impacts to MNES in association with the hydrological changes due to the construction and operation of the mine and associated infrastructure. This assessment must include consideration of:

- any potential runoff flows from the waste rock landform and the topsoil stockpiles and their impact on threatened species and ecological communities.
- downstream impacts on threatened species or ecological communities of increased peak flow and runoff volume post-development at hydrograph location MTG-03, as in the Phase 2-Hydrological Study.
- Pollution to hydrology (including ground water, drainage lines within the development envelope and water bodies adjacent to the development envelope) resulting from mining activities should also be discussed here.
- A detailed description of changes to water regimes through dewatering operations impacting groundwater and any potential groundwater dependent assets.

6.2. Species-specific considerations

60) The PER should include, but must not be limited to, the following identified information.

Table 4: specific information required for impact assessment.

| Information required | |
|----------------------|--|
| Wheatbelt TEC | a) Table showing predicted reduction of each patch in or overlapping the disturbance footprint. b) A description of any action that will occur within the 40m buffer zone of a TEC patch. |

| | |
|-------------------------------|--|
| | <p>c) A description of if and where native vegetation within the 40m buffer zone will be cleared, and a description of the impacts of this.</p> |
| Malleefowl | <p>a) Taking into account the direct and indirect impacts of the proposed action, assess the impacts of the action on:</p> <ul style="list-style-type: none"> - The size of this important population - The area of occupancy <p>b) Provide a map to demonstrate the amount of habitat that will be impacted indirectly from the proposed action, including habitat effected by noise and vibration, if applicable.</p> <p>c) Provide a conservative estimate of the number of mounds (of any activity status) that are within range to be affected by noise and vibration associated with the proposed action. Provide a map that identifies the range of impact and effected mounds.</p> <p>d) Assess the impacts on east west dispersal of Malleefowl.</p> <p>e) Provide an assessment of how the ecological functions of the Malleefowl population (breeding, foraging, and dispersal) will be affected over the life of the mine.</p> |
| Varnish bush | <p>a) Assess the impact of the action on pollinators that may pollenate the species.</p> <p>b) Assess whether runoff from the integrated waste landforms and topsoil stockpiles will occur and assess the likelihood that this will impact varnish bush population and its habitat.</p> <p>c) The department notes that dust may not be able to be suppressed in high wind conditions. Assess the impact of dust and (if applicable) saline overspray on the population.</p> |
| Shield-backed trapdoor spider | <p>a) indicate the extent that the species will be affected by mine activities, in terms of suitable habitat made uninhabitable and current burrows made uninhabitable. This must include an assessment of the impacts of vibration and dust from mine activities.</p> <p>b) The SPRAT profile for the species indicates that there is a population nearby (at Mummaloo mine site). Assess whether these individuals are part of this population. Assess the impact of this project on the species on the population level:</p> <ul style="list-style-type: none"> - In terms of suitable habitat available to the population - In terms of connectivity or genetics |
| Southern whiteface | <p>a) Assess the impacts of the action, including direct and indirect impacts, on Southern whiteface foraging, breeding, and dispersal.</p> |
| Chuditch | <p>a) Specify and map the amount of suitable habitat in the DF and its quality for Chuditch, and the presence of suitable habitat features.</p> <p>b) Given records nearby the site, translocated chuditch are likely to use the site. Conduct an impact assessment on the translocated population of Chuditch.</p> |

6.3. Avoidance and mitigation measures

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

62) The PER must provide information on proposed avoidance and mitigation measures to deal with the relevant impacts of the action, including those required by the Commonwealth, State and Local Government authorities. Committed language (e.g. 'will') rather than non-committal

language (e.g. 'may', 'where possible', 'if required') must be used. Specific and detailed descriptions of proposed measures must be provided and substantiated, based on best available practices and must include the following elements:

- A consolidated list of avoidance and mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including:
 - a description of the environmental outcomes the measures are expected to achieve, including details of any baseline data or proposed monitoring to demonstrate progress towards achieving these outcomes.
 - a description of proposed safeguards and measures to deal with relevant impacts of the action, including avoidance and mitigation measures proposed to be taken by State governments, local governments or the Proponent.
 - assessment of the expected or predicted effectiveness of the mitigation measures. Measures should be substantiated by referencing relevant guidelines, literature, and relevant case-studies.
 - any statutory or policy basis for the avoidance and mitigation measures; and
 - the cost of the measures.

63) Please note the SPRAT Database may provide some relevant mitigation measures for listed threatened species and ecological communities. Any specific action management plans to be implemented should be listed here.

6.3.1. Management plans

64) Environmental management plans (EMPs) describe how an action might impact on the natural environment in which it occurs and set out clear commitments from the person taking the action on how those impacts will be avoided, minimised and managed so that they are environmentally acceptable. Environmental outcomes of the proposed action must be clearly articulated. Guidance for developing Environmental Management Plan is outlined in the Environmental Management Plan Guidelines (2024)⁷. Particularly:

- a. The EMP must set out the framework for management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.
- b. The EMP needs to address the project phases (construction, operation, decommission) separately. It must state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

⁷ Available at [Environmental Management Plan Guidelines \(dcceew.gov.au\)](https://www.dcceew.gov.au).

- c. The EMP must also describe contingencies for events such as failure of management measures, for example water management systems or heavy and prolonged rainfall.
- d. The EMP must detail plans, timelines, and objectives for weed and feral animal control, particularly with the goal of protection of MNES.

6.3.2. specific requirements for avoidance and mitigation

65) Management plans for weed and feral animal control (including predators) must be provided.

66) The PER must also include a detailed outline of avoidance and mitigation measures including the information identified below.

Table 5: avoidance requirements

| Information required | |
|-----------------------------|--|
| Fauna | <ul style="list-style-type: none"> a) Please include specific information about how you will avoid impacts to MNES fauna during clearing (such as soft felling of vegetation, use of a fauna spotters, etc). |
| Malleefowl | <ul style="list-style-type: none"> a) the department notes this population of Malleefowl is important in terms of breeding. Please provide: <ul style="list-style-type: none"> - Detailed plans for monitoring of mounds prior to clearing. Malleefowl recovery groups recommend camera monitoring of any mounds for the 6 months prior to removal with validated confirmation of no eggs located within the mound. The plans may address this recommendation or propose alternative measures if proper justification and demonstration of equivalence is provided. - Plans for ongoing monitoring, in accordance with the manual, of malleefowl and their mounds to determine effectiveness of predator control efforts and to monitor impacts to the species. - Details of the required qualifications for malleefowl monitors. |
| Varnish Bush | <ul style="list-style-type: none"> a) The EMP specifies that overspray into vegetation will be prevented. Specify how this will be done. b) Provide further management actions for varnish bush, including: <ul style="list-style-type: none"> i. A plan for ongoing monitoring of the population, including measures for assessing for natural recruitment. Health of the population and surrounding vegetation must be |

| | |
|-------------------------------|--|
| | <p>monitored in terms of ongoing impacts of dust deposition and (if necessary) overspray.</p> <ul style="list-style-type: none"> ii. A fence around an appropriate protection buffer for the population, and justification of how the distance and design of the buffer will aid the protection of this population against indirect impacts. iii. If appropriate, installation of Declared Rare Flora markers around the buffer zone. iv. The recovery plan states that ‘Seed is required from all populations to maximise the genetic diversity of ex situ material.’ Investigate the appropriateness and possibility of seed collection for this population and specify plans for the collection of seed material. |
| Shield-backed trapdoor spider | <ul style="list-style-type: none"> a) Provide avoidance and mitigation measures for the following impacts relevant to the species that were taxonomically split from the shield-backed trapdoor spider: <ul style="list-style-type: none"> i. Vibration and light ii. Potential changes in salinity and dust deposition iii. Feral herbivores iv. Habitat clearing and degradation |
| Chuditch | <ul style="list-style-type: none"> a) The department acknowledges that, while not found in camera trapping surveys, translocated chuditch are known to occur nearby the site. Provide management actions for translocated chuditch, including: <ul style="list-style-type: none"> v. Evidence of agreement from the AWC on responsibilities for monitoring and retrieval of chuditch, and a course of action or procedure for if they are found on site. vi. Detailed checks for chuditch presence at suitable den sites at a suitable timeframe prior to clearing, noting they are a mostly nocturnal species, and a restriction on clearing if they are present. vii. The PER must provide for sensitive clearing procedures to minimise impacts to chuditch and other fauna. |

| | |
|--|--|
| | <p>viii. Provide a strategy for the removal and relocation of potential den habitat during clearing, where this is moveable (e.g., hollow logs), noting that crevices may not be moveable.</p> <p>ix. Propose a habitat improvement plan for chuditch via predator control.</p> <p>b) Given the linear road infrastructure at the north of the DF (but also in other areas), provide measures to enable safe crossing for chuditch, reduce roadkill carrion sources, and maintain connectivity for chuditch.</p> |
|--|--|

6.4. residual impact assessment

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

68) The PER must provide a clear and definitive conclusion of residual adverse impacts on relevant listed threatened species and ecological communities. Any residual adverse impact must be offset. Further guidance on environmental offsets is provided in section 7 of these guidelines.

7. ENVIRONMENTAL OFFSETS

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

70) Where residual adverse impacts remain after consideration of avoidance, mitigation and management measures, environmental offsets will be required to compensate for the impacts in accordance with the EPBC Act Offsets Policy⁸.

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

72) For the residual adverse impacts of the proposal on each listed threatened species and ecological communities, and migratory species impacts as a result of the proposed action, the PER must:

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

⁸ Available at [Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy \(dcceew.gov.au\)](https://www.dcceew.gov.au)

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

73) If direct land acquisition and management are proposed as an offset strategy, the PER must provide detail following the guidance at Attachment 3. Note that the proponent must demonstrate mechanisms for habitat quality improvement with the land acquisition and management mechanism.

8. ENVIRONMENTAL OUTCOMES

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

- a) consideration of the 2016 Outcomes-based conditions policy⁹ and 2016 Outcomes-based conditions guidance¹⁰, with suitable justification for considerations identified in the policy and guidance.
- b) the specific environmental outcomes to be achieved, and reasoning for these in reference to relevant recovery plans, conservation advice and threat abatement plans, and for each proposed outcome:
 - i. the risks associated with achieving the outcome.
 - ii. the measurability of the outcome, including all suitable performance measures.
 - iii. appropriate baseline data upon which the outcome has been defined and justified.
 - iv. the likely impacts that the proposed outcome will address.
 - v. demonstrated willingness and capability of achieving the outcome.
 - vi. commitments to independent and periodic audits of performance towards achieving outcomes.
 - vii. details of proposed management to achieve the outcome including, but not limited to, performance indicators, periodic milestones, proposed monitoring and adaptive management, and record keeping, publication and reporting processes.

⁹ Available from [Outcomes-based conditions policy EPBC Act \(dceew.gov.au\)](https://dceew.gov.au/outcomes-based-conditions-policy-epbc-act)

¹⁰ Available from [Outcomes-based conditions guidance EPBC Act \(dceew.gov.au\)](https://dceew.gov.au/outcomes-based-conditions-guidance-epbc-act)

9. OTHER APPROVALS AND CONDITIONS

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

- a) details of any local or State Government planning scheme, or plan or policy under any local or State Government planning system that deals with the proposed action, including:
 - what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy; and
 - how the scheme provides for the prevention, minimisation and management of any relevant impacts;
 - 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;
 - a statement identifying any additional approval that is required;
 - and a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

10. CONSULTATION

76) Any consultation about the action, including:

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

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

77) 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.

78) The PER must detail the environmental history of Crimson Metals Pty Ltd parent body or parent bodies; that is, anybody or bodies of which Crimson Metals Pty Ltd is a subsidiary.

79) 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. ECONOMIC AND SOCIAL MATTERS

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

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

81) 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.

13. INFORMATION SOURCES PROVIDED IN THE PER

82) For information given in a draft Public Environment Report, the draft must state:

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

14. CONCLUSIONS

83) An overall conclusion as to the environmental acceptability of the proposal 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.

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

ATTACHMENT 1

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

3 Objects of the Act

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

3A Principles of Ecologically Sustainable Development

The following principles are principles of ecologically sustainable development.

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

ATTACHMENT 2

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

1 General information

1.01 The background of the action including:

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

2 Description

2.01 A description of the action, including:

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

- (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action; and
 - (iii) sufficient detail to make clear why any alternative is preferred to another;
- (h) any consultation about the action, including:
- (i) any consultation that has already taken place;
 - (ii) proposed consultation about relevant impacts of the action; and
 - (iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation; and
- (i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

3 Relevant impacts

3.01 Information given under paragraph 2.01(d) must include

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

4 Proposed safeguards and mitigation measures

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

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

- (f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the Proponent.

5 Other Approvals and Conditions

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

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

6 Environmental 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.

Attachment 3

GUIDANCE ON PREPARING OFFSET PROPOSALS INVOLVING LAND ACQUISITION/MANAGEMENT

A proposed offset must include:

- a) details of how the proposed offset/s meets the requirements of the EPBC Act Offsets Policy.
- b) information about how the proposed offset/s area provides connectivity with other relevant habitats and biodiversity corridors.
- c) the methodology, with justification and supporting evidence, used to inform the inputs of the Department's Offsets assessment guide¹¹ in relation to the impact site for each relevant MNES, including:
 - i. total area of habitat (in hectares)
 - ii. habitat quality.
- d) the methodology, with justification and supporting evidence, used to inform the inputs of the Offsets assessment guide in relation to each potential offset area for each relevant MNES, including:
 - iii. time over which loss is averted (max. 20 years)
 - iv. time until ecological benefit
 - v. risk of loss (%) without offset¹²
 - vi. risk of loss (%) with offset
 - vii. confidence in result (%).
- b) evidence that the relevant MNES, and/or their habitat, is present in the potential offset area/s; and
- c) details of the mechanism to legally secure the environmental offset/s (under Western Australian legislation or equivalent) to provide enduring protection for the offset area/s against development incompatible with conservation.

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

The OAMP must include information to demonstrate how the environmental offset/s compensate for residual significant impacts of the proposed action on relevant MNES, and/or

¹¹ Available from: <https://www.dcceew.gov.au/environment/epbc/advice-for-complying-with-the-epbc-act/environmental-offsets-under-epbc/environmental-offsets-guidance/offsets-assessment-guide>

their habitat, in accordance with the principles of the EPBC Offsets Policy and all requirements of the *Offsets assessment guide*. The OAMP must include, at a minimum:

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

The draft Offset Management Plan must be prepared by a suitably qualified person and in accordance with the Department's *Environmental Management Plan Guidelines* (2024)¹³.

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

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

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

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

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

Please note, it is the Department's expectation that the offset outcomes will be specified in the conditions of approval where the action is approved, subject to conditions, under the EPBC Act.

¹³ Available from [Environmental Management Plan Guidelines \(dcceew.gov.au\)](https://www.dcceew.gov.au)