



Gerard Coffey
Senior Project Manager
CMTEDD ACT Procurement
ACT Government
PO Box 158
CANBERRA ACT 2601
CC: Richard Farmer

Dear Mr Coffey

Additional information required for preliminary documentation.

**Canberra Brickworks Precinct Access Road and Dudley Street Upgrade, Yarralumla, ACT
(EPBC 2017/8072)**

I am writing to you in relation to your proposal to upgrade Dudley Street in Yarralumla, ACT, from 6 m single carriageway to 10 m single carriageway, and construct a new roundabout and access road for the proposed Canberra Brickworks Precinct.

On 1 December 2017, the Minister's delegate decided that the the proposed action is a controlled action and that it will be assessed by preliminary documentation. Further information will be required to be able to assess the proposed action's relevant impacts.

Details outlining the further information required are attached.

Details on the assessment process and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the department's website at <http://www.environment.gov.au/epbc>.

If you have any questions about the assessment process or the further information request, please contact Zac Neulinger, by email to zachary.neulinger@environment.gov.au, or telephone 02 6275 9447 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Mike Smith
Director
Southern NSW and ACT Assessments

15 December 2017

Preliminary Documentation Requirements for:

Proposed Canberra Brickworks Precinct Access Road and Dudley Street Upgrade, Yarralumla, ACT (EPBC 2017/8072)

General content, format and style

The preliminary documentation package (PD) should include all the information provided in your initial referral (updated or corrected as necessary) as well as the additional information requested below. It should be provided as a single consolidated package or indexed document with all appendices.

The documentation should enable interested stakeholders and the Minister (or delegate) to understand the proposed development's environmental consequences. The information provided should be objective, clear, succinct, and where appropriate supported by maps, plans, diagrams or other descriptive detail.

The level of analysis and detail in the PD should reflect the level of expected impacts on the environment. You should clearly state any variables or assumptions made in the assessment, and the extent to which the limitations, if any, of the available information may influence the environmental assessment's conclusions.

The PD should clearly address any standards or criteria published by the Commonwealth Department of the Environment and Energy (the Department) that are relevant to the matters being assessed, and should appropriately reference any relevant policy documents.

The PD should be written so any conclusions can be independently assessed. All sources must be referenced using the Harvard standard. The reference list should include the address of any webpages used as data sources. The PD should also include a list of persons or agencies consulted and the names and roles of the people involved in preparing the documentation.

Include detailed technical information, studies or investigations as appendices supporting the text of the main document where feasible, or at least link to them directly so readers need not search for documents. Any documents that are not already publicly available should be made available at appropriate locations at least during PD's public display period.

If it is necessary to use confidential material, the proponent should consult the Department of the Environment and Energy on the preferred presentation of that material before submitting the documents to the Department.

The PD should be produced on A4 size paper able to be photocopied, with maps and diagrams on A4 or A3 size and colour where possible. The PD format and style should be appropriate for internet publication. Websites' data and display capabilities may influence how the document is constructed. Each protected matter must be discussed individually, and the cumulative effects of all impacts on the protected matter must be presented together.

Assessment requirements:

From the information provided to date, the Department considers the proposed action may significantly impact the following EPBC Act listed ecological community:

- Natural Temperate Grasslands of the South-eastern Highlands – Critically Endangered

The Department considers the proposed action may also significantly impact the following EPBC Act listed threatened species:

- Golden Sun Moth (*Synemon plana*) – Critically Endangered

The Department requires additional information (see below) to assess the proposed action, especially on the proposed mitigation and offset measures.

1. Referral Information, Planning and Conservation Measures

You must resubmit all referral documentation as part of the PD. The package you submit will be published as submitted (barring potential exemptions for confidential information) and must be complete in itself to allow full consideration by the Minister (or delegate) or interested stakeholders.

If any documents submitted in the referral package have been updated, you must note the update and submit the current version. Similarly, if new information has emerged that impacts the referral material, please also submit that additional information.

Please confirm all zoning arrangements currently applying to the proposed development area and any proposed offset areas. This information must include, though should not be limited to:

- the zoning status of the proposed development site and any proposed offset sites
- copies of any relevant plans, policies, or other documents from the ACT Government or National Capital Authority that cover the proposed development site and any proposed offset sites (where these are extremely large documents, such as the Territory Plan and the National Capital Plan, copies of the relevant sections will be acceptable).

Please also outline any requirements imposed, or expected to be imposed, by other government agencies.

2. Proposed Mitigation and Avoidance Measures

Please provide full descriptions and information about any and all proposed avoidance, mitigation and management measures. This must include but should not be limited to the following:

- The reasons those measures are considered appropriate
- An assessment of alternative development layouts that avoid or reduce the direct and indirect impacts to matters of national environmental significance
- An assessment of the expected or predicted effectiveness of the mitigation and management measures to protect matters of national environmental significance
- An assessment of the likely difference in conservation outcomes produced by current land zoning protections and any proposed mitigation or management measures
- The cost of any proposed mitigation and management measures and a discussion of how those measures will be funded in perpetuity (and by whom).

Please ensure it is clear how these measures address specific impacts to protected matters, and discuss relevant conservation advices, recovery plans and threat abatement plans.

3. Outcomes-based Conditions

If you wish to pursue outcomes-based conditions under the *Outcomes-based Conditions Policy* (2016) and *Outcomes-based Condition Guidance* (2016), please provide information on the outcomes to be achieved for matters of national environmental significance. Outcomes need to be specific, measurable and achievable, and based on robust baseline data. Please justify why outcomes-based instead of process-based condition are appropriate for this action.

If you wish to pursue outcomes-based conditions, please also explain the specific environmental outcomes to be achieved, with justifications. Justifications should refer to all relevant recovery plans, conservation advices, threat abatement plans, etc.

For each proposed outcome, please explain:

- The likelihood the outcome will not be achieved
- How measurable progress towards the outcome would be, and how it would be measured
- Appropriate baseline data by which the outcome can be defined and justified
- The likely impacts on matters of national environmental significance that would be ameliorated through the outcome
- Proof of your (or the future site manager's) willingness and ability to achieve the outcome
- The level of overall scientific knowledge and scientific uncertainty about the protected matter, and whether there is a sufficient knowledge to judge whether the outcome is an appropriate condition
- The program of independent periodic audits that will be used to monitor progress towards the outcome. If outcomes-based conditions are accepted, this will be a binding commitment
- The likely level of control you will have over achievement of the outcome
- The appropriateness of any surrogates or alternative indicators for protected matter outcomes
- The proposed management program that will be used to achieve the outcome, including but not limited to performance indicators, periodic milestones, proposed monitoring, adaptive management measures, and record keeping, publication, and reporting processes.

Please note that not every project is suitable for outcomes-based conditions, and the Minister (or delegate) will make the final determination about the outcomes-based condition are appropriate.

4. Offsets

If you are considering using environmental offsets, please provide details of the proposed offsets and the specific impact to a matter of national environmental significance that you propose to offset. You will need to demonstrate how the offset package meets the requirements of the EPBC Act Offsets Policy. Please note, you will need to demonstrate that offsets are 'like for like' for each matter of national environmental significance impacted by the action and include the rationale and justification for all values used in the EPBC Act Offsets Policy calculator tool.

Proposals for offset areas should include detailed discussions of proposed management measures for each area. For any proposed offset sites, please provide a discussion of the difference in protection provided by current zoning arrangements versus the protection to be provided by proposed offset mechanisms. The preliminary documentation package must include a statement about the proposed management measures' cost effectiveness, and how they will be funded in perpetuity.

Proposals for offset areas must describe the legal mechanisms that will be used to secure the offset site(s) in perpetuity. The preliminary documentation package must also provide assurance those mechanisms will not be removed or substantially modified without the consent of the Department.

Offsets should directly contribute to the ongoing viability of the matter of national environmental significance the project impacts, and deliver an overall conservation outcome that improves or maintains the viability of the matter compared with what would likely have happened if neither the action nor the offset had taken place.

5. Economic and Social Matters

Please provide information about the proposed action's economic and social impacts. This should include but not be limited to the following.

- Costs (e.g. disruption to existing community infrastructure or environmental features) as well as benefits (e.g. increased housing or employment)
- Consideration of different scales where relevant (e.g. local versus national)
- Specific dollar or other numerical values where relevant.

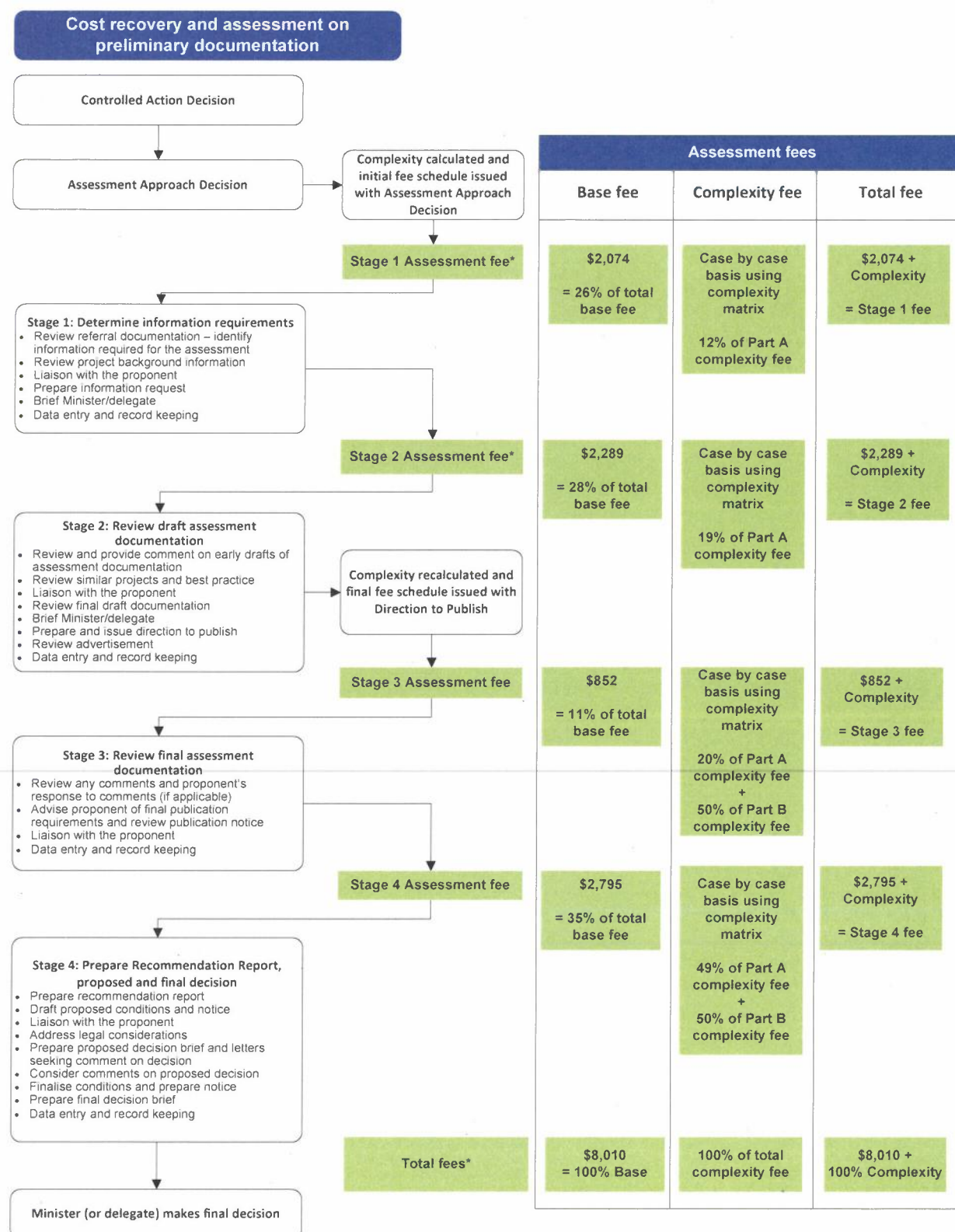
6. Environmental Record of Person(s) Proposing to Take the Action

Please provide 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. Alternatively, 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, please provide details of the corporation's environmental policy and planning framework.



Factsheet – stages of assessment under Preliminary Documentation



* If an information request is not required (if no further information is required under section 95(1) of the EPBC Act) then stages 1 & 2 of the assessment process do not occur and the stages 1 & 2 fees are not applicable, therefore reducing the overall fee payable by this amount.

