

Appendix I

Updated table of Secretary's Environmental Assessment Requirements



Attachment A - EPBC Checklist Requirements

Table 1 Matters to be addressed by draft public environment report and environmental impact statement

Schedule 4 requirement	Project response / where addressed in EIS
1 General information	Certification
1.01 The background of the action including:	Chapter 1 Introduction
(a) the title of the action;	
(b) the full name and postal address of the designated proponent;	Certification
(c) a clear outline of the objective of the action;	Section 1.3 Objectives of Parramatta Light Rail and the project Section 24.1.3 Achieving the project objectives
(d) the location of the action;	Chapter 2 Location and setting
(e) the background to the development of the action;	Section 1.1 Parramatta Light Rail Chapter 3 Strategic context and need
(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;	Section 3.1 Related and complementary projects Cumulative impacts are addressed for each environmental aspect in Part C (chapters 9-22)
(g) the current status of the action;	Section 1.1 Parramatta Light Rail Section 1.2.4 Approval requirements Section 24.2 Concluding statement
(h) the consequences of not proceeding with the action.	Chapter 24 Justification and conclusion
2 Description	Chapter 6 Project description – infrastructure and operation
2.01 A description of the action, including:	Chapter 7 Project description – construction Note updated project description is provided in Appendix A of the Amendment Report.
(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;	Chapter 6 Project description – infrastructure and operation Chapter 7 Project description – construction Note updated project description is provided in Appendix A of the Amendment Report.
(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;	Section 5.6 Design development Note updated project description is provided in Appendix A of the Amendment Report.

Schedule 4 requirement	Project response / where addressed in EIS
(d) relevant impacts of the action;	Construction, operational and cumulative impacts are addressed for each environmental aspect in Part C (chapters 9-22) Note impacts of the amendments are provided in the Amendment Report (chapter 6)
(e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;	A 'mitigation and management measures' section is provided for each environmental aspect in Part C (chapters 9-22) Chapter 23 Approach to environmental management and mitigation Appendix K Consolidated mitigation measures Note updated mitigation measures are provided in Appendix B of the Amendment Report and Appendix B of the RTS
(f) any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;	Section 4.2 Other approvals required Appendix C Statutory context compliance including Table C-2 Note an updated statutory compliance table associated with the amendments is provided in Appendix C of the Amendment Report.
(g) to the extent reasonably practicable, any feasible alternatives to the action, including: <ul style="list-style-type: none"> 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; iii. sufficient detail to make clear why any alternative is preferred to another; 	Chapter 5 Design development, alternatives and options
(h) any consultation about the action, including: <ul style="list-style-type: none"> i. any consultation that has already taken place; ii. proposed consultation about relevant impacts of the action; iii. if there has been consultation about the proposed action—any documented response to, or result of, the consultation; 	Chapter 8 Community and stakeholder engagement The engagement activities undertaken since exhibition are described in Chapter 2 of the RTS and Chapter 5 of the Amendment Report.

Schedule 4 requirement	Project response / where addressed in EIS
(i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.	Affected parties (receivers) are addressed for each environmental aspect in Part C (chapters 9-22) See above row re views of the community.
3 Relevant impacts	Executive summary
3.01 Information given under paragraph 2.01(d) must include:	Construction, operational and cumulative impacts are addressed for each environmental aspect in Part C (chapters 9-22)
(a) a description of the relevant impacts of the action;	Section 24.1.1. Biophysical, economic and social considerations
(b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;	Construction, operational and cumulative impacts are addressed for each environmental aspect in Part C (chapters 9-22)
(c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;	Section 23.3 Project uncertainties and approach to design refinements
(d) analysis of the significance of the relevant impacts;	Construction, operational and cumulative impacts are addressed for each environmental aspect in Part C (chapters 9-22) Section 24.1.1. Biophysical, economic and social considerations Section 24.1.5 Summary of justification
(e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.	EIS Appendices and Technical Reports
4 Proposed safeguards and mitigation measures	A 'mitigation and management measures' section is provided for each environmental aspect in Part C (chapters 9-22)
4.01 Information given under paragraph 2.01(e) must include:	Chapter 23 Approach to environmental management and mitigation
(a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;	Appendix K Consolidated mitigation measures Note updated mitigation measures are provided in Appendix B of the Amendment Report and Appendix B of the RTS
(b) any statutory or policy basis for the mitigation measures;	A 'mitigation and management measures' section is provided for each environmental aspect in Part C (chapters 9 -22) Chapter 23 Approach to environmental management and mitigation Appendix K Consolidated mitigation measures

Schedule 4 requirement	Project response / where addressed in EIS
(c) the cost of the mitigation measures;	Transport is currently unable to comment on the cost of the mitigation measures given active procurement processes currently underway with Tenderers.
(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;	Chapter 23 Approach to environmental management and mitigation Appendix J Outline Construction Environmental Management Plan Additionally, a Construction Environmental Management Framework has been provided in Appendix G of the RTS
(e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;	Appendix K Consolidated mitigation measures nominates where relevant consultation or approval with specific agencies is required
(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.	Appendix K Consolidated mitigation measures Note updated mitigation measures are provided in Appendix B of the Amendment Report and Appendix B of the RTS
5 Other approvals and conditions 5.01 Information given under paragraph 2.01(f) must include:	Chapter 4 Statutory context Section 4.2 Other approvals required Appendix C Statutory context compliance including Table C-2
(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: <ul style="list-style-type: none"> <li data-bbox="347 1379 778 1525">i. what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy; <li data-bbox="347 1532 778 1677">ii. how the scheme provides for the prevention, minimisation and management of any relevant impacts; 	Note an updated statutory compliance table associated with the amendments is provided in Appendix C of the Amendment Report.
(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;	Section 1.2.4 Approval requirements Chapter 4 Statutory context Section 21.1.4 Statutory compliance Appendix C Statutory context compliance

Schedule 4 requirement	Project response / where addressed in EIS
(c) a statement identifying any additional approval that is required;	Section 4.2 Other approvals required Appendix C Statutory content compliance including Table C-2
(d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.	Chapter 23 Approach to environmental management and mitigation Appendix K Consolidated mitigation measures Note updated mitigation measures are provided in Appendix B of the Amendment Report and Appendix B of the RTS
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	Appendix A provided below is Transport for NSW's environmental record.
(b) for an action for which a person has applied for a permit, the person making the application.	Appendix A provided below is Transport for NSW's environmental record.
6.02 If the person proposing to take the action is a corporation—details of the corporation's environmental policy and planning framework.	N/A. Please see the following link to Transport for NSW's Environment and Sustainability Policy .
7 Information sources 7.01 For information given in a draft public environment report or environmental impact statement, the draft must state: (a) the source of the information; and	Note that we have not prepared a draft Commonwealth EIS however, have the following points: The methodology used to prepare the impact assessments (including sources of information) is described in each technical paper, and summarised as part of the 'approach' sections in Part C (chapters 9-22) Chapter 25 References
(b) how recent the information is; and	The methodology used to prepared impact assessments (including timing for information such as when surveys were undertaken) is described in each technical paper, and summarised as part of the 'approach' sections in Part C (chapters 9-22)
(c) how the reliability of the information was tested; and	Please see the experience history of the personnel who compiled the assessment in Appendix B below.
(d) what uncertainties (if any) are in the information.	Section 23.3 Project uncertainties and approach to design refinements

Appendix A – Environmental Record

Date	Circumstance
2 February 1998	The NSW Land and Environment Court found that RTA grit blasting operations on the Wallaby Rock Bridge over the Turon River near Bathurst resulted in material containing paint, limestone and copper slag grit entering the river.
3 June 1998	Penalty Notice (P8669550) for inadequate sediment controls at an RTA site on the corner of Stoney Creek Road and King Georges, Beverly Hills.
21 February 2000	Penalty Notice (Z0578326) issued to RTA for the inappropriate cleaning of a bitumen sprayer at a roadside stockpile site near Bowenfels. The infringement was for cleaning the sprayer at a location which created the potential to pollute an onsite drain and possibly other waters.
18 January 2002	Penalty Notice (N7899706) issued to RTA for contravention of a condition of environment protection licence number 10008 for the Pacific Highway Upgrade at Mullumbimby. Sub contractor employed an incorrect sediment basin pump out procedure.
28 October 2002	Penalty Notice (B5102543) issued to RTA for the Mona Vale Road upgrade project for pollution of waters. Sediment laden water escaped the site into stormwater drains during the works.
7 August 2006	Penalty Notices (7616962760 & 7616962751) Issued to RTA for failing to supply Dangerous Goods Shipping documents to two drivers of asphalt trucks near Nyngan, western NSW.
8 November 2007	Penalty Notice (7616957069) issued to RTA for unauthorised discharge of water from a construction site to an adjacent water course at Pambula.
11 December 2008	Penalty Notice (7616963164) issued to RTA for clearing of native vegetation (Myall Woodland) adjacent to Mitchell Highway west of Trangie.
29 April 2008	Penalty Notice (7633250250) issued to RTA for pollution of waters as a result of inadequate sediment control measures, Great Western Highway, Marangaroo.
29 June 2009	Penalty notice (3014073848) issued to TIDC for a breach of its environment protection licence in relation to works undertaken out-of-hours without the necessary approvals in place on the Cronulla Line Duplication project.
28 September 2010	Penalty Notice (7601508934) issued to RTA for a breach of environment protection licence 13204 for failure to maintain pollution control equipment leading to the discharge of material from the Oxley Highway Upgrade construction works at Port Macquarie.
22 October 2010	Penalty Notice (7601508961) issued to RTA for pollution of waters arising from discharges from the Central Coast Highway Upgrade project.
31 March 2011	3 Penalty Notices (3013382406, 3013382415 & 3013382424) issued to RTA for breaches of Dangerous Goods transport legislation for a fleet vehicle on New England Highway.
17 November 2011	Penalty Notice (3068038537) issued to RTA for pollution of waters of Byarong and America Creeks, Wollongong for failure to fully implement the sediment and erosion control measures outlined in the REF for the project.
15 June 2012	Penalty Notice (3085764202) issued to RMS for a breach of environment protection licence 13135 for failure to operate pollution control equipment to prevent the discharge of material from the Central Coast Highway upgrade construction works at Erina Heights.
17 January 2017	Penalty Notice issued to RMS for breaches of Dangerous Goods transport legislation for a Roads and Maritime vehicle on Cormorant Road at Kooragang.

OFFICIAL

Appendix B – Assessment Personnel Experience

Amanda Raleigh held the role of EIS lead, and was ultimately responsible for the preparation of the EIS, RTS and Amendment Report. Amanda has over 25 years' experience in the management and delivery of EIAs for roads, major transport and other infrastructure projects in both metropolitan and regional areas. Amanda has successfully managed, delivered, written, reviewed and edited numerous EIA documents, involving the review and integration of complex technical and specialist reports to meet both legislative requirements and to ensure that documents are accessible by members of the community. She is also a Registered Environmental Assessment Practitioner.

Aryel Pylotis held the role of Project Manager, and was ultimately responsible for the delivery of the environmental approvals for Parramatta Light Rail. Aryel has over 20 years' experience in managing and authoring a broad range of projects including environmental impact assessments (EIAs), preparation of environmental management plans (EMPs), contamination assessments, waste classification and environmental licensing and approvals. Aryel has extensive experience working with transport infrastructure clients, including Transport for NSW, ARTC, Roads and Maritime Services and Sydney Trains to ensure their environmental impacts are assessed and managed during all phases including concept design and approvals, construction, operation, ongoing maintenance, demolition and remediation and has held management and leadership roles on a number of SSI projects in NSW

Aryel and Amanda were supported by numerous experienced technical specialists, Kirsten Crosby (accredited assessor number BAAS17011) and Kath Chesnut (accredited assessor number BAAS17031) who prepared the Biodiversity Development Assessment Report (BDAR) in accordance with the Biodiversity Assessment Method (BAM). A technical review of the BDAR and credit calculations was carried out by Ben Harrington (BAAS17023). Staff qualifications for the specialists involved in the preparation of the BDAR are provided in the below table (taken from Section 3.8 of the updated BDAR)

Name	Position/project role	Qualifications	Relevant experience
Ben Harrington	Technical director – biodiversity – technical review of BDAR and credit calculations	BSc, MSc Accredited BAM Assessor (BAAS17023)	18+ years
Dr Kirsten Crosby	Fauna lead – fauna field surveys, credit calculations and lead author	BSc, PhD Accredited BAM Assessor (BAAS17011)	17+ years
Kath Chesnut	Flora lead – flora field surveys, credit calculations and lead author	BEnvSc (honours) Accredited BAM Assessor (BAAS17031)	11+ years
Gary Leonard	Senior Ecologist – flora field surveys	MSc, DipEd, Dip Horticulture	40+ years
Mal Weerakoon	Ecologist – fauna field surveys, co-author	BSc, Mphil by Research	7+ years
Fanny Stricher	Ecologist – flora field surveys, co-author	BSc, MSc (Ecology)	1+ years

Attachment B - Attachment A SEARs Response

Section	Where addressed in the report
Listed threatened species and communities (Sections 18 and 18A)	
<p>1. Survey results, including details of the scope, timing and methodology for studies or surveys used and how they are consistent with (or justification for divergence from) published Commonwealth guidelines and policy statements and/or the relevant NSW offsetting method.</p>	<p>Survey data specifically for Matters of National Environmental Significance (MNES) can be seen in Figure 7.1 of the Updated BDAR. Survey methods are detailed in Section 3 of the Updated BDAR.</p>
<p>2. A description and quantification of habitat in the study area (including suitable breeding habitat, suitable foraging habitat, important populations and habitat critical for survival), with consideration of, and reference to, any relevant Commonwealth guidelines and policy statements including listing advices, conservation advices, recovery plans, and threat abatement plans.</p>	<p>Plant community types and fauna habitats are identified in Section 5, Threatened species in Section 6, and Protected Matters are identified in Section 7.</p> <p>Specifically, the National Recovery Plan for the Grey-headed Flying-fox and Draft Recovery Plan for the Green and Golden Bell Frog as well as a number of conservation advices have been referenced throughout the document.</p>
<p>3. Maps displaying the above information (specific to each EPBC protected matter) overlaid with the proposed action. It is acceptable, where possible, to use the mapping and assessment of Plant Community Types (PCTs) and the species surveys prescribed by the BAM as the basis for identifying EPBC Act-listed species and communities. The EIS must clearly identify which PCTs are considered to align with habitat for the relevant EPBC Act listed species or community and provide individual maps for each species or community.</p>	<p>Plant community types and fauna habitats are identified in Section 5, Threatened species in Section 6, and Protected Matters are identified in Section 7.</p>
<p>4. Description of the nature, geographic extent, magnitude, timing and duration of any likely direct, indirect and consequential impacts on any relevant EPBC Act listed species and communities. It must clearly identify the location and quantify the extent of all impact areas to each relevant EPBC Act listed species or community.</p>	<p>Potential impacts on Protected Matters are discussed in Section 9.10 and Appendix G of the Updated BDAR.</p> <p>Section 9 of the Updated BDAR provides an overall impact assessment for the amended project.</p>

<p>5. For each of the EPBC Act listed species and communities likely to be impacted by the development, the EIS/assessment must provide information on proposed avoidance and mitigation measures to deal with the impacts of the action, and a description of the predicted effectiveness and outcomes that the avoidance and mitigation measures will achieve.</p>	<p>Table 10.1 of the Updated BDAR and Appendix B of the Response to Submissions report details the updated mitigation measures.</p>
<p>6. Quantification of the offset liability for each species and community significantly impacted, and information on the proposed offset strategy, including discussion of the conservation benefit for each species and community, how offsets will be secured, and the timing of protection. All suitable habitat for MNES significantly impacted must be offset. It is a requirement that offsets directly contribute to the ongoing viability of the specific protected matter impacted by a proposed action i.e. 'like-for-like'.</p>	<p>Section 11 of the Updated BDAR outlines all of the requirements for offsets. Section 11.3 speaks to requirements to offset impacts for MNES.</p>
<p>Relevant References and Guidelines</p>	
<p>Convention on Biological Diversity</p>	<p>The National Recovery Plan for the Grey-headed Flying-fox and Draft Recovery Plan for the Green and Golden Bell Frog as well as a number of conservation advices have been referenced throughout the document.</p>
<p>Convention on Conservation of nature in the South Pacific (Apia Convention)</p>	
<p>Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</p>	
<p>Relevant conservation advice/s: http://www.environment.gov.au/cgibin/sprat/public/sprat.pl</p>	
<p>Relevant strategic assessment reports</p>	
<p>Stakeholder Consultation</p>	
<p>The NIAA notes there are no Native Title claims or determinations over the project area. Native Title may still be present over the non-freehold land tenure. It is unclear from the referral which groups and organisations have been consulted in the process for engaging with the Registered Aboriginal Parties (RAPs) for the project. If it has not already done so, the proponent should contact the Deerubbin Local Aboriginal Land Council.</p>	<p>Aboriginal community consultation is noted in Section 3 of the revised ACHAR. Section 3.1 of the ACHAR outlines Transports engagement with Deerubbin LALC to date.</p>
<p>The NIAA recommends the proponent ensure all relevant Traditional Owners be provided the opportunity for input on the project at its earliest stages and continue to work with the Traditional Owners throughout the life of the project.</p>	<p>Section 3.2 and Appendix A of the revised ACHAR notes the consultation requirements and process undertaken to date.</p>

<p>The NIAA recommends that the completed Aboriginal Cultural Heritage Assessment Report (ACHAR) be formalised as part of a Cultural Heritage Management Plan (CHMP). The proponent is also encouraged to consider entering into an Indigenous Land Use Agreement (ILUA) with the Traditional Owners which could incorporate the CHMP.</p>	<p>As per the mitigation measures noted in Section 11.2 of the revised ACHAR, an Aboriginal Cultural Heritage Management Plan would be required.</p>
<p>The NIAA recommends the proponent develop cultural heritage awareness training to be delivered to all staff and contractors, in collaboration with the Traditional Owners and other First Nations stakeholders.</p>	<p>As per the updated mitigation measures noted in Appendix B of the Response to Submission report, cultural and historic heritage awareness training will be included in the CHMP.</p>
<p>NIAA encourages the engagement of Indigenous employees and businesses, and the proponent should consider engaging with Supply Nation and local Workforce Australia providers and other providers to connect to First Nations jobseekers as part of this project. They note the Indigenous Employment and Supplier-use Infrastructure Framework may apply to this project and that First Nations employment and procurement targets will likely be developed.</p>	<p>Transport for NSW will continue to adopt its Aboriginal Participation Strategy, Transport Stretch Reconciliation Action Plan and the NSW Aboriginal Procurement Policy to ensure the project is engaging with Supply nation and local Workforce Australia providers as well as First Nations jobseekers.</p>

Transport for NSW

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