

Review of Environmental Factors template

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# Review of Environmental Factors

This is the **standard template** for preparing a Review of Environmental Factors (REF) for activities within lands reserved or acquired under the *National Parks and Wildlife Act 1974* (NPW Act). The template addresses the environmental impact assessment requirements for activities subject to Part 5 of the *Environmental Planning and Assessment Act 1979*.

Proponents should always use the current [version of the template](http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm).

A separate template is available and should be used instead for the following activities:

* **minor activities and uses requiring a lease or licence under s.151 of the NPW Act** – for further information refer to the [sustainability assessment criteria and guidelines](http://www.environment.nsw.gov.au/protectedareas/sustainabilityassessments.htm).

To complete this template you will need the Office of Environment and Heritage (OEH) [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf)*.* This and other guidance documents are available at the [OEH website](http://www.environment.nsw.gov.au/) or by contacting the Environment Line on 13 15 55.

Once completed and signed, the template, together with the applicable fee, should be sent to your nearest [National Parks and Wildlife Regional Office](http://www.environment.nsw.gov.au/NPWS/NPWSRegions.htm).

## Note for external proponents

If the REF is for an activity to be undertaken by an individual, company or organisation, **before preparing the REF** the proponent must:

* confirm the legal permissibility of the proposal (section 3.1 of this document)
* confirm that there are no pre-existing approvals (such as permits, licences or easements)
* consult with the relevant National Parks and Wildlife Service (NPWS) office to obtain in-principle support for the proposal.

If the REF is for an activity requiring a lease or licence under s.151 NPW Act, telecommunications facilities, or within the Sydney Drinking Water Catchment it will need to be submitted with additional information (refer Section 10 of this document).

# Brief description of the proposed activity

Please provide a brief description of the work to be conducted.

|  |  |
| --- | --- |
| Description of proposed activity\* | Click or tap here to enter text. |
| Name of NPWS park or reserve | Click or tap here to enter text. |
| Location of activity(e.g. precinct name or nearby street)  | Click or tap here to enter text. |
|  |  |
| Estimated commencement date | Click or tap to enter a date.day/month/year |
| Estimated completion date | Click or tap to enter a date.day/month/year |

\* **Note**: a comprehensive description of the proposal is required in section 6.2 of this form.

# Proponent’s details

All correspondence and notices will be sent to the address of the proponent.

|  |
| --- |
| **Proponent external to OEH** |
| Organisation  | Click or tap here to enter text. |
| ACN/ABN (if applicable) | ACN: Click or tap here to enter text. ABN: Click or tap here to enter text. |
| **OEH proponents** |
| Area or Section/Division | Click or tap here to enter text. |
|  |  |
| Contact name | Click or tap here to enter text.(Title, Given name, Surname) |
| Position | Click or tap here to enter text. |
| Street address | Click or tap here to enter text. |
| Suburb: Click or tap here to enter text. State: Click or tap here to enter text. Postcode:Click or tap here to enter text. |
| Postal address (if different to above) | Click or tap here to enter text. |
| Phone numbers | Business: Click or tap here to enter text. Mobile: Click or tap here to enter text. |
| Email | Click or tap here to enter text. |

# Permissibility

## Legal permissibility

Indicate whether the activity is permissible under the legislation. Include an explanation where necessary.

Section 1.10 and Appendix 1 of the [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provide guidance on permissibility.

|  |  |
| --- | --- |
| [ ]  | [*National Parks and Wildlife Act 1974*](http://legislation.nsw.gov.au/#/view/act/1974/80)**(NPW Act)** |
| **Justification** (consider the following matters):  |
| [ ]  | Objects of the Act (s.2A) |
|  |
| [ ]  | Reserve management principles (s.30E–30K) |
|  |
| [ ]  | Title and relevant sections of plan of management or statement of management intent  |
|  |
| [ ]  | Leasing, licensing and easement provisions of Part 12 |
|  |
| [ ]  | Management powers and responsibilities of OEH (s.8 and s.12) (**for internal OEH projects only)** |
|  |
| **Special note: For lease proposals under s.151 NPW Act involving new buildings or structures**, section 151A(5) of the NPW Act states that the Minister must not grant a lease under s.151 for visitor or tourist uses that authorises the erection of a new building or structure unless the plan of management identifies the purpose as permissible and the general location for the new building. If relevant to the proposal, indicate whether this requirement has been met, or will be.  |
|  |
| [ ]  | [*Wilderness Act 1987*](http://legislation.nsw.gov.au/#/view/act/1987/196)(for activities in wilderness areas)  |
| **Justification** (consider the following matters):  |
| [ ]  | Objects of the Act (s.3) |
|  |
| [ ]  | Wilderness management principles (s.9) |
|  |
| [ ]  | Restrictions on leasing, licensing and easement (see s.153A NPW Act) |
|  |
| [ ]  | [*Environmental Planning and Assessment Act 1979*](http://legislation.nsw.gov.au/#/view/act/1979/203)**(EP&A Act)** Consider aims and objectives of relevant environmental planning instruments, zoning and permissible uses, development controls, etc.**Explanatory note**: Clause 65 of [State Environmental Planning Policy (Infrastructure) 2007](http://legislation.nsw.gov.au/#/view/EPI/2007/641) provides that development for any purpose may be undertaken within lands **reserved** under the NPW Act without consent. This removes the need for development consent under Part 4 of the EP&A Act (e.g. council approval), meaning that most activities within OEH land are assessed under Part 5. However, proponents should still confirm that the Infrastructure State Environmental Planning Policy (SEPP) is applicable to their particular proposal, and provide consideration of other environmental planning instruments that would otherwise apply to the proposal if it were not occurring on OEH land. If the lands are **not reserved** under the NPW Act (i.e. are lands vested in the Minister under Part 11), the zoning provisions under the relevant local environmental plan will need to be checked. |
| **Justification** (indicate any or all of the following that are relevant): |
| [ ]  | The activity may be undertaken without development consent as it is [ ]  **on reserved land** and is:[ ]  for a purpose authorised under the NPW Act (cl.65 Infrastructure SEPP) |
| [ ]  | The activity is **not on reserved land** but may be undertaken without development consent because:[ ]  it is zoned E1 under the [insert name of relevant local environmental plan] **or**[ ]  the zoning of the land does not require development consent for the activity.[Identify and briefly outline the alternative zoning of the land under the relevant local environmental plan.] |
| [Include any other relevant comments or information related to zoning (and the relevant land use table regarding development without consent) or application of the Infrastructure SEPP.] |
| [ ]  | The activity is on land that contains coastal wetlands, littoral rainforest or koala habitat and the relevant aims, objectives, principles and provisions of the relevant SEPPs (namely [SEPP 14](http://legislation.nsw.gov.au/#/view/EPI/1985/532), [SEPP 26](http://legislation.nsw.gov.au/#/view/EPI/1988/111) or [SEPP 44](http://legislation.nsw.gov.au/#/view/EPI/1995/5)) have been considered in preparation of the REF.**Explanatory note**: these SEPPs do not apply to land reserved under the NPW Act. However, it is OEH policy that the **objectives** and **principles** of these SEPPs are applied to the assessment of on-park activities.  |

|  |
| --- |
| [Include relevant comments or information to demonstrate consideration of the relevant SEPP.] |
| [ ]  | [*Heritage Act 1977*](http://legislation.nsw.gov.au/#/view/act/1977/136)(for activities likely to affect items or places listed on the State Heritage Register or of historic cultural heritage value) |
| **Justification** (indicate any or all of the following that are relevant): |
| The activity is on land that contains:[ ]  an item listed on the State Heritage Register (SHR)[ ]  an item not listed on the SHR but identified by OEH as being of state significance[ ]  an item listed on the OEH Heritage and Conservation Register (contained in the Historic Heritage Information Management System)[ ]  a place, building landscape feature or moveable heritage item older than 25 yearsNB: Activities likely to affect the above may require expert advice and assessment, such as preparation of a heritage impact statement. |
| [Include relevant comments or information related heritage items or places, and any supporting assessment.] |
| [ ]  | [*Biodiversity Conservation Act 2016*](https://legislation.nsw.gov.au/#/view/act/2016/63) |
| **Justification**: Is the activity consistent with the biodiversity conservation objectives of the Act? |
|  |
| [ ]  | [*Rural Fires Act 1997*](http://legislation.nsw.gov.au/#/view/act/1997/65) |
| **Justification**: Is the activity consistent with the objectives of protecting life and property and protection of the environment? Is it consistent with bush fire management plans? |
|  |
| [ ]  | [*Fisheries Management Act 1994*](http://legislation.nsw.gov.au/#/view/act/1994/38) |
| **Justification:** Will the activity affect fish, fish habitat or marine vegetation, including threatened species? Is approval required under the Act? |
|  |

|  |  |
| --- | --- |
| [ ]  | **Commonwealth legislation** (including the[*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/Details/C2016C00777) **(EPBC Act)** and the[*Telecommunications Act 1997*](https://www.legislation.gov.au/Details/C2016C00845))**Note**: if Matters of National Environmental Significance (MNES) are likely to be affected, identify these below. |
| **Justification (**indicate any of the following that are relevant): |
| The activity is on land that contains the following, or the activity may affect:[ ]  World Heritage or National Heritage values of a place on the World Heritage List or National Heritage List[ ]  the ecology of a Ramsar wetland[ ]  nationally listed threatened species and ecological communities, or migratory species[ ]  the Commonwealth marine environment. |
| [Include relevant comments or information, any supporting assessment, and indicate whether Australian Government approval may be required.] |

## Consistency with OEH policy

Indicate whether the activity is consistent with OEH policy, including an explanation where necessary. Information on park management policies can be found on the [Policies webpage](http://www.environment.nsw.gov.au/policies/index.htm).

|  |  |
| --- | --- |
| **Policy name** | **How proposal is consistent**  |
| Click or tap here to enter text. | Click or tap here to enter text. |
| Click or tap here to enter text. | Click or tap here to enter text. |

\* Identify and provide details of those OEH policies which are relevant to the proposal

## Type of approval sought

### OEH proponents

|  |  |
| --- | --- |
| [ ]  | Internal OEH approval\* or authorisation, including expenditure  |

\* OEH does not grant park approvals (e.g. leases, licences, consents etc.) to itself but has a range of general powers to undertake activities on-park, for example, ss. 8 and 12 NPW Act.

### External proponents

Appendix 1 of *Guidelines for Preparing a Review of Environmental Factors* provides a list of the types of approval that may be obtained from the OEH.

|  |  |
| --- | --- |
| Provide a brief description of the type of approval sought(e.g. ‘a lease for visitor accommodation under s.151 NPW Act’) | Click or tap here to enter text. |
| [ ]  | Section/clause Click or tap here to enter text.of Click or tap here to enter text.Act/Regulation |
| [ ]  | Section/clause Click or tap here to enter text. of Click or tap here to enter text.Act/Regulation |
| [ ]  | Section/clause Click or tap here to enter text.of Click or tap here to enter text.Act/Regulation |
| [ ]  | Section/clause Click or tap here to enter text.of Click or tap here to enter text.Act/Regulation |

Are there any existing approvals, such as permits, leases, licences or easements, which apply to part of or all of the activity?

|  |  |
| --- | --- |
| [ ]  | No |
| [ ]  | YesProvide details: Click or tap here to enter text. |

# Consultation – general

Specify the details of consultation, including who was consulted, how and when they were consulted, and the results of the consultation.

Section 2.6 of[Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides guidance on consultation. Refer also to explanatory notes below.

|  |  |
| --- | --- |
| Provide details of consultation: | Click or tap here to enter text. |
| **Statutory consultations**If the activity affects the items below, the proponent must consult with the relevant identified authority. |
|  | [ ]  local council infrastructure or services (such as stormwater, sewer, roads)[ ]  heritage items listed under the local environmental plan (LEP)[ ]  flood liable land**Consult with the local council under clause 13, Infrastructure SEPP.**  |
| [ ]  adjacent to a marine park declared under the [*Marine Parks Act 1997*](http://www.legislation.nsw.gov.au/#/view/act/1997/64)[ ]  adjacent to an aquatic reserve declared under the [*Fisheries Management Act 1994*](http://www.legislation.nsw.gov.au/#/view/act/1994/38)**Consult with the Marine Park Authority (marine parks) or Department of Primary Industries – Fisheries (aquatic reserves) under clause 16, Infrastructure SEPP.** |
| [ ]  navigable waters[ ]  [traffic generating development](http://www.legislation.nsw.gov.au/#/view/EPI/2007/641/sch3)**Consult Roads and Maritime Services under clause 16 or Schedule 3 Infrastructure SEPP.** |
| [ ]  new coastal protection works on the open coast or entrance to a coastal lake**Consult the NSW Coastal Panel under clause 129, Infrastructure SEPP.** |
| [ ]  in the foreshore area (of Sydney Harbour) within the meaning of the [*Place Management NSW Act 1998*](http://www.legislation.nsw.gov.au/#/view/act/1998/170) **Consult with Place Management NSW (formerly known as the Sydney Harbour Foreshore Authority) under clause 16, Infrastructure SEPP.** |
| [ ]  increasing the amount of artificial light in the dark night sky within 200km of the Siding Spring Observatory.**Consult the Director of the Observatory under clause 16, Infrastructure SEPP.** |
| [ ]  works affecting submerged land such as creeks, streams and rivers (and including intermittently submerged areas, such as wetlands and non-perennial creeks) that involve excavation, removing material, depositing material or draining water **Consult Department of Primary Industries – Fisheries under s.199 of the Fisheries Management Act.**  |
| If the activity requires a lease of licence under s.151A NPW Act does it require notification and consultation under s.151F and/or s.151G?[ ]  Yes[ ]  No |

Explanatory notes:

* Proponents should provide evidence that the relevant OEH (National Parks and Wildlife Service) office supports the proposal in-principle.
* There are statutory requirements to consult with local councils and public authorities for certain proposals identified in clauses 13–16 of [State Environmental Planning Policy (Infrastructure) 2007](http://www.legislation.nsw.gov.au/#/view/EPI/2007/641).
* There are additional statutory requirements to consult with the Roads and Maritime Services for traffic generating developments listed in Schedule 3 of [State Environmental Planning Policy (Infrastructure) 2007](http://www.legislation.nsw.gov.au/#/view/EPI/2007/641).
* There are specific consultation and referral requirements for certain proposals requiring a lease or licence under s.151A NPW Act. Refer to the [Leases and Licences Referral Policy and Procedures](http://www.environment.nsw.gov.au/policies/visitorsandtouristspolicies.htm)for more information.

# Consultation – Native Title

Section 3.12 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance

1. Is the land subject to an **Indigenous Land Use Agreement**? (Check the OEH website or with the OEH Aboriginal Heritage and Joint Management Team).

[ ]  No (go to Question 2)

[ ]  Yes
If yes, check any relevant provisions of the ILUA including any notification procedures that must be followed.

|  |  |
| --- | --- |
| If relevant, provide details | Click or tap here to enter text. |

**No other steps are required – proceed to Section 6**

1. Has there been a determination of native title applicable to the land or is there a native title claim pending (check the [National Native Title Tribunal website](http://www.nntt.gov.au/Pages/Home-Page.aspx))?

[ ]  No (go to Question 3)

[ ]  Yes
If yes, contact the OEH Aboriginal Heritage and Joint Management Team. You may need to consult with the native title claimant regarding the proposed activity.

|  |  |
| --- | --- |
| If relevant, provide details | Click or tap here to enter text. |

1. Has native title been **extinguished**?

[ ]  No or unclear (go to Question 4)

[ ]  Yes (Note: Clear evidence will be needed to demonstrate extinguishment).
If extinguished, the Native Title Act 1993 procedures do not apply. However, other policies about consultation with Aboriginal people will still be relevant.

|  |  |
| --- | --- |
| If relevant, provide details | Click or tap here to enter text. |

1. If native title is not confirmed as extinguished, does the activity have a **high risk** of adversely affecting native title (e.g. major infrastructure works, new buildings or granting of leases).

[ ]  No
***No further consideration required***

[ ]  Yes
If yes, proponents should discuss with OEH the need to notify and consult Native Title Services Corp or any native title claimants.

|  |  |
| --- | --- |
| If relevant, provide details | Click or tap here to enter text. |

# Proposed activity (or activities)

## Location of activity

Please attach a locality plan, map, photographs, diagrams and a site plan showing the location and layout of the proposed activity, and provide the following details of the location of the proposed activity site.

|  |  |
| --- | --- |
| Park name | Click or tap here to enter text. |
| Description of location | Click or tap here to enter text. |
| Site commonly known as (if applicable) | Click or tap here to enter text. |
| Street address(if available) | Click or tap here to enter text.Suburb: Click or tap here to enter text.Postcode: Click or tap here to enter text. |
| Site reference | Easting: Click or tap here to enter text.Northing: Click or tap here to enter text.(6 digits) Click or tap here to enter text. (7 digits) Click or tap here to enter text. |
| AMG zone:Click or tap here to enter text. (54, 55, 56 or 57)Reference system: Click or tap here to enter text. (e.g. GDA94, WGS84, AGD) |
| Council (Local Government)  | Click or tap here to enter text. |
| Title reference(if available) | Folio identifier or volume-folio (if Torrens Land System)Click or tap here to enter text. |
| Registered deed number (if Old Land System)Click or tap here to enter text. |
| NSW State electorate | Click or tap here to enter text. |

## Description of the proposed activity

Include a full and comprehensive description of the activity. All aspects of the proposed activity should be described.

See section 3.2 of [Guidelines for preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) for further guidance. Attach additional information if required.

**Description of the proposed activity – include pre-construction, construction, operation and remediation:**

|  |
| --- |
| Click or tap here to enter text. |

The size of the proposed activity footprint:

|  |
| --- |
| Click or tap here to enter text. |

Ancillary activities, such as advertising or other signage (including any temporary signs, banners or structures promoting an event or sponsorship arrangements), roads, infrastructure and/or bush fire hazard reduction:

|  |
| --- |
| Click or tap here to enter text. |

Proposed construction methods, materials and equipment:

|  |
| --- |
| Click or tap here to enter text. |

Receival, storage and on-site management for materials used in construction:

|  |
| --- |
| Click or tap here to enter text. |

Earthworks or site clearing including extent of vegetation to be removed:

|  |
| --- |
| Click or tap here to enter text. |

Environmental safeguards and mitigation measures:

|  |
| --- |
| Click or tap here to enter text. |

Sustainability measures – including choice of materials (such as recycled content) and water and energy efficiency:

|  |
| --- |
| Click or tap here to enter text. |

Construction timetable and staging and hours of operation:

|  |
| --- |
| Click or tap here to enter text. |

**Note:** if the activity involves building or infrastructure works, it may require certification to Building Code of Australia or Australian Standards prior to commencement. Further information on the types of projects requiring certification, and how to obtain certification, is contained within the OEH [*Construction Assessment Procedures*](http://www.environment.nsw.gov.au/protectedareas/cap.htm)***.***

##  Objectives of the proposal

Clearly state the objectives of the proposal.

See section 3.2 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) for further guidance.

|  |  |
| --- | --- |
| Provide details of objectives of the proposal | Click or tap here to enter text. |

# Reasons for the activity and consideration of alternatives

Section 3.2 of [Guidelines for preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

Reasons for activity:

|  |
| --- |
| Click or tap here to enter text. |

Alternatives:

|  |
| --- |
| Click or tap here to enter text. |

Justification for preferred option:

|  |
| --- |
| Click or tap here to enter text. |

**Special note for visitor use, tourism and other proposals requiring a lease or licence under s.151 NPW Act**

Proposals seeking a lease or licence under s.151 NPW Act must address the site suitability requirements of the sustainability assessment criteria adopted by the Chief Executive of OEH (**see below**). For further information on completing the assessment of site suitability, refer to the [criteria and supporting guidelines](http://www.environment.nsw.gov.au/protectedareas/sustainabilityassessments.htm).

|  |
| --- |
| **Site suitability (lease or licence proposals under s.151 NPW Act)** |
| Site character | Click or tap here to enter text. |
| Landscape context | Click or tap here to enter text. |
| Application of site suitability matrix | Click or tap here to enter text. |
| Strategic site assessment (if required by the matrix)Attach any separate assessment report | Click or tap here to enter text. |

# Description of the existing environment

Include a comprehensive description of the existing environment and surrounds that will be, or are likely to be, affected by the proposed activity. Sensitive areas of the environment should be identified in this section.

Section 3.4 of [Guidelines for preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

Description of the existing environment:

|  |
| --- |
| Click or tap here to enter text. |

Meteorological data:

|  |
| --- |
| Click or tap here to enter text. |

Topography:

|  |
| --- |
| Click or tap here to enter text. |

Surrounding land uses:

|  |
| --- |
| Click or tap here to enter text. |

Geology/geomorphology:

|  |
| --- |
| Click or tap here to enter text. |

Soil types and properties:

|  |
| --- |
| Click or tap here to enter text. |

Waterways including wild and scenic rivers:

|  |
| --- |
| Click or tap here to enter text. |

Catchment values:

|  |
| --- |
| Click or tap here to enter text. |

Coastal risk areas:

|  |
| --- |
| Click or tap here to enter text. |

Ecological communities (threatened ecological communities and regionally significant communities):

|  |
| --- |
| Click or tap here to enter text. |

Wetland communities including SEPP 14 wetlands:

|  |
| --- |
| Click or tap here to enter text. |

SEPP 26 littoral rainforest (or equivalent):

|  |
| --- |
| Click or tap here to enter text. |

Flora (including flora of conservation significance):

|  |
| --- |
| Click or tap here to enter text. |

Fauna (including fauna of conservation significance):

|  |
| --- |
| Click or tap here to enter text. |

Area of outstanding biodiversity value declared under the BC Act:

|  |
| --- |
| Click or tap here to enter text. |

SEPP 44 koala habitat:

|  |
| --- |
| Click or tap here to enter text. |

Wilderness (either nominated or declared):

|  |
| --- |
| Click or tap here to enter text. |

Aboriginal cultural heritage:

|  |
| --- |
| Click or tap here to enter text. |

National/State/local natural or cultural heritage values:

|  |
| --- |
| Click or tap here to enter text. |

Vegetation of cultural landscape value:
(e.g. gardens and settings, introduced exotic species or evidence of broader remnant land uses)

|  |
| --- |
| Click or tap here to enter text. |

Other cultural heritage values:

|  |
| --- |
| Click or tap here to enter text. |

Recreation values:

|  |
| --- |
| Click or tap here to enter text. |

Scenic and visually significant areas:

|  |
| --- |
| Click or tap here to enter text. |

Education and scientific values:

|  |
| --- |
| Click or tap here to enter text. |

Interests of external stakeholders (e.g. adjoining landowners, leaseholders):

|  |
| --- |
| Click or tap here to enter text. |

Matter of National Environmental Significance under the EPBC Act:

|  |
| --- |
| Click or tap here to enter text. |

# Impact assessment

This part of the REF provides an analysis of **all possible impacts** from the proposed activity and a description of **any proposed mitigation measures**.

Section 3.7 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf)provides further guidance on impact assessment and mitigation measures.

## Physical and chemical impacts during construction and operation

Section 3.8 of Guidelines for preparing a Review of Environmental Factors provides further guidance.

|  |  Applicable?\* | **Impact level** (negligible, low, medium or high; negative or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment & proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. Is the proposal likely to impact on soil quality or land stability?  | [ ]  |  |  |  |
| 2. Is the activity likely to affect a waterbody, watercourse, wetland or natural drainage system?  | [ ]  |  |  |  |
| Notes: * a public authority does not require approval under the Water Management Act to undertake various works (e.g. excavating or depositing material) within 40 metres of a river; however, the REF should take account of the [Guidelines for Controlled Activities](http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity%20) prepared by the Department of Primary Industries – Water
* consultation with Department of Primary Industries – Fisheries may be required for certain works, under s.199 Fisheries Management Act - see Section 4.
 |
| 3. Is the activity likely to change flood or tidal regimes, or be affected by flooding?  | [ ]  |  |  |  |
| 4. Is the activity likely to affect coastal processes and coastal hazards, including those projected by climate change (e.g. sea level rise)? | [ ]  |  |  |  |
| 5. Does the activity involve the use, storage, or transport of hazardous substances or the use or generation of chemicals, which may build up residues in the environment? | [ ]  |  |  |  |
| 6. Does the activity involve the generation or disposal of gaseous, liquid or solid wastes or emissions? | [ ]  |  |  |  |
| 7. Will the activity involve the emission of dust, odours, noise, vibration or radiation in the proximity of residential or urban areas or other sensitive locations? | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

## Biological impacts during construction and operation

Section 3.9 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

|  |  Applicable?\* | **Likely impact** (negligible, low, medium or high; negative or positive; or NA) | **Reasons** (describe the type, nature and extent of the impact, the nature of the receiving environment and any proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. Is any vegetation to be cleared or modified? (includes vegetation of conservation significance or cultural landscape value)  | [ ]  |  |  |  |
| 2. Is the activity likely to have a significant effect on threatened flora species, populations, or their habitats, or area of outstanding biodiversity value (refer to threatened species assessment of significance (5 part test))? | [ ]  |  |  |  |
| 3. Does the activity have the potential to endanger, displace or disturb fauna (including fauna of conservation significance) or create a barrier to their movement?  | [ ]  |  |  |  |
| 4. Is the activity likely to have a significant effect on threatened fauna species, or their habitats, or areas of outstanding biodiversity value (refer to threatened species assessment of significance (5 part test))? | [ ]  |  |  |  |
| 5. Is the activity likely to impact on an ecological community of conservation significance?  | [ ]  |  |  |  |
| 6. Is the activity likely to have a significant effect on an endangered ecological community or its habitat (refer to threatened species assessment of significance (5 part test))? | [ ]  |  |  |  |
| 7. Is the activity likely to cause a threat to the biological diversity or ecological integrity of an ecological community?  | [ ]  |  |  |  |
| 8. Is the activity likely to introduce noxious weeds, vermin, feral species or genetically modified organisms into an area?  | [ ]  |  |  |  |
| 9. Is the activity likely to affect any declared area of outstanding biodiversity value?  | [ ]  |  |  |  |
| 11. Is the activity likely to affect any joint management agreement under the BC Act?  | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

## Community impacts during construction and operation

Section 3.10 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

|  |  Applicable?\* | **Likely impact** (negligible, low, medium or high; negative or positive; or N/A) | **Reasons** (describe the type, nature and extent of the impact, the nature of the receiving environment and any proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. Is the activity likely to affect community services or infrastructure? | [ ]  |  |  |  |
| 2. Does the activity affect sites of importance to local or the broader community for their recreational or other values or access to these sites? | [ ]  |  |  |  |
| 3. Is the activity likely to affect economic factors, including employment, industry and property value? | [ ]  |  |  |  |
| 4. Is the activity likely to have an impact on the safety of the community? | [ ]  |  |  |  |
| 5. Is the activity likely to cause a bushfire risk?  | [ ]  |  |  |  |
| 6. Will the activity affect the visual or scenic landscape?This should include consideration of any permanent or temporary signage (e.g. signs advertising an event and related sponsorship).  | [ ]  |  |  |  |
| 7. Is the activity likely to cause noise, pollution, visual impact, loss of privacy, glare or overshadowing to members of the community, particularly adjoining landowners? | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

## Natural resource impacts during construction and operation

Section 3.11 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

|  |  Applicable?\* | **Likely impact** (negligible, low, medium or high; negative or positive; or N/A) | **Reasons** (describe the type, nature and extent of the impact, the nature of the receiving environment and any proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. Is the activity likely to result in the degradation of the park or any other area reserved for conservation purposes?  | [ ]  |  |  |  |
| 2. Is the activity likely to affect the use of, or the community’s ability to use, natural resources?  | [ ]  |  |  |  |
| 3. Is the activity likely to involve the use, wastage, destruction or depletion of natural resources including water, fuels, timber or extractive materials? This should include opportunities to utilise recycled or alternative products. | [ ]  |  |  |  |
| 4. Does the activity provide for the sustainable and efficient use of water and energy?Where relevant to the proposal, this should include consideration of high efficiency fittings, appliances, insulation, lighting, rainwater tanks, hot water and electricity supply.  | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

## Aboriginal cultural heritage impacts during construction and operation

Section 3.12 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.
Addressing matters 1–5 will assist in meeting requirements set out in OEH’s [Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW](http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf).

|  |  Applicable?\* | **Likely impact** (negligible, low, medium or high; negative or positive; or N/A) | **Reasons** (describe the type, nature and extent of the impact, the nature of the receiving environment and any proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. Will the activity disturb the ground surface or any culturally modified trees? | [ ]  |  |  |  |
| 2. Does the activity affect known Aboriginal objects or Aboriginal places? Include all known sources of information on the likely presence of Aboriginal objects or places, including AHIMS search results. | [ ]  |  |  |  |
| 3. Is the activity located within, or will it affect, areas :* within 200m of waters\*
* within a sand dune system\*
* on a ridge top, ridge line or headland
* within 200m below or above a cliff face
* within 20m of or in a cave, rock shelter or a cave mouth?

\*See the [Guidelines for Preparing a REF](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) for definitions.  | [ ]  |  |  |  |
| 4. If Aboriginal objects or landscape features are present, can impacts be avoided? | [ ]  |  |  |  |
| 5. If the above steps indicate that there remains a risk of harm or disturbance, has a desktop assessment and visual inspection^ been undertaken (refer to the [Due Diligence Code](http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf))?^ For activities proposed by OEH, at a minimum, this should be undertaken by an OEH employee with Aboriginal Site Awareness training and relevant practical experience, as approved by an Area Manager. | [ ]  |  |  |  |
| 6. Is the activity likely to affect wild resources or access to these resources, which are used or valued by the Aboriginal community? | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

**Special explanatory notes:**

* If the above assessment indicates that there is still a reasonable risk or potential that Aboriginal objects, Aboriginal places or sensitive landscape features could be adversely affected by a proposal, consistent with the precautionary principle, it should either be re-considered or further detailed investigations undertaken.
* If it is concluded that an activity will have unavoidable and justified impacts on Aboriginal objects or Aboriginal places, the proponent should consider applying for an Aboriginal Heritage Impact Permit (AHIP) under s.90 of the NPW Act.

## Other cultural heritage impacts during construction or operation

Section 3.13 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

|  |  Applicable?\* | **Likely impact** (negligible, maintenance, minor, major, contentious; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment & proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. What is the impact on places, buildings, landscapes or moveable heritage items?Attach relevant supporting information where required, such as a heritage impact statement. | [ ]  |  |  |  |
| 2. Is any vegetation of cultural landscape value likely to be affected (e.g. gardens and settings, introduced exotic species, or evidence of broader remnant land uses)? | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

## Matters of national environmental significance under the EPBC Act

Section 3.14 of [*Guidelines for Preparing a Review of Environmental Factors*](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) *provides* further guidance. Also refer to [Significant Impact Guidelines](https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance) produced by the Commonwealth Department of the Environment.

|  |  Applicable?\* | **Impact level** (negligible, low, medium or high; negative or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment & proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| Is the proposal likely to impact on matters of national environmental significance as follows:  |  |  |  |  |
| * listed threatened species or ecological communities
 | [ ]  |  |  |  |
| * listed migratory species
 | [ ]  |  |  |  |
| * the ecology of Ramsar wetlands
 | [ ]  |  |  |  |
| * Commonwealth marine environment
 | [ ]  |  |  |  |
| * world heritage values of world heritage properties
 | [ ]  |  |  |  |
| * the national heritage values of national heritage places
 | [ ]  |  |  |  |

***\**** *If yes, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.*

**Note:**

* The [Protected Matters Search Tool](http://www.environment.gov.au/epbc/pmst/index.html) can assist in checking for matters of national environmental significance.
* Referral to the Commonwealth may be required if the activity is likely to have a significant effect on matters of national environmental significance. Refer to the [Significant Impact Guidelines](http://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance). Contact NPWS if a significant affect is likely.

# Proposals requiring additional information

Only complete the following sections **if applicable** to the proposal.

## Lease or licence proposals under s.151 NPW Act

Section 2.2 of Guidelines for preparing a Review of Environmental Factors provides further guidance.

|  |
| --- |
| Proponents must complete and submit a **Sustainability Assessment** together with the REF. This also applies where OEH is the proponent for projects of the kind listed in s.151A, NPW Act. For information on the sustainability assessment criteria and guidelines, including assessment templates, go to the [Development guidelines webpage](http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm). **Indicate which sustainability assessment is attached:**[ ]  special activities and uses (involving more than 400 people) – Sustainability Assessment **Template 2**[ ]  built structures and facilities – Sustainability Assessment **Template 3.**Note that for **minor activities and uses** (usually events and similar proposals involving fewer than 400 people), a streamlined and combined REF and Sustainability Assessment template is available (**Template 1**).  |

## Telecommunications facilities (s.153D, NPW Act)

Section 2.2 and Appendix 1 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provide further guidance.

|  |  |
| --- | --- |
| Are there feasible alternative sites for the facility on land that is not reserved under the NPW Act? | Click or tap here to enter text. |
| Does the site of any above ground facility cover the minimum area possible? | Click or tap here to enter text. |
| Is the facility to be designed and constructed to minimise risk of damage to the facility from bushfires? | Click or tap here to enter text. |
| Has the site and construction of the facility been selected to, as far as practicable, minimise visual impact? | Click or tap here to enter text. |
| Is it feasible to use an existing means of access to the site? | Click or tap here to enter text. |
| Is the facility essential for the provision of telecommunications services for land reserved under the NPW Act or for surrounding areas to be served by the facility?  | Click or tap here to enter text. |
| Will the facility be removed and the site restored as soon as possible after the facility becomes redundant (e.g. due to changes in technology)? | Click or tap here to enter text. |
| Has the site been selected after taking into account the objectives set out in any plan of management relating to the land? | Click or tap here to enter text. |
| If feasible, will the facility be co-located with an existing structure or located at a site that is already disturbed by an existing lease, licence, easement or right of way. | Click or tap here to enter text. |

If co-location is proposed, please indicate if:

[ ]  the proponent will be the owner of the facility

[ ]  the proponent will be a co-user of the facility.

## Activities within the Sydney Drinking Water Catchment

Activities within the catchment are subject to the provisions of the [State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011](http://www.legislation.nsw.gov.au/#/view/EPI/2011/28).

|  |  |
| --- | --- |
| Does the activity incorporate any current recommended practices and performance standards endorsed or published by the Sydney Catchment Authority that relate to the protection of water quality? | Click or tap here to enter text. |
| If the activity does not do so, how will the activity achieve outcomes not less than these? | Click or tap here to enter text. |
| Will the activity have a neutral or beneficial effect on water quality?  | Click or tap here to enter text. |

# Threatened species assessment of significance (5 part test)

Threatened species and ecological communities, or their habitats, which are likely to be affected by the activity must be identified and considered in the REF.

The factors set out in s.5AA EP&A Act are used to decide whether there is likely to be a significant effect on threatened species ecological communities or their habitats. These are known as the threatened species assessment of significance or ‘5 part test’, and are set out below. These factors can be addressed in the body of the REF, or in a separate document submitted with the REF. In preparing the assessment, refer to any relevant guidelines published by OEH.

Threatened species and communities and critical habitats listed under both the [*Biodiversity Conservation Act 2016*](https://www.legislation.nsw.gov.au/#/view/act/2016/63)and [*Fisheries Management Act 1994*](http://www.legislation.nsw.gov.au/#/view/act/1994/38)should be included. Those **only** listed under the [*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/Details/C2016C00777) (EPBC Act) should **not** be included. Impacts on EPBC Act listed species and communities should be addressed in section 9, or in a separate attached assessment. The proponent will still need to separately consider whether referral to the Commonwealth is required.

When you have completed the threatened species assessment of significance (5-part test), include the findings in the Biological Impacts section (or as an attachment).

The 5-part test (s.5AA Environmental Planning and Assessment Act)

1. in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.
2. in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
3. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
4. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction
5. in relation to the habitat of a threatened species or ecological community:
6. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
7. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
8. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality
9. whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).
10. whether the proposed development or activity constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

# Summary of impacts

Summarise the impacts and consider the cumulative impacts of the activity based on the classification of individual impacts as low, medium or high adverse, negligible or positive.

Section 3.15 of [Guidelines for Preparing a Review of Environmental Factors](http://www.environment.nsw.gov.au/resources/protectedareas/guidelines-for-preparing-review-of-environmental-factors-2016-160447.pdf) provides further guidance.

|  |  |
| --- | --- |
| **Category of impact** | **Significance of impacts** |
| **Extent of impact** | **Nature of impact** | **Environmentally sensitive features** |
| Physical and chemical | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Biological | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Natural resources | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Community | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |
| Cultural heritage | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. |

# Conclusions

In conclusion indicate if:

* there is likely to be a significant effect on the environment and an environmental impact statement is required

[ ]  No

[ ]  Yes

Reason(s):

|  |
| --- |
| Click or tap here to enter text. |

* there is likely to be a significant effect on threatened species, populations, ecological communities or their habitats and a species impact statement is required

[ ]  No

[ ]  Yes

Reason(s):

|  |
| --- |
| Click or tap here to enter text. |

* the activity is in respect of land that is, or is part of, critical habitat and a species impact statement is required

[ ]  No

[ ]  Yes

* the activity is likely to significantly impact matters of national environmental significance listed under the Commonwealth Environment Protection and Biodiversity Conservation Act

[ ]  No

[ ]  Yes

Reason(s):

|  |
| --- |
| Click or tap here to enter text. |

* the activity will require certification to the Building Code of Australia, Disability (Access to Premises – Buildings) Standards 2010 or Australian Standards in accordance with the OEH [Construction Assessment Procedure](http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm).

[ ]  No

[ ]  Yes

# Supporting documentation

Please provide details of documentation included with this application.

Supporting information may include, but is not limited to: a Sustainability Assessment (for proposals requiring a lease of licence under s.151A NPW Act); threatened species assessment of significance (5-part test); LEP land use tables; AHIMS search; engineering plans, maps; specialists studies etc.

|  |  |  |
| --- | --- | --- |
| **Document title** | **Author** | **Date** |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap to enter a date. |
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# Fees

Proponents are required to pay an initial fee of $170 (a final fee is also required before determination of the REF). If the activity consists of environmental remediation and/or the proponent is a community group, OEH may waive the fees on request.

|  |  |
| --- | --- |
| [ ]  | $170 payment/cheque for initial fee is enclosed |
| [ ]  | A waiver of fees is requested for the following reasons:  |

# Signature of proponent

The REF must be certified by the **proponent** – not the consultant(s) where consultant(s) are used.

|  |  |  |  |
| --- | --- | --- | --- |
| Signature | Click or tap here to enter text. | Signature | Click or tap here to enter text. |
| Name (printed) | Click or tap here to enter text. | Name (printed) | Click or tap here to enter text. |
| Position | Click or tap here to enter text. | Position | Click or tap here to enter text. |
| Date | Click or tap to enter a date. | Date | Click or tap to enter a date. |

Seal (if signing under seal):

|  |
| --- |
| Next steps — for OEH use* External proponent REF or major REF
	+ Proceed to prepare determination report and determination notice.
* Internal minor REF
	+ Proceed to prepare determination notice (no determination report required).

Determination report templates, determination notices and model conditions are available on the Review of Environmental Factors (REF) Guidelines OEH intranet page.  |