**NSW national parks & wildlife service**

Review of Environmental Factors: [Project name]

**Using this template [delete this guidance text from the final document]**

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 (Division 5.1) of the *Environmental Planning and Assessment Act 1979* and follows the DPE publication, *Guidelines for Division 5.1 assessments*.

A separate template needs to be used for the following activities:

* **minor activities and uses (involving fewer than 400 people) requiring a lease or licence under s 151 of the NPW Act** – for further information refer to the [*Sustainability Assessment Criteria and Guidelines*](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines/sustainability-assessments)
* **low-risk works related to telecommunication facilities which do not involve ground or vegetation disturbance** – for further information contact npws.envplanningadvice@environment.nsw.gov.au.

To complete this template you will need the [Guidelines for Preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors). This and other guidance documents are available at the [NSW Environment website](http://www.environment.nsw.gov.au/) or by contacting 1300 361 967.

Guidance notes are provided in brown throughout. Insert the cursor **above** these notes to enter in relevant details/text. If you need to add a table or a figure, use the References tab – Insert Caption function (and select Label Figure/Table as appropriate).

Note for external proponents

If the REF is for an activity to be undertaken by an entity (individual, company or organisation) other than NPWS, **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 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 of the NPW Act](https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080#sec.151)*,* telecommunications facilities under [s.153D of the NPW Act](https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080#sec.153D), or is within the [Sydney Drinking Water Catchment](https://www.legislation.nsw.gov.au/#/view/EPI/2011/28) or the riverine environment of the River Murrayit will need to be submitted with additional information (see Section 10 of this document).

* Once completed and signed, the template, together with the applicable fee, should be sent to the relevant local National Parks and Wildlife Service (NPWS) office for the affected park (use the [Find a Park search tool](https://www.nationalparks.nsw.gov.au/visit-a-park), and the relevant contact details are given on the park’s overview page).

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**Document control**

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1. Brief description of the proposed activity

|  |  |
| --- | --- |
| **Proposal name and brief description** | Short project name for the proposal plus a brief description - keep this very short. Section 6 provides for a more detailed description of the activity. |
| **Location of activity**  | … See Figure 1.e.g. precinct name or road/trail. Include a map showing the location of the activity and a cross-reference to the figure |
| **Name of NPWS park or reserve** |  |
| **Description of any unreserved land**  | Note if the proposal will also affect lands acquired under Part 11 of the NPW Act or any other land tenures, including road reserves, other Crown land or freehold land. |
| **NPWS Area** |  |
| **Council**  | Local Government Authority |
| **NSW State electorate** |  |
| **Estimate capital cost of project\*** | This estimate does not include staff time or land value. |
| **Estimated duration of project** | Insert estimated timeframe |
| **Proposed commencement date** |  |
| **Proposed completion date** |  |

\* Publication of the Review of Environmental Factors is required for proposals with a capital investment value of >$5 million and which commence after 1 July 2022.

Insert map of location here

Figure Location of the activity

1. Proponent’s details

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

|  |  |
| --- | --- |
| **Contact name** |  |
| **Position** |  |
| **Street address** |  |
| **Postal address** (if different to above) |  |
| **Contact numbers**(both office and mobile numbers) |  |
| **Email** |  |

**Proponent external to NPWS or DPE Environment and Heritage Group (EHG)**

|  |  |
| --- | --- |
| **Organisation**  | Business or company registered name or Government department or agency, plus trading name if relevant |
| **ACN/ABN**  |  |

**NPWS/EHG proponents**

|  |  |
| --- | --- |
| **Area Manager or Unit Manager**  | For most NPWS/EHG projects, the Area or Unit Manager is the proponent and must endorse the REF as the proponent (see Section 14). For these projects, the proponent’s contact would be the project manager (e.g. ranger).  |

1. Permissibility and assessment pathway
	1. Permissibility under NSW legislation

The following sections outline how the activity is permissible under applicable NSW legislation.

Indicate whether the activity is permissible under the legislation. Include an explanation where necessary. Section 1.7 and Appendix A of the [Guidelines for preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provide guidance on permissibility. If other NSW legislation is directly relevant to the permissibility of the activity, add additional subsections.

To check the box, double click on it and then select ‘Checked’ under the Default value.

* + 1. National Parks and Wildlife Act 1974 (NPW Act) and NPW Regulation

Insert a brief justification explaining how the proposal is permissible under the NPW Act

Consider the following matters and describe how the proposal is consistent with each:

* Objects of the Act ([s 2A](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part1/sec2a))
* Reserve management principles ([s 30E–30K](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part4/div2))

[ ]  Title and relevant sections of plan of management or statement of management intent

**Note**: Section 81 requires operations in a park to be in accordance with a plan of management (PoM). While non statutory, management should also be in line with a published statement of management intent (SMI). PoMs and SMIs can be found at:[Park plans of management and statements of management intent.](https://www.environment.nsw.gov.au/Topics/Parks-reserves-and-protected-areas/Park-management/Park-plans-of-management-and-statements-of-management-intent) It is important to note that [s 151A](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div2/sec151a)(5) 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 PoM identifies the purpose as permissible and the general location for the new building. **It is mandatory** to indicate whether this requirement has been met or will be (e.g. via a PoM in preparation or a current PoM amendment, with a note that permissibility is subject to the adoption of this plan or plan amendment).

[ ]  Title and relevant section of any applicable conservation action plan (CAP) for an asset of intergenerational significance (AIS) and the relevant AIS site number.

If relevant, provide brief explanation – otherwise insert NA

**Note:** [Clause 78G of the NPW Regulation](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2019-0408#sec.78G) requires that conservation activities under approved AIS CAPs must be carried out in accordance with the CAP. Proposals must demonstrate consistency with this requirement.

[ ]  Leasing, licensing and easement provisions ([Part 12](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12))

If relevant, provide brief explanation – otherwise insert NA

[ ]  (**for internal NPWS/EHG projects only)** NPWS/EHG management powers and responsibilities ([s 8](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part2/div1/sec8) and [s 12](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part2/div1/sec12))

If relevant, provide a brief explanation of how your proposal is fully consistent with these powers and responsibilities.

* + 1. Wilderness Act 1987 (for activities in wilderness areas)

If relevant, provide a brief justification explaining how the proposal is permissible under the Wilderness Act – otherwise insert NA

Consider the following matters and describe how the proposal is consistent with each:

* Objects of the Wilderness Act ([s 3](https://www.legislation.nsw.gov.au/#/view/act/1987/196/part1/sec3))
* Wilderness management principles ([s 9](https://www.legislation.nsw.gov.au/#/view/act/1987/196/part3/div1/sec9))
* Restrictions on leasing, licensing and easements (see [s 153A NPW Act](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div3/sec153a))
	+ 1. Biodiversity Conservation Act 2016 (BC Act)

Insert a brief justification explaining how the proposal is permissible under the BC Act

Consider the following matters and describe how the proposal is consistent with each:

* The biodiversity conservation objectives of the BC Act
* The terms of any biodiversity stewardship site agreement which may apply
	+ 1. Rural Fires Act 1997 (RF Act)

Insert a brief justification explaining how the proposal is permissible under the RF Act

Consider the following matters and describe how the proposal is consistent with each:

* The objectives of protecting life and property and protection of the environment
* The relevant reserve fire management strategy
* Planning for Bushfire Protection

Note that Planning for Bushfire Protection does not legally apply except in those circumstances listed in s 2.16 of the Transport and Infrastructure State Environmental Planning Policy (SEPP) but any alternative measures of ensuring protection of life and property should be described.

* 1. *Environmental Planning and Assessment Act 1979*
		1. Assessment pathway

It is confirmed that a REF is the applicable assessment pathway if each of the following apply.

[ ]  The activity may be undertaken without development consent under the provisions of s 2.73(1)(a) of the Transport and Infrastructure SEPP as it is:

[ ]  on land reserved under the NPW Act or acquired under Part 11 of the NPW Act, **and**

[ ]  for a purpose authorised under the NPW Act.

**Note:** If some works occur on lands that are not either reserved or acquired under the NPW Act, another provision in an environmental planning instrument must identify the activity as ‘development without consent’ for a REF to be the appropriate assessment – please insert details as appropriate. For example, for works in a flora reserve, if the land is zoned RU3 Forestry under the LEP, activities required to exercise the **specified land management functions** and that are **consistent with the working plan** would be ‘uses authorised under the Forestry Act 2012’ and so ‘development without consent’ under the LEP.

* If the LEP or a SEPP does not clearly identify that the off-park works are development without consent, they cannot be covered by an REF.

[ ]  The activity is not designated development under Schedule 3 of the Environmental Planning and Assessment Regulation 2021

[ ]  The activity is not state significant infrastructure under Schedule 3(7) of the Planning Systems SEPP.

[ ]  The activity is not designated development under the s 2.7(2) of the Resilience and Hazards SEPP as:

[ ]  it is not on land mapped as littoral rainforest or coastal wetland, **or**

[ ]  it is on land mapped as littoral rainforest or coastal wetland, **and** that land is reserved (not acquired) under the NPW Act, **and** the activity is consistent with the adopted plan of management (s 2.7(6) of the Resilience and Hazards SEPP), **or**

[ ]  it is on land mapped as littoral rainforest or coastal wetland, **and** the activity is routine maintenance with adverse effects restricted to the minimum possible (s 2.7(4) of Transport and Infrastructure SEPP), **or**

[ ]  it is coastal protection works by a public authority and is either identified in a coastal management program, or is beach nourishment, temporary placement of sandbags or routine maintenance and repair of existing coastal protection works (s 2.16(2)(a) of Resilience and Hazards SEPP).

**Note**: Activities that are not routine maintenance on lands mapped as littoral rainforest or coastal wetland, in either reserved areas of park which lack an adopted plan of management or acquired lands, are likely to be classified as **designated development** under Chapter 2 of the Resilience and Hazards SEPP which means an environmental impact statement (EIS) rather than a REF will be required. If it is coastal protection works other than those listed in s 2.16(2)(a) of Resilience and Hazards SEPP, it is identified as **regional significant development** which requires consent under Part 4 of the EP&A Act. This REF cannot be determined in these cases.

[ ]  The activity is not declared to be exempt development under an environmental planning instrument or fails to fully meet the requirements for exempt development.

If you believe your activity is exempt development, contact NPWS. A conservation risk assessment may be the appropriate form of environmental impact assessment.

* + 1. Strategic plans

Is the activity proposed on land covered by a local strategic planning statement, regional strategic plan or district strategic plan made under Division 3.1 of the Act?

[ ]  No (Go to Section 3.3)

1. [ ]  Yes
2. If yes, provide details of how the activity aligns with the policies and objectives identified in the relevant plan.
	1. Other relevant NSW legislation
		1. Coal Mine Subsidence Compensation Act 2017

Identify whether the activity involves the erection or alteration of an improvement within a mine subsidence district and whether relevant approval from the Chief Executive of Subsidence Advisory NSW (formerly known as the Mine Subsidence Board) will need to be sought prior to works commencing.

* + 1. *Fisheries Management Act 1994*

Identify if the activity:

* affects fish, fish habitat, fish passage or marine vegetation, including threatened species, and if a permit is required
* includes the excavation or deposition of material in ‘water land’ including land that is only intermittently submerged by water and so will require notification to the Minister administering the *Fisheries Management Act 1994* (FM Act).

Include reference to any consultation with DPI Fisheries, and any other relevant comments or information.

For activities affecting ‘water land’ where a public authority other than a council is the proponent, include the outcomes of the notification to the Minister administering the FM Act required under s 199 of the FM Act. For activities by external proponents, NPWS must notify the Minister administering the FM Act before issuing any approvals. Notifications are sent to DPI Fisheries at ahp.central@dpi.nsw.gov.au.

* + 1. *Heritage Act 1977*

Identify if 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 NPWS as being of potential state significance
* an item listed on the NPWS Heritage and Conservation Register under s 170 of the Heritage Act (contained in the Historic Heritage Information Management System)
* a place, building landscape feature or moveable heritage item older than 25 years.

Include relevant comments or information related to heritage items or places, and any supporting assessment. For SHR sites, indicate if the works are covered by a s 57(2) exemption or if a permit under s 60 will be required. For damage or destruction of items older than 25 years, consent must be granted under the NPW Regulation. Activities likely to affect heritage may require expert advice and assessment, such as preparation of a statement of heritage impact.

* + 1. *Marine Estate Management Act 2014*

For activities within or affecting a marine park or aquatic reserve, s 56 of the *Marine Estate Management Act 2014* requires consideration of their purposes, the regulations and the advice from the relevant marine authority.

* + 1. [Add in name] Act

If other NSW legislation is directly relevant to the permissibility or assessment of the activity, such as the *Forestry Act 2012* or *Crown Land Management Act 2016*, add additional subsections. If not, delete this heading.

* 1. Does Commonwealth legislation apply?
		1. *Environment Protection and Biodiversity Conservation Act 1999*

Select one of the following lead-in phrases.

[ ]  The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) applies as the activity is on land that contains the following, or the activity may affect:

[ ]  The EPBC Act does not apply as the activity will not affect any of the following:

* 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 listed migratory species.

Include relevant comments or information and indicate whether Australian Government approval may be required. A prompt for further detail is in Sections 8.5 and 9.7 of this document.

Add subsections for other relevant Commonwealth legislation such as the Defence Act or Telecommunications Act.

* 1. Consistency with NPWS policy

|  |  |
| --- | --- |
| Policy name | How proposal is consistent  |
|  |  |

**Note:** Identify and provide details of all NPWS policies which are relevant to the proposal, such as the Landslides and Rockfalls Policy. Published park management policies can be found on the [*Park Policies webpage*](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies). Other relevant policies may be found on the [*NPWS intranet*](https://environmentnswgov.sharepoint.com/sites/INSITE-EES/OEH/NPWS/WorkSpace/SitePages/Park-Policies-Index.aspx). For works within declared wilderness, the REF must consider consistency with the Wilderness Policy.

* 1. Summary of licences and approvals

This section summarises all the licences, permits and other approvals required under the above legislation.

* + 1. Approval under the National Parks and Wildlife Act

| Brief description of the type of approval sought |
| --- |
|  |

* For external proponents, Appendix B in the [Guidelines for Preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides a list of approval types. Thus, for example, the brief description might be: ‘a lease for visitor accommodation under s 151 NPW Act’
* For NPWS proponents, state the ‘Internal NPWS approval or authorisation, including expenditure’. This is because NPWS does not grant approvals (e.g. leases, licences, consents etc.) to itself but has a range of general powers to undertake activities on-park under the NPW Act exercised under delegation.

Identify if there are any existing approvals, such as permits, leases, licences or easements, which apply to part or all of the proposed activity

* + 1. Other approvals

List approvals under other legislation, including Part 6 of the NPW Act, Heritage Act, Fisheries Management Act, Coal Mine Subsidence Compensation Act etc.

* + 1. Publication triggers

The REF must be published following determination if the activity requires an approval or permit identified in section 171(4) of the EP&A Regs before it may be carried out. These triggers are summarised below in relation to the proposed activity.

Triggers for publication of the Review of Environmental Factors

|  |  |
| --- | --- |
| Permit or approval | Applicable? |
| Fisheries Management Act, sections 144, 201, 205 or 219 |  |
| Heritage Act, section 57 (commonly known as a section 60) |  |
| National Parks and Wildlife Act, section 90 (AHIP) |  |
| Protection of the Environment Operations Act 1997, sections 47–49 or 122 |  |

Add a conclusion as to whether the REF must be published due to required permits or approvals following determination.

1. Consultation – general

Summarise the consultation that has occurred, including with whom, how, why and when they were consulted, and the results of that consultation. The [Guidelines for Preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides guidance on consultation.

* 1. Consultation required under [Transport and Infrastructure State Environmental Planning P](https://www.legislation.nsw.gov.au/%22%20%5Cl%20%22/view/EPI/2007/641/part2/div1)olicy

Consultation with the following authorities is required as the proposal will affect the items ticked below.

If the activity affects the items below, check the box and detail the outcomes of consultation with the relevant authority.

* + 1. Local Council (sections 2.10, 2.11, 2.12 and 2.14)

[ ]  local council infrastructure or services (such as stormwater, sewer, roads and footpaths)

[ ]  heritage items listed under the local environmental plan (LEP)

[ ]  flood patterns on flood-liable land

[ ]  land within the mapped coastal vulnerability area and the activity is inconsistent with a certified coastal management program for the land.

If relevant, provide details of the outcomes of consultation with the local council.

Identify any matters raised by council and provide the council’s response as attachment

* + 1. National park or other C1-zoned land (sections 2.15(2)(a) and 2.15(2)(b))

[ ]  land zoned C1 (formerly E1) or on/adjacent to land reserved or acquired under the NPW Act

Outcomes of consultation with NPWS:

Proponents should provide evidence that the relevant NPWS Area or Branch office (and, if relevant, the Board of Management) has provided in-principle support.

* + 1. Roads or maritime (section 2.15(2)(c) or Schedule 3)

Is the activity:

[ ]  a fixed or floating structure in navigable waters

[ ]  traffic-generating development on main roads?

If relevant, provide details of the consultation with Transport for NSW.

Identify any matters raised by Roads and Maritime Services and provide response as attachment

* + 1. Siding Spring Observatory (section 2.15(2)(d))

[ ]  increase the amount of artificial light in the dark night sky within 200 kilometres of the Siding Spring Observatory

If relevant, provide details of the consultation with the Director of the Observatory.

Identify any matters raised by the Observatory and provide response as attachment

* + 1. Defence communications buffer (section 2.15(2)(e))

[ ]  located within the buffer around the defence communications facility near Morundah as mapped under the Lockhart, Narrandera or Urana LEPs

If relevant, provide details of the consultation with the Secretary of the Department of Defence.

Identify any matters raised by the Observatory and provide response as attachment

* + 1. Mine subsidence area (section 2.15(2)(f))

[ ]  land in a mine subsidence district within the meaning of the [Coal Mine Subsidence Compensation Act 2017](https://www.legislation.nsw.gov.au/#/view/act/2017/37/full).

If relevant, provide details of the consultation with the Subsidence Advisory NSW.

Identify any matters raised by Subsidence Advisory NSW and provide response as attachment

* 1. Consultation requirements under [National Parks and Wildlife Act](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div3) for leases and licences

If the activity requires a lease or licence under s 151 or s 151H of the NPW Act, indicate if it requires:

[ ]  public consultation under [s 151F](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div3/sec151f)

[ ]  referral to the NPW Advisory Council or another advisory committee under [s 151G](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div3/sec151g).

If relevant, provide details. If these consultation or referral requirements are not triggered but the activity requires a lease or licence under the NPW Act, please explain.

Public consultation under s 151F is required if the activity requires a lease or licence and:

* is for a purpose for which the land has previously not been used or occupied, or
* involves the erection of a temporary or permanent building or structure, or
* involves significant modification to an existing building or structure, or significant permanent physical change to the land.

Referral to the Advisory Council is required under s 151G if the activity requires a lease/licence and:

* involves the erection of a new permanent building or structure, or
* involves significant modification to an existing building or structure, or significant permanent physical change to the land, or
* is for a term that exceeds 10 years (including any option to renew).

Note: NPWS will arrange this consultation.

* 1. Targeted consultation
		1. Adjacent landowners

If relevant, provide details.

* + 1. Wider community consultation and/or notification of works

If relevant, provide details.

* + 1. Interest groups and/or notification

If relevant, provide details.

1. Consultation – Aboriginal communities

The [Guidelines for Preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provide further guidance

* 1. Native title notification requirements
1. Is the land subject to an [Indigenous land use agreement](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/aboriginal-joint-management/how-aboriginal-joint-management-works/indigenous-land-use-agreements) (ILUA)?

[ ]  No (Go to Question 2)

[ ]  Yes (Check any relevant provisions of the ILUA including any notification procedures that must be followed and identify whether these have been followed).

If relevant, provide details.

If relevant, provide details of the procedures and how these requirements have been completed. No other steps are required in this section and sections 5.2 and 5.3 do not apply – proceed to Section 6.

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

[ ]  No or unclear (Go to Question 3)

[ ]  Yes (Provide a clear explanation and supporting evidence to demonstrate extinguishment. There is no need to do anything further in this section; proceed to Section 5.2).

If relevant, provide details.

If relevant, provide details and an explanation of how native title has been extinguished.
**Note:** if native title is extinguished, the [Native Title Act 1993](https://www.legislation.gov.au/Details/C2017C00178) procedures do not apply. However, other policies about consultation with Aboriginal people will still be relevant; see Sections 5.2 and 5.3.

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 4)

[ ]  Yes (Record the details of the native title claimant/holder as you may need to consult with them regarding the proposed activity – go to Question 4)

If relevant, provide details of the native title claimant/holder.

1. If native title is not confirmed as extinguished, is the activity occurring on land reserved as park on or before 23 December 1996 **and** is an act in accordance with the purpose of reservation **and**
	1. is either a ‘public work’ as per subdivision 24J of the Native Title Act (e.g. a building or other structure that is fixed to the landscape, a road or bridge, a well or a bore, or involves major earthworks)
	**or**
	2. involves the grant of a lease?

[ ]  No (Go to Question 5)

[ ]  Yes (Notify any native title holders / native title claimants / NTS Corp regarding the proposed activity and record the outcomes of that notification)

If relevant, provide details of the consultation that has occurred.

If you answer ‘Yes’ to this question, do not answer Question 5; insert N/A for that question and proceed to Section 5.2.

1. If native title is not confirmed as extinguished and the circumstances of Question 4 do not otherwise apply, is the activity either:
	1. a facility for service to the public (as defined in subdivision 24K of the Native Title Act)
	**or**
	2. a low-level activity (as defined in subdivision 24L of the Native Title Act)?

[ ]  No (Notify any native title holders / native title claimants / NTS Corp regarding the proposed activity and record the outcomes of that notification)

[ ]  Yes (The notification requirements under the Native Title Act do not apply but consultation with native title holders/claimants may still be required under other policies to consult with Aboriginal people. Proceed to Sections 5.2 and 5.3)

If relevant, provide details.

* 1. Parks under other joint management arrangements

Is the park’s management subject to another joint management arrangement such as a memorandum of understanding?

[ ]  No (Go to Section 5.3)

1. [ ]  Yes (Discuss the proposed activity with the relevant advisory committee or consultative group)

If relevant, provide details of the outcomes of any discussions with the advisory committee or consultative group.

* 1. Other parks

For all parks, proponents should discuss with NPWS the need to consult with relevant Aboriginal communities. Such consultation is usually recommended as it may assist with the assessment of impacts on Aboriginal cultural heritage.

Provide details of consultation and its outcomes.

1. Proposed activity (or activities)
	1. Location of activity

Please attach and refer to 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.

|  |  |
| --- | --- |
| **Description of location** |  |
| **Site commonly known as** If applicable |  |
| **Park name**Lands reserved under NPW Act  |  |
| **Other tenures**Include lands acquired under Part 11 of the NPW Act |  |
| **Lot/DP** If available |  |
| **Street address**If available | If available  |
| **Site reference** | Easting: Northing: MGA zone: (6 digits) (7 digits) (54, 55, 56 or 57) |

* 1. Description of the proposed activity

Include a description of the activity. All aspects of the proposed activity should be described*.*

See the [Guidelines for preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) for further guidance.

**Please attach** additional and supporting information as required, such as plans.

* + 1. The proposed activity: pre-construction, construction, operation and remediation

Insert description

Describe each stage of the activity.

* + 1. The activity footprint (size of the area of impact)

Insert description

The activity footprint includes all ancillary requirements of the activity at all stages of construction and operation (e.g. advertising signage, temporary signs, banners or structures promoting an event or sponsorship arrangements, roads or access upgrades, service areas or additional infrastructure, storage, bushfire asset protection etc.)

* + 1. Proposed construction methods, materials and equipment
		2. Receival, storage and on-site management for materials used in construction
		3. Earthworks or site clearing including extent of vegetation to be removed
		4. Environmental safeguards and mitigation measures
		5. Sustainability measures – including choice of materials and water/energy efficiency
		6. Construction timetable and staging and hours of operation

1. Reasons for the activity and consideration of alternatives

Section 3.2.2 of the [Guidelines for preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides further guidance. Alternatives must include a consideration of alternative locations (including off-park locations) and the ‘do-nothing’ option.

* 1. Objectives and reasons for the proposal

Insert details

Clearly state the objectives of the proposal.

* 1. Consideration of alternatives

Insert description of alternatives

Consider different locations and designs, as well as the ‘do nothing’ option

* 1. Justification for preferred option

Insert justification

* 1. Site suitability

|  |  |
| --- | --- |
| **Site character** |  |
| **Landscape context** |  |
| **Application of site suitability matrix** |  |
| **Strategic site assessment (if required by the matrix)** |  |

Proposals subject to a lease or licence under [s 151 NPW Act](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div2/sec151) **must** address the site suitability requirements of the sustainability assessment criteria adopted under [s 151B NPW Act](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div2/sec151b). For further information on completing the assessment of site suitability, refer to the [criteria and supporting guidelines](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines/sustainability-assessments)*.* **It is NPWS policy** that this assessment be completed for NPWS projects of a similar kind (i.e. for any purpose listed under [s 151A of the NPW Act](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part12/div2/sec151a) even if proposed by NPWS). Attach any separate assessment report.

1. Description of the existing environment
	1. Overview of the project area

Provide an overview of the landscape, the current land use of the site and adjoining land uses, the park and the area subject to the program of works. Sensitive areas should be identified briefly in this overview. When including meteorological data in your overview, highlight wet season peaks or any other period when works should be avoided or subject to additional mitigation measures. In the following sections, make use of existing information available on the [SEED website](https://www.seed.nsw.gov.au/) (or the NPWS/EHG corporate databases) as much as possible.

* 1. Natural values
		1. Geology, geomorphology and topography

Summarise the landscape, area and site values as they relate to the proposal’s footprint, discuss how they influence the final design of the proposal and explain how the proposal has been designed to protect geodiversity and sensitive features in the landscape.

Justifying the application of mitigation measures, quantifying residual impacts and determining the significance of the activity are addressed in Section 9 of this REF.

If relevant, insert map here. If not, delete figure caption. In the following sections, include figures where appropriate and insert new figure captions.

Figure Geology

**Reference material**

List the technical reports or material (including data or mapping layers used) and provide maps or figures clearly showing significant geological or landscape features in relation to the activity footprint.

* + 1. Soil types and properties (including contamination)

Describe the soil types in the proposal’s footprint and address any technical management considerations around soil, slope and erodibility issues – identify specific requirements that any future sediment and erosion control implementation will need to consider. In this section, cover registered contaminated sites, areas of natural asbestos or known dump sites of asbestos or other waste, and areas of mapped acid sulfate soils, or sodic or saline soils. Identify any additional technical reports, management planning or licensing requirements needed to support this proposal. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

List the technical reports or material (including data or mapping layers used) and provide maps or figures clearly showing significant soil issues in relation to the activity footprint.

* + 1. Watercourses, waterbodies and wetlands (including their catchment values)

Summarise the waterbodies and their values as they relate to the proposal’s footprint and explain management considerations needed for works proposed near or in, especially new bridges or water crossing or any upgrades to existing features. Consider rainfall and other relevant meteorological data regarding likelihood of high rainfall events. Highlight if the proposal is within a water supply catchment and its implications on the proposal (note additional information is required in Section 10 if works are within the Sydney Drinking Water Catchment). Identify technical requirements or design considerations – reference standards. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

List the technical reports or material (including data or mapping layers used) and provide maps or figures clearly showing significant geological or landscape features in relation to the activity footprint.

* + 1. Coasts and estuaries

What are the coast and estuarine values in the vicinity of the proposal? Explain possible management considerations if works have the potential to impact on them. Consider marine parks, aquatic reserves, foredunes and beaches. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

List the technical reports or material (including data or mapping layers used) and provide maps or figures clearly showing significant geological or landscape features in relation to the activity footprint.

* + 1. Biodiversity

#### Overview of terrestrial and aquatic biodiversity

Describe the vegetation present in the vicinity of the proposal with reference to Plant Community Types, and provide a summary of other biodiversity values present. Site inspection will be required unless the site is already covered by current mapping, records or technical reports.

**Reference material**

Provide maps or figures clearly showing vegetation present in relation to the activity footprint.

#### Areas of outstanding biodiversity value or critical habitat

Consider declarations under Part 3 of the [Biodiversity Conservation Regulation 2017](https://www.legislation.nsw.gov.au/#/view/regulation/2017/432/part3) or [Section 220T of the Fisheries Management Act 1994](https://www.legislation.nsw.gov.au/#/view/act/1994/38/part7a/div3/sec220t) and the implication on this proposal. Clearly consider potential indirect impacts to values where a proposal is in the vicinity of declared lands. If an activity is proposed in an AOBV or critical habitat, the activity is deemed to have a significant impact on biodiversity. In that case, the REF must be accompanied by a Species Impact Statement (SIS). In the case of AOBV, an alternative to an SIS is a Biodiversity Development Assessment Report.

**Reference material**

Provide maps or figures clearly showing these significant areas in relation to the activity footprint.

#### Environmental assets of intergenerational significance (AIS)

Consider AIS declarations made under Section 153G of the NPW Act, conservation action plans approved under Clause 78E of the NPW Regulation, and the implication on this proposal. Clearly consider potential indirect impacts to values where a proposal adjoins lands declared to be an AIS.

**Reference material**

Provide maps or figures clearly showing the AIS site in relation to the activity footprint. Reference the relevant conservation action plan and AIS site number.

#### Threatened ecological communities

Consider the likelihood of threatened ecological communities (TECs) being present at the site. Consider both aquatic and terrestrial TECs, listed under BC Act, FM Act and/or EPBC Act. If TECs will be directly impacted by the proposal, specify area and demonstrate that the proposal has been designed using the principles of avoiding and minimising impacts to protect the TEC in this locality. Identify threatening processes that apply or will be increased as a result of the proposal. Identify any relevant recovery plans or SOS planning that may be relevant to the park and the activity footprint. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

**Attach the threatened ecological community likelihood of occurrence table. T**his should include a list of threatened ecological communities present. Maps or figures can be used to explain distribution associated with the activity footprint.

#### Threatened species and populations

List threatened species and populations which have recorded in the surrounding area (10-50km search) and identify which are likely to occur due to suitable habitat being present. Consider both aquatic and terrestrial species/populations, listed under the BC Act, FM Act and/or EPBC Act – using BioNet, predictive distributions for threatened fish species and the protected matters search for nationally listed species. In the absence of field surveys, the precautionary principle requires a larger search area and an assumption that all recorded species will be present. If using field assessment to confirm presence or absence, use the [Field survey methods](https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/about-threatened-species/surveys-and-assessments/field-survey-methods).

* Provide field survey and assessment methodology with results as part of this section.
* Identify threatening processes that may also apply or increase as a result of the proposal.
* Identify any relevant recovery actions or activities (e.g. under the SOS Biodiversity Conservation Program) that may be relevant to the park and the activity footprint.

Highlight koala habitat consistent with [Chapter 3 and Chapter 4 of the Biodiversity and Conservation SEPP](https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0730#ch.2) or relevant comprehensive koala management plan (KPOM). While the SEPP does not apply to land reserved under the NPW Act, it is NPWS policy that we remain consistent with KPOMs and the landscape management of koalas and their habitat. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

**Attach threatened species likelihood of occurrence table. T**his should include a list of aquatic and terrestrial threatened species and populations, both known (recorded) or likely to occur. Maps or figures can also be used to explain species’ distribution associated with the activity footprint.

* 1. Cultural values
		1. [Aboriginal cultural heritage](https://www.environment.nsw.gov.au/conservation/aboriginalculture.htm)

Identify known Aboriginal cultural values in the vicinity of the project’s footprint and consider the likelihood of values being present in the absence of records due to the landscape features present (as per Due Diligence). Consultation with the local Aboriginal community is recommended as part of this process. What management framework is in place with the local Aboriginal community, what agreements, plans or other information that is of value to this proposal?

What are the outcomes of the community consultation and site inspections as they relate to potential values, is a technical report required, is the likelihood of harm still more than a negligible risk and will an AHIP be needed?

Consider nearby declarations under s 153G of the NPW Act of cultural assets of intergenerational significance (AIS) for Aboriginal cultural value, under s 84 of the NPW Act of Aboriginal places, and any Aboriginal places of heritage significance under the local environmental plan. Clearly consider potential direct and indirect impacts to values where a proposal is within the vicinity of these declarations and the implications on the proposal to avoid such impacts.

Justifying the application of mitigation measures, and quantifying residual likelihood of impacts is addressed in Section 9 of this REF. This should justify clearly how harm to Aboriginal cultural heritage **will** be avoided.

**Reference material**

Attach AHIMS maps, site information plans or figures as required or reference to the relevant Aboriginal cultural heritage Assessment Report, if applicable.

* + 1. Historic heritage values

Identify historic heritage values in the vicinity of the proposal’s footprint and the likelihood of relics or artefacts being present within that footprint in the absence of records.

Include wider implications that may affect the curtilage of the item, place or site e.g. gardens and settings, introduced exotic species or evidence of broader remnant land uses. What is the risk, what are the outcomes of the statutory consultation and site inspections as they relate to heritage values and the impacts proposed?

Consider nearby declarations under s 153G of the NPW Act of cultural assets of intergenerational significance (AIS) for historic cultural value, and places on the state heritage register or listed as local heritage under the local environmental plan. Clearly consider potential direct and indirect impacts to values where a proposal is within the vicinity of these declarations and the implications on the proposal to avoid such impacts.

Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

Attach HHIMS data, site information, plans or figures as required or reference to any relevant previous assessment reports or conservation management plans, if applicable.

* 1. Social values
		1. Recreation values

These values are often addressed in the plan of management, especially areas which have significant social and economic value as a tourist destination. Local area knowledge is also valuable in identifying values specific to a park that may be important to the local community or recreational group.

* + 1. Scenic and visually significant areas

These values are often linked to the topographic values of a site and if the site of the works can be viewed from lookouts, popular walking tracks and neighbouring properties

* + 1. Education and scientific values

These values are often addressed in the plan of management and other associated plans such as world heritage property plans or conservation management plans.

* + 1. Interests of external stakeholders

Consider the interests of adjoining landowners, lessees, commercial businesses and park visitors. Cross reference REF Section 4.

* 1. Matters of National Environmental Significance

The [*Protected Matters Search Tool*](http://www.environment.gov.au/epbc/protected-matters-search-tool) can help identify matters of national environmental significance likely to occur in the area. Highlight the Matters of National Environmental Significance (MNES) relevant to the proposal, highlight values, management requirements and include references to documents which NPWS must consider. Include considerations of MNES listed properties, site or places where a proposal may directly or indirectly impact on the values present. Justifying the application of mitigation measures, quantifying residual impacts and determining the significance is addressed in Section 9 of this REF.

**Reference material**

Attach MNES occurrence table. This should include a list of MNES that is in addition to the threatened entities listed in Section 8.1.5.

Include maps or figures to explain / show location relative to the activity footprint.

1. 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. The [*Guidelines for Preparing a Review of Environmental Factors*](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provide further guidance on assessing potential impacts, their type and level and mitigation measures. All stages of the activity must be considered: pre-construction, construction, operational and restoration stages.

* 1. Physical and chemical impacts during all stages of the activity

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. impact on soil quality or land stability?  | [ ]  |  |  |  |
| Has a landslide or rockfall hazard been identified? If so, attach the risk assessment (using the Health and Safety Risk Matrix) and confirm if professional geotechnical advice has been sought on managing the risk. If the risk is assessed as high or above, a risk treatment plan must also be attached. |
| 2. affect a waterbody, watercourse, wetland or natural drainage system – either physically or chemically (e.g. due to runoff or pollution)?  | [ ]  |  |  |  |
| 3. change flood or tidal regimes, or be affected by flooding?  | [ ]  |  |  |  |
| 4. affect or be affected by coastal processes and coastal hazards, including those under climate change projections (e.g. sea level rise)? | [ ]  |  |  |  |
| 5. involve the use, storage or transport of hazardous substances, or use or generate chemicals which may build up residues in the environment? | [ ]  |  |  |  |
| 6. involve the generation or disposal of gaseous, liquid or solid wastes or emissions? | [ ]  |  |  |  |
| 7. involve the emission of dust, odours, noise, vibration or radiation? | [ ]  |  |  |  |

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

* 1. Biodiversity impacts during all stages of the activity

In identifying potential impacts on ecological communities or species/population of conservation significance, cross-reference the results of the tests of significance completed in Section 11 of the REF.

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. affect any declared area of outstanding biodiversity value or critical habitat or environmental asset of intergenerational significance? | [ ]  |  |  |  |
| 2. result in the clearing or modification of vegetation, including ecological communities and plant community types of conservation significance? ^ | [ ]  |  |  |  |
| 3. endanger, displace or disturb terrestrial or aquatic fauna, including fauna of conservation significance, or create a barrier to their movement? ^  | [ ]  |  |  |  |
| 4. result in the removal of protected flora or plants or fungi of conservation significance? ^  | [ ]  |  |  |  |
| 6. contribute to a key threatening process to biodiversity or ecological integrity? | [ ]  |  |  |  |
| 7. introduce weeds, pathogens, pest animals or genetically modified organisms into an area?  | [ ]  |  |  |  |

**\* If yes**, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.
^ Refer to the results of any tests of significance in Appendix X

* 1. Community impacts during all stages of the activity

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. affect community services or infrastructure? | [ ]  |  |  |  |
| 2. affect sites important to the local or broader community for their recreational or other values or access to these sites? | [ ]  |  |  |  |
| 3. affect economic factors, including employment, industry and property value? | [ ]  |  |  |  |
| 4. have an impact on the safety of the community? | [ ]  |  |  |  |
| 5. cause a bushfire risk?  | [ ]  |  |  |  |
| 6. affect the visual or scenic landscape? ^ | [ ]  |  |  |  |

**\* If yes**, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.
^ Include consideration of any permanent or temporary signage (e.g. signs advertising an event and related sponsorship) and whether there are any impacts on adjacent landowners such as loss of privacy, glare or overshadowing of their properties.

* 1. Natural resource impacts during all stages of the activity

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. result in the degradation of the park or any other area reserved for conservation purposes?  | [ ]  |  |  |  |
| 2. affect the use of, or the community’s ability to use, natural resources?  | [ ]  |  |  |  |
| 3. involve the use, wastage, destruction or depletion of natural resources including water, fuels, timber or extractive materials? ^ | [ ]  |  |  |  |
| 4. provide for the sustainable and efficient use of water and energy? † | [ ]  |  |  |  |

**\* If yes**, check box and all columns need to be completed. If no, leave unchecked and write ‘NA’ in the third and fourth columns.
^ Consider opportunities to utilise recycled or alternative products.
† Where relevant to the proposal, consider high efficiency fittings and appliances, insulation, lighting, rainwater tanks, hot water and electricity supply.

* 1. Aboriginal cultural heritage impacts during all stages of the activity

Addressing the matters in questions 1–3 will assist in meeting the requirements set out in the [Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales](https://www.environment.nsw.gov.au/research-and-publications/publications-search/due-diligence-code-of-practice-for-the-protection-of-aboriginal-objects-in-new-south-wales). In answering question 2, use **all** known sources of information on the likely presence of Aboriginal objects or places, including (but not restricted to) AHIMS search results and the results of consultation with the Aboriginal community. A separate report clearly documenting each of the steps in the Code, including the outcomes and qualifications of any visual inspection can form an attachment to the REF.

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. disturb the ground surface or any vegetation likely to contain culturally modified trees? | [ ]  |  |  |  |
| 2. affect or occur near known Aboriginal objects, Aboriginal places or an Aboriginal cultural asset of intergenerational significance? If so, can impacts be avoided? How?  | [ ]  |  |  |  |
| 3. affect areas:* within 200 m of waters
* within a sand dune system
* on a ridge top, ridge line or headland
* within 200 m below or above a cliff face
* in or within 20 m of a cave, rock shelter or a cave mouth?

If so, can impacts be avoided? How?  | [ ]  |  |  |  |
| 4. affect wild resources which are used or valued by the Aboriginal community or affect access to these resources? | [ ]  |  |  |  |
| 5. affect access to culturally important 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.

**Special explanatory note:** 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 reconsidered or further detailed investigations undertaken. If it is concluded that an activity **may** 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**](https://www.legislation.nsw.gov.au/#/view/act/1974/80/part6/div2/sec90).

* 1. Other cultural heritage impacts during all stages of the activity

| **Is the proposed activity likely to…** | **Applicable? \*** | **Impact level** (negligible; or low, medium or high adverse; or positive; or NA) | **Reasons** (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | **Safeguards/mitigation measures** |
| --- | --- | --- | --- | --- |
| 1. affect or occur near places, buildings or landscapes of heritage significance? ^ | [ ]  |  |  |  |
| 2. impact on relics or moveable heritage items, or an area with a high likelihood of containing relics? ^ | [ ]  |  |  |  |
| 3. impact on vegetation of cultural landscape value (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.

^ Attach relevant supporting information where required, such as a statement of heritage impact. Consider any cultural asset of intergenerational significance for non-Aboriginal heritage value, items on the state heritage register or listed as local heritage on the local environmental plan. Also consider items on HHIMS (the NPWS s 170 register) or any relic or material evidence of non-Aboriginal origin older than 25 years, as these are protected under the NPW Regulation.

* 1. Impacts on matters of national environmental significance under the Environment Protection and Biodiversity Conservation Act during all stages of the activity

| Is the proposal likely to affect MNES, including: | Applicable? \* | Likely impact (negligible, low, medium or high adverse; or positive; or N/A) | Reasons (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | Safeguards/mitigation measures |
| --- | --- | --- | --- | --- |
| 1. listed threatened species or ecological communities)? | [ ]  |  |  |  |
| 2. listed migratory species?  | [ ]  |  |  |  |
| 3. the ecology of Ramsar wetlands? | [ ]  |  |  |  |
| 4. world heritage values of World Heritage properties?  | [ ]  |  |  |  |
| 5. 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**: Refer to [Matters of National Environmental Significance: Significant impact guidelines 1.1](https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance) produced by the Australian Government to determine if a significant effect on any matter of national environmental significance is likely. This consideration should be explicitly documented in an appendix to this REF. Referral to the Commonwealth may be required if the activity is likely to have a significant effect on matters of national environmental significance.

* 1. Cumulative impacts during all stages of the activity

Describe (in text or a table) other projects that have been approved, are in construction or are being proposed in the vicinity of the proposal covered by this REF and outline their environmental impact assessments. Consider whether these other projects have the potential to interact with the current proposal at the construction, operation or remediation phases of the proposal.

An assessment of cumulative environmental impacts at the construction, operation and remediation phases should be undertaken based on the following criteria:

* types of projects or proposals with emphasis being placed on other proposals likely to interact with the current proposal, such as changing access, drainage patterns, flood behaviour and biodiversity (including connectivity of habitat and wildlife movement)
* extent of the proposed activity and other existing projects
* location of the proposal in relation to other projects, highlighting any areas of close proximity or overlap
* timeframe of the proposal and other projects.

This assessment should not be limited to just those projects within a short distance (e.g. <1 km) from the site but should include any that may have implications for the delivery of works or add to impacts on the community (e.g. a proposal that will temporarily close a council road in the local district may divert traffic to the site or may prevent delivery of materials or equipment to the site).

The following table can be used to summarise the assessments.

| When considered with other projects, is the proposed activity likely to affect… | Applicable? \* | Impact level (negligible; or low, medium or high adverse; or positive; or NA) | Reasons (describe the type, nature and extent of impact, taking into account the receiving environment and proposed safeguards which will limit the impact) | Safeguards/mitigation measures |
| --- | --- | --- | --- | --- |
| 1. natural landscape or biodiversity values through cumulative impacts?  | [ ]  |  |  |  |
| 2. cultural (Aboriginal, shared and historic heritage) values through cumulative impacts?  | [ ]  |  |  |  |
| 3. social (amenity, recreation, education) values through cumulative impacts? | [ ]  |  |  |  |
| 4. the community through cumulative impacts on any other part of environment (e.g. due to traffic, waste generation or perceived over-development? | [ ]  |  |  |  |

1. Proposals requiring additional information

Only complete the following sections **if applicable** to the proposal. The [*Guidelines for preparing a Review of Environmental Factors*](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides further guidance.

* 1. Lease or licence proposals under s 151 National Parks and Wildlife Act

Proponents must complete and submit a **sustainability assessment** together with the REF. Under NPWS policy this requirement **also** applies where NPWS is the proponent for projects of the kind listed in [s 151A](https://www.legislation.nsw.gov.au/~/view/act/1974/80/part12/div2/sec151a) of the NPW Act.

For information on the sustainability assessment criteria and guidelines, including assessment templates, go to the [Sustainability assessments page](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines/sustainability-assessments).

Indicate which sustainability assessment is attached:

[ ]  special activities or 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**).

* 1. Telecommunications facilities
		1. Consideration of matters listed under s 153D National Parks and Wildlife Act

Appendix A of [Guidelines for Preparing a Review of Environmental Factors](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides further guidance.

| Factors requiring consideration | Response |
| --- | --- |
| 1. Are there feasible alternative sites for the facility on land that is not reserved under the NPW Act?
 |  |
| 1. Does the site of any aboveground facility cover the minimum area possible?
 |  |
| 1. Is the facility to be designed and constructed to minimise risk of damage to the facility from bushfires?
 |  |
| 1. Has the site and construction of the facility been selected to, as far as practicable, minimise visual impact?
 |  |
| 1. Is it feasible to use an existing means of access to the site?
 |  |
| 1. 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?
 |  |
| 1. 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)?
 |  |
| 1. Has the site been selected after taking into account the objectives set out in any plan of management relating to the land?
 |  |
| 1. 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.

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. |  |

* + 1. Provision and maintenance of an asset protection zone

NPWS requires telecommunication facilities to be protected by asset protection zones (APZs) consistent with the [*Telecommunications Towers in Bush Fire Prone Areas – Practice Note 1/11*](https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0012/4314/Practice-Note-1-11-Telecommunications-Towers-in-Bush-Fire-Prone-Areas.pdf), unless the Rural Fire Service (RFS) endorses a different approach (e.g. no APZ or a lesser APZ).

1. Is the proposed telecommunication facility protected by an APZ that is already consistent with the RFS Practice Note?

[ ]  No (Go to Question 2)

[ ]  Yes

If relevant, provide details.

If relevant, provide details and a map of the existing APZ. Delete the rest of this subsection.

1. Does the activity’s scope include establishment of an APZ consistent with the RFS Practice Note?

[ ]  No (Go to Question 3)

[ ]  Yes

If relevant, provide details.

If relevant, briefly describe how this REF has considered the environmental impacts of creating that APZ.

1. If the proposed facility will not have an APZ consistent with the RFS Practice Note, has consultation occurred with the RFS?

If relevant, provide details of the consultation with Rural Fire Service.

Identify any matters raised by RFS and attach the RFS response as an attachment

* 1. Activities within the Sydney Drinking Water Catchment

Activities within the catchment are subject to the provisions of the [Chapter 8 of the Biodiversity and Conservation SEPP](https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0722#ch.8). The following factors require consideration.

| Factors requiring consideration | Response |
| --- | --- |
| 1. Does the activity incorporate any current recommended practices and performance standards endorsed or published by Water NSW that relate to the protection of water quality?
 |  |
| 1. If the activity does not incorporate current practices or standards referred to in question 1, how will the activity achieve outcomes not less than these?
 |  |
| 1. Will the activity have a neutral or beneficial effect on water quality?
 |  |

* 1. Activities in River Murray riverine land

Applies to activities on lands within the land application map of the [Chapter 5 of the Biodiversity and Conservation SEPP](https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0722#ch.5). In the following table, the ‘River Murray’ means the Murray River, the waters and the bed and banks of its tributaries and associated water bodies, including related anabranches, creeks, lagoons, lakes, billabongs and wetlands.

The matters listed under s 5.9 of the Biodiversity and Conservation SEPP have been considered in the following table.

Table X. Consideration of the planning principles for activities in River Murray riverine lands

| Matters related to relevant planning principles | Response |
| --- | --- |
| Access |  |
| 1. Will the activity alienate or obstruct access to the foreshore of the River Murray?
 |  |
| 1. Will the activity adversely impact the stability of riverbanks and vegetation growth due to uncontrolled access?
 |  |
| Bank disturbance |  |
| 1. Will the activity disturb the shape of the bank and riparian vegetation?
 |  |
| Flooding |  |
| 1. Where the activity is occurring on land subject to inundation by floodwater:
 |  |
| 1. Are there hazards involved in developing the land?
 |  |
| 1. Will the activity have a redistributive effect on floodwater?
 |  |
| 1. Will the activity pose a pollution threat in the event of a flood?
 |  |
| 1. Will the activity add to cumulative effects on the behaviour of floodwater?
 |  |
| 1. Will infrastructure developed as part of the activity need to be replaced in the event of a flood? If so, at what cost?
 |  |
| Land degradation |  |
| 1. Will the activity seek to avoid or reduce land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats?
 |  |
| Landscape |  |
| 1. What measures will be taken to protect and enhance the riverine landscape (e.g. by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species)?
 |  |
| Water quality |  |
| 1. Will the activity seek to reduce pollution caused by salts and nutrients entering the River Murray or otherwise improve the quality of water in the River Murray?
 |  |
| Wetlands |  |
| 1. Where the activity may affect wetlands:
 |  |
| 1. Will the activity provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland?
 |  |
| 1. Are measures such as a vegetated buffer incorporated into the activity to mitigate adverse effects on wetland values?
 |  |

1. Summary of impacts and conclusions

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. The [*Guidelines for preparing a Review of Environmental Factors*](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provide further guidance.

| Environmental factor | Consideration | Significance of impact\* |
| --- | --- | --- |
| (a)  the environmental impact on the community | Social, economic and cultural impacts as described in sections 9.3, 9.5 and 9.6  | Choose an item. |
| (b)  the transformation of the locality | Human and non-human environment as described in sections 9.1, 9.2 and 9.4 | Choose an item. |
| (c)  the environmental impact on the ecosystems of the locality | Amount of clearing, loss of ecological integrity, habitat connectivity/ fragmentation and changes to hydrology (both surface and groundwater) as described in sections 9.1, 9.2 and 9.4 and, for nationally listed threatened ecological communities, in section 9.7. | Choose an item. |
| (d)  reduction of the aesthetic, recreational, scientific or other environmental quality or value of the locality | Visual, recreational, scientific and other impacts as described in section 9.3. | Choose an item. |
| (e)  the effects on any locality, place or building that has—(i)  aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance, or(ii)  other special value for present or future generations | Impacts to Aboriginal and historic heritage associated with a locality (including intangible cultural significance), architectural heritage, social/community values and identity, scenic values and others, as described in sections 9.3, 9.5 and 9.6 and (for MNES heritage places) section 9.7. | Choose an item. |
| (f)  the impact on the habitat of protected animals, within the meaning of the Biodiversity Conservation Act  | Impacts to all native terrestrial species, including but not limited to threatened species, and their habitat requirements, as described in section 9.2. | Choose an item. |
| (g)  the endangering of a species of animal, plant or other form of life, whether living on land, in water or in the air | Impacts to all listed terrestrial and aquatic species, and whether the proposal increases the impact of key threatening processes, as described in section 9.2 | Choose an item. |
| (h)  long-term effects on the environment | Long-term residual impacts to ecological, social and economic values as described in all parts of section 9. | Choose an item. |
| (i)  degradation of the quality of the environment | Ongoing residual impacts to ecological, social and economic as described in section 9.4. | Choose an item. |
| (j)  risk to the safety of the environment | Impacts to public and work health and safety, from contamination, bushfires, sea level rise, flood, storm surge, wind speeds, extreme heat, rockfall and landslip, and other risks likely to increase due to climate change as described in sections 9.1, 9.3 and 9.4.  | Choose an item. |
| (k)  reduction in the range of beneficial uses of the environment | Impacts to natural resources, community resources and existing uses as described in sections 9.3 and 9.4. | Choose an item. |
| (l)  pollution of the environment | Impacts due to air pollution (including odours and greenhouse gases); water pollution (water quality health); soil contamination; noise and vibration (including consideration of sensitive receptors); or light pollution, as described in sections 9.1 and 9.3. | Choose an item. |
| (m)  environmental problems associated with the disposal of waste | Transportation, disposal and contamination impacts as described in section 9.3.  | Choose an item. |
| (n)  increased demands on natural or other resources that are, or are likely to become, in short supply | Impacts to land, soil, water, gravel, minerals and energy supply as described in section 9.4.  | Choose an item. |
| (o)  the cumulative environmental effect with other existing or likely future activities | The negative synergisms with existing development or future activities as considered in section 9.8. | Choose an item. |
| (p)  the impact on coastal processes and coastal hazards, including those under projected climate change conditions | Impacts arising from the proposed activity on coastal processes, and impacts on the proposed activity from those coastal processes and hazards, both current and future, as considered in section 9.1. | Choose an item. |
| (q)  applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1 | Inconsistency with the objectives, policies and actions identified in local, district and regional plans, as considered in section 3.2.2.  | Choose an item. |
| (r)  other relevant environmental factors. | Any other factors relevant in assessing impacts on the environment to the fullest extent, such as native title.  | Choose an item. |

**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):

* 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):

* The activity is likely to have a significant impact on matters of national environmental significance listed under the Cwth Environment Protection and Biodiversity Conservation Act

[ ]  No

[ ]  Yes

Reason(s):

* 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 NPWS [Construction Assessment Procedures](https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines/construction-assessment-procedures)

[ ]  No

[ ]  Yes

1. Supporting documentation

Please provide details of documentation included with this application.

**Note:** 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 assessments; AHIMS search; engineering plans and/or maps; specialist studies etc.

|  |  |  |
| --- | --- | --- |
| Document title | Author | Date |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. Fees for external proponents

Proponents external to NPWS are required to pay an initial fee of $220 (a final fee is also required before determination of the REF).

[ ]  $220 payment/cheque for initial fee is enclosed

[ ]  A waiver of fees is requested for the following reasons:

Please justify the request. If the activity consists of environmental remediation and/or the proponent is a community group, NPWS may waive the fees on request.

1. Declarations

The person preparing the REF must make the following declaration

As the person responsible for the preparation of the REF, I certify that, to the best of my knowledge, this REF is in accordance with the EP&A Act, the EP&A Regs and the Guidelines approved under section 170 of the EP&A Regs, and the information it contains is neither false nor misleading.

|  |  |
| --- | --- |
| Signature |  |
| Name (printed) |  |
| Position |  |
| Date |  |

The REF must also be certified by the **proponent**. Where NPWS Park Operations is the proponent, the REF must be endorsed by the Area Manager as the proponent.

**By endorsing the REF, the proponent confirms that the information in the REF is accurate and adequate to ensure that all potential impacts of the activity can be identified.**

|  |  |
| --- | --- |
| Signature |  |
| Name (printed) |  |
| Position |  |
| Date |  |

Seal (if signing under seal):

Next steps

* Submit the signed REF to the relevant NPWS Area Office, requesting determination of the REF and advice on when approval for the works may be forthcoming.

Appendix X: Threatened species tests of significance

Threatened species and ecological communities, or their habitats, which are likely to be affected by the activity must be identified and considered. Threatened species, populations and ecological communities are listed under the relevant schedules of the [Biodiversity Conservation Act 2016](https://www.legislation.nsw.gov.au/#/view/act/2016/63), [Fisheries Management Act 1994](http://www.legislation.nsw.gov.au/#/view/act/1994/38) and the [Environment Protection and Biodiversity Conservation Act 1999](https://www.legislation.gov.au/Series/C2004A00485) (EPBC Act). The EPBC Act also lists migratory species.

This is no set format for this Appendix. Section 3.7.1 of [*Guidelines for preparing a Review of Environmental Factors*](https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors) provides further guidance. However, a table with the following columns can be used to logically identify those species which should be covered by a test of significance and cross-reference to the relevant test:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Scientific name** | **Common name** | **NSW status** | **EPBC status** | **Likelihood of occurrence** | **Potential impacts** | **Cross-ref to test of significance** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

The results of the tests in this Appendix should be summarised in Sections 9.2 and 9.7 of the REF.

## Species and communities listed under the Biodiversity Conservation Act

For species and communities listed under the BC Act, the factors outlined in [s 7.3 of the BC Act](https://www.legislation.nsw.gov.au/#/view/act/2016/63/part7/div1/sec7.3) are to be taken into account for the purposes of determining whether a proposed activity is likely to significantly affect terrestrial threatened species or ecological communities, or their habitats.

These factors are to be addressed in this REF. In preparing the assessment, refer to the NSW [Threatened Species Test of Significance Guidelines](https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme/when-does-bos-apply/test-of-significance). Tests of significance may be prepared for relevant groupings (e.g. woodland birds, ground-dwelling mammals etc.).

## Species and communities listed under the Fisheries Management Act

For species listed under the FM Act, the factors outlined in [s 221ZV of the FM Act](https://www.legislation.nsw.gov.au/#/view/act/1994/38/part7a/div12/sec221zv) are to be taken into account for the purposes of determining whether a proposed activity is likely to significantly affect aquatic threatened species, populations or ecological communities.

These factors are to be addressed in an attachment to this REF. In preparing the assessment, refer to [Threatened Species Assessment Guidelines: Assessment of Significance](https://www.dpi.nsw.gov.au/fishing/species-protection/legislation-and-approvals/impact-assessment/info-sheet) published by DPI Fisheries.

## Species and communities listed under the Environment Protection and Biodiversity Conservation Act

Impacts on EPBC Act listed species and communities should be considered via a separate assessment against the criteria listed in the [Matters of National Environmental Significance: Significant impact guidelines 1.1](https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance). These vary according to the status of the species. Tests will need to be completed for migratory species as well as threatened species and threatened ecological communities. The proponent will still need to separately consider whether referral to the Commonwealth is required.