

























**(g) whether the action proposed 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**

## **Context**

This factor refers only to those key threatening processes (KTPs) listed in Schedule 3 of the TSC Act and Schedule 6 of the FM Act. The NSW legislation website [[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)] provides the most up-to-date information on what is listed in the schedules.

All determinations to list KTPs made by the NSW Scientific Committee and Fisheries Scientific Committees can be found at:

- the NSW Scientific Committee  
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations)
- the Fisheries Scientific Committees  
[\[www.fisheries.nsw.gov.au/threatened\\_species/general/what\\_is\\_currently\\_listed\]](http://www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed)

DECC and DPI have produced fact sheets for a number of KTPs. They can be found at:

- DECC fact sheets  
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications)
- DPI fact sheets  
[\[www.fisheries.nsw.gov.au/threatened\\_species/general/what\\_is\\_currently\\_listed\]](http://www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed)

## **Application**

In addition to deciding whether the action/activity constitutes a KTP, consideration must also be given to whether the proposal is likely to exacerbate a KTP. Species listed in the determination as being 'at risk' warrant particular consideration if these species are known or likely to occur within the study area of the development or activity.

## Making an assessment of significance

The threatened species assessment of significance should **not** be considered a 'pass or fail' test. Instead, consideration of the factors will inform the decision-making process of the likelihood of significant effect. Where necessary, the process will trigger further assessment in the form of a species impact statement.

All factors should be considered as well as any other information deemed relevant to the assessment. The assessment of significance should not be used as a substitute for a species impact statement. Application of the precautionary principle requires that a lack of scientific certainty about the potential impacts of an action does not itself justify a decision that the action is not likely to have a significant impact. If information is not available to conclusively determine that there will not be a significant impact on a threatened species, population or ecological community, or its habitat, then it should be assumed that a significant impact is likely and a species impact statement should be prepared.

Proposed measures that mitigate, improve or compensate for the action, development or activity should not be considered in determining the degree of the effect on threatened species, populations or ecological communities, unless the measure has been used successfully for that species in a similar situation.

In many cases where complex mitigating, ameliorative or compensatory measures are required, such as translocation, bush restoration or purchase of land, further assessment through the species impact statement process is likely to be required.

In determining the nature and magnitude of an impact, it is important to consider matters such as:

- pre-construction, construction and occupation/maintenance phases
- all on-site and off-site impacts, including location, installation, operation and maintenance of auxiliary infrastructure and fire management zones
- all direct and indirect impacts
- the frequency and duration of each known or likely impact/action
- the total impact which can be attributed to that action over the entire geographic area affected, and over time
- the sensitivity of the receiving environment
- the degree of confidence with which the impacts of the action are known and understood.

Recovery and threat abatement plans, priorities action statements, threatened species profiles and other fact sheets prepared by DECC and DPI may provide further guidance on whether an action or activity is likely to be significant.