



Review of Environmental Factors (REF) Pro-forma for Fishing Related Activities

ENVIRONMENTAL ASSESSMENT FOR THE PURPOSE OF PART 5 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EPA ACT)

This pro-forma is designed to assist you, as the proponent of an activity, prepare a Review of Environmental Factors (REF) for a proposed activity. Once completed, the REF should be submitted to I&I NSW for review and approval, in connection with your application for a permit where relevant.

Prior to preparing a REF please contact I&I NSW to confirm that a REF is required.

If you require more space to address an issue, please include your response on a separate piece of paper and attach it to this form. Please indicate on this form that additional information is attached.

For activities where potential impacts are complex or detailed information or analysis is required to understand the impacts, a stand-alone REF should be prepared instead.

For further information on preparing a REF (whether using this form or preparing a stand-alone REF), please refer to the I&I NSW Guidelines for Environmental Assessment of Fishing Related Activities. This pro-forma includes references to relevant part of those guidelines for further information.

A PROPONENTS DETAILS

Refer Part 7.1 of the Guidelines for Environmental Assessment of Fishing Related Activities.

A1 Name: _____

A2 Organisation: _____

A3 Address (street and postal): _____

A4 Phone/ fax/ mobile: _____

B DESCRIPTION OF PROPOSED ACTIVITY

Refer Part 7.2 of the Guidelines for Environmental Assessment of Fishing Related Activities.

B1 Describe the proposed activity (e.g. use eel traps in farm dams): _____

B2 Expected duration of activity (e.g. 1/1/10 to 1/1/11): _____

B3 Expected number of occasions activity will occur (e.g. total 5 days, intermittently): _____

B4 Purpose of the proposed activity (e.g. commercial harvest, research): _____

B5 Provide a justification for the proposed activity in terms of environmental, economic and social considerations. Discuss feasible alternatives, the reason for your preferred approach, and consequences of not carrying out the proposed activity:

B6 Describe any measures you propose to take to minimise impacts on the environment (including any impacts identified while completing the remainder of this form):

Provide any additional information necessary to accurately explain the proposed activity in full, including where relevant diagrams, photos, and or detailed descriptions of particular aspects of the activity, particularly those aspects that may contribute toward the activity having an impact on the environment.

C SITE IDENTIFICATION

Refer Part 7.3 of the Guidelines for Environmental Assessment of Fishing Related Activities

C1 Name AND maps of river, creek, lake, waterway, site: _____

C2 Is the activity expected to take place (in part of in full) in waters that are:

In a Marine Park yes no

Any related issues? _____

In an Aquatic Reserve? yes no

Any related issues? _____

In waters closed to the activity? yes no

Any related issues? _____

In an important commercial fishing area? yes no

Any related issues? _____

In an important aquaculture area? yes no

Any related issues? _____

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Issues with site identification? yes no

If site is subject to a land conservation agreement, is activity consistent with the plan of management?
yes no n/a

If site is subject to a wilderness protection agreement, is activity consistent with the plan of management?
yes no n/a

Is activity incompatible with any planning instruments? yes no n/a

D IDENTIFICATION AND EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

Refer **Part 7.4** of the Guidelines for Environmental Assessment of Fishing Related Activities

Identify potential environmental issues and assess the risk of potential impacts (direct and indirect) arising as a result of the proposed activity. In each case where the risk is assessed as being high or moderate, please provide information regarding the environmental consequences.

What is the risk that there will be:		High	Moderate	Low	Nil
D1	Any impacts on a community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D2	Any transformation of a locality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D3	Any environmental impact on the ecosystem of the locality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate for a species:					
.....					
.....					
D4	Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D5	Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species /disease and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D6	Any impact on the habitat of protected fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Identify potential environmental issues and assess the risk of potential impacts (direct and indirect) arising as a result of the proposed activity. In each case where the risk is assessed as being high or moderate, please provide information regarding the environmental consequences.

What is the risk that there will be:		High	Moderate	Low	Nil
D7	Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D8	Any long-term effects on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate for a species:					
.....					
.....					
D9	Any risk to the safety of the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D10	Any reduction in the range of beneficial uses of the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species /disease and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D11	Any pollution of the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D12	Any environmental problems associated with the disposal of waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate:					
.....					
.....					
D13	Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identify species and impact. Also detail consequences if risk is high–moderate for a species:					
.....					
.....					

E IDENTIFICATION OF POTENTIAL IMPACTS ON THREATENED SPECIES AND THEIR HABITATS

*Threatened species impact assessment is an integral part of environmental impact assessment in NSW. Refer **Part 7.5** of the Guidelines for Environmental Assessment of Fishing Related Activities.*

- E1 Are any **threatened species, populations or communities** of plant, mammal, bird, reptile, amphibian or fish likely to occupy, depend upon, pass through or use the waters or site where the activity is proposed to occur (i.e. are the waters or site likely to be habitat for a threatened species, population or ecological community)?

yes no

If yes, please list species/populations/ communities: _____

If you answered yes to the question above, you will need to assess the significance of potential impacts by completing a Test of Significance (see next page) for each species, population and community.

- E2 Is the activity proposed to occur in declared **critical habitat** for a threatened species or population?

yes no

If yes, please list the critical habitats: _____

If the activity is a proposed to take place in a critical habitat for a threatened species or ecological community a Species Impact Statement must be prepared. Alternatively you may modify your proposal. Requirements for the SIS must be obtained from I&I NSW or DECC depending upon the species concerned.

- E3 Is the activity one that could be categorised as a **key threatening process**, either wholly or partly?

yes no

If yes, please explain: _____

*If the activity is one that could be categorised as a **key threatening process**, either wholly or partly, an assessment of whether the activity is consistent with relevant priority action statements (previously threat abatement plans and recovery plans) is required. Alternatively you may modify your proposal.*

Test of Significance (7 Part Test)

Only complete the Test of Significance if you answered "yes" to E1 on the previous page. A Test of Significance is required for each threatened species, population or ecological community identified as likely to occur in the waters or site where the activity is proposed to take place.

Factor	Yes	No
<p>1 In the case of a threatened species, whether the action proposed 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:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2 In the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3 In the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</p> <p>i) 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 i</p> <p>ii) is likely to substantially and adversely modify the composition of the ecological community such that its occurrence is likely to be placed at risk of extinction:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>4 In relation to the habitat of a threatened species, population or ecological community:</p> <p>i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</p> <p>ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>5 Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly):</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6 Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>7 Whether the action proposed constitutes or is of a Key Threatening Process or is likely to result in the operation of, or increase the impact of, a Key Threatening Process:</p> <p><i>Comment:</i></p>	<input type="checkbox"/>	<input type="checkbox"/>

If the Test of Significance indicates that impacts are likely to be significant for one or more of the seven (7) factors above, you have two choices;

- (a) modify the proposal to eliminate or ameliorate the potential impacts. This may include redesigning the proposal, including additional ameliorative measures, including compensatory actions or offsets, rescheduling etc.
- (b) prepare a Species Impact Statement and submit it with the application. Requirements for the SIS must be obtained from I&I NSW or DECC depending upon the species concerned.

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Has the applicant adequately determined whether the waters or site where the activity is to occur is likely to be **habitat for a threatened species, population or ecological community (E1)**?

yes no

If not, seek additional information

If the activity is likely to occur in **habit for a threatened species, population or ecological community**, are the potential impacts of the activity likely to have a significant impact on any threatened species, population or ecological community? (**Assessment of Significance**)?

yes no

If yes, SIS is required or modify proposal

Is the activity proposed to occur within an area of **critical habitat** for a threatened species or population (**E2**)?

yes no

If yes, SIS is required or modify proposal

Is the proposed activity one that could be categorised as a **key threatening process**, either wholly or partly (**E3**)?

yes no

If yes, assessment against priority action statement(s) is required or modify proposal

F IDENTIFICATION OF POTENTIAL IMPACTS ON MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

*The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) establishes a system of environmental assessment and approval by the Commonwealth for actions that significantly affect matters of national environmental significance. Matters of national environmental significance require consideration during development assessment and approval processes in NSW under the Environmental Planning and Assessment Act 1979 (EPA Act). Refer **Part 7.6** of the Guidelines for Environmental Assessment of Fishing Related Activities.*

F1 In accordance with the NSW Assessments Bilateral Agreement, please advise I&I NSW if the proposed activity is likely to have an impact upon any 'Matter of National Environmental Significance' under the EPBC Act, such as:

- | | | | | |
|--|-----|--------------------------|----|--------------------------|
| (a) heritage values of World Heritage properties | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (b) listed National Heritage places | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (c) wetlands of international importance (Ramsar wetlands) | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (d) Commonwealth listed threatened species | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (e) Commonwealth listed ecological communities | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (f) listed migratory species | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
| (g) Commonwealth marine environment | yes | <input type="checkbox"/> | no | <input type="checkbox"/> |

If you believe it will, you have an obligation under the EPBC Act to refer the proposal to the Commonwealth Environment Minister for a decision as to whether the action is a 'controlled action' and therefore requires assessment and approval.

F2 If yes to any of the above, has the proposal been referred to the Commonwealth Environment Minister?

yes no n/a

F3 If yes, what was the Commonwealth Environment Minister's determination?

- Not a controlled action: no assessment required
- A controlled action: assessment required

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Should the proposal be referred to the Commonwealth Minister for determination if the action is a 'controlled action'? That is, are impacts upon matters of 'National Environmental Significance' likely?

yes no

If the proposal has been referred to the Commonwealth Environment Minister and s/he has determined that the proposal is a controlled action and needs to be assessed, an assessment report needs to be completed and a copy of the assessment report must be provided to the Department of Planning (who will provide it to the Commonwealth Minister).

G DECLARATION

G1 Person who prepared REF (if different from the proponent in Part A): _____

G2 Qualifications of person who prepared the REF: _____

G3 I declare that the information given in this REF is correct:

Name: _____

Signature: _____

Date: _____

Submitting your REF:

Submit your REF to I&I NSW, with permit application form (if relevant) to:

Fisheries Manager - Permits
Fisheries Permits and Environmental Assessment Unit
Industry and Investment NSW
PO Box 21
CRONULLA NSW 2230
Fax: (02) 8437 4993
E-mail: david.chalmers@industry.nsw.gov.au

Contacting I&I NSW:

For enquiries concerning permits and environmental assessment requirements please contact the Fisheries Permits and Environmental Assessment unit on (02) 8437 4975.

The remainder of this form is for office use only

CONCLUSION

Strike out two (2) of A, B or C.

A. The described activity

- 1. **is not** likely to have a significant effect on the environment, threatened species, populations or ecological communities, or their habitats, and
- 2. No assessment under the EPBC Act is required and
- 3. A permit (approval) can be issued with standard conditions.

B. The described activity

- 1. **is not** likely to have a significant effect on the environment, threatened species, populations or ecological communities, or their habitats if certain modifications, additional safeguards and ameliorative measures are implemented, and
- 2. No assessment under the EPBC Act is required and
- 3. A permit/approval can be issued with special conditions.

Recommended modifications/conditions: _____

C. The described activity

- 1. **is** likely to have a significant effect on the environment, threatened species, populations or ecological communities, or their habitats, or
- 2. **A referral to the Commonwealth Environment Minister has been made** and
- 3. A permit/approval should **not** be issued at this stage.

An Environmental Impact Statement is required: yes no
A Species Impact Statement is required: yes no
A determination by the Commonwealth Environment Minister is required: yes no

ADDITIONAL ISSUES

D. Site (or other) issues

Issues arising and recommendations: _____

CERTIFICATION

I certify that:

- a) the Department's responsibilities in terms of the *Environmental Planning and Assessment Act 1979* have been fulfilled (including responsibilities in relation to the NSW Assessments Bilateral Agreement between the NSW and Commonwealth Governments)
- b) all matters affecting or likely to affect the environment by reason of the activity proposed have been examined and taken into account to the fullest extent possible.

Name of Action Officer

Position

Signed: _____ **Date:** _____

Supported/Not Supported

Name and position of

Signed: _____ **Date:** _____