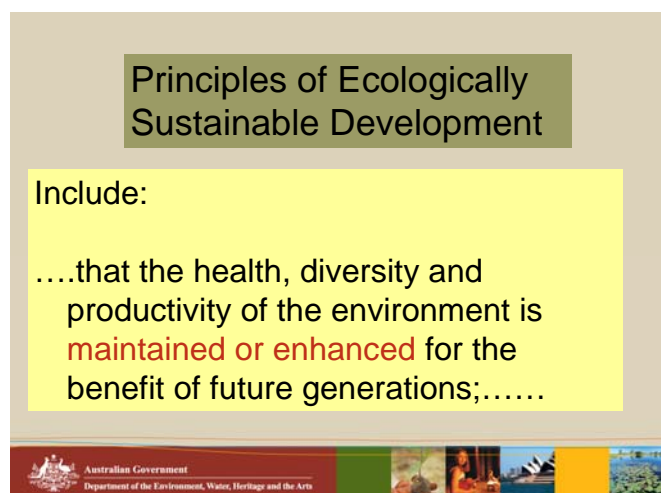


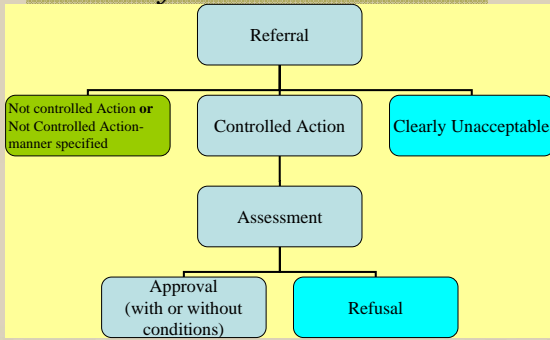
(some of) The Laws

Commonwealth	Environmental Protection and Biodiversity Conservation Act 1999
Australian Capital Territory	Environmental Protection Act 1997 Nature Conservation Act 1990 Planning and Development Act 2007
New South Wales	Environmental Planning and Assessment Act 1979 Fisheries Management Act 1994 Threatened Species Conservation Act 1995
Victoria	Environmental Effects Act 1978 Fisheries Act 1995 Flora and Fauna Guarantee Act 1988 Planning and Environmental Act 1987
Queensland	Environmental Protection Act 1994 Fisheries Act 1994 Integrated Planning Act 1997 Nature Conservation Act 1992
South Australia	Development Act 1993 Environmental Protection Act 1993 Fisheries Management Act 2007
Northern Territory	Environmental Assessment Act 1994 Fisheries Act 2005 Planning Act 2005
Western Australia	Environmental Protection Act 1986 Fish Resources Management Act 1994 Wildlife Conservation Act 1990 Planning and Development Act 2005
Tasmania	Land Use Planning and Approvals Act 1993 Nature Conservation Act 2002

Australian Government
Department of the Environment, Water, Heritage and the Arts



Environment Protection and Biodiversity Conservation Act 1999



EPBC Case studies

Tessman's Road, Qld



The Impact:

Phebalium distans

- known at 3 locations with 10 populations
- Tessman's Road population is largest and best known
- Direct and indirect impacts = 23% of total population

The Decision:

Clearly unacceptable due to impacts on the *Phebalium distans* that can not be adequately mitigated or offset

Perth to Bunbury Highway



The Impacts

- *Consequential and direct impacts on a RAMSAR wetland*
- *Loss of habitat for Baudin's and Carnaby's Cockatoo*
- *Loss and disturbance of habitat and direct mortality of Western Ringtail Possum*
- *Loss of habitat and individuals of Glossy-leaved Hammer Orchid*

Mitigation and offset Package included:

- *Threatened species management plans that include mitigation (including provision of rope bridges) and offsets (funding for recovery actions)*
- *Avoidance of largest orchid population*
- *Land offset for consequential impacts*

The decision

- *Approved with conditions 18 months after referred*

Hume Highway Duplication



The Impacts

- *Removal of approximately 50 ha of Box Gum Woodland*
- *Loss of 0.5 ha of habitat for striped legless lizard and Pink-tailed Worm-lizard*
- *Fragmentation, edge effects etc*

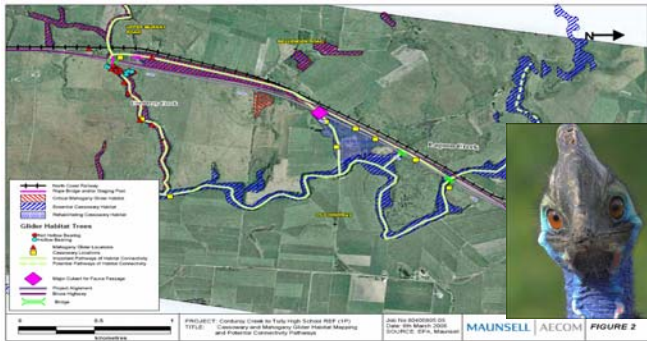
Mitigation and offset Package

- *Avoid disturbance to areas not to be cleared*
- *Weed and erosion control etc*
- *10:1 land offset for impacts on Box Gum Woodland and reptile species*

The decision

- *Approved with conditions 5 months after referred*

Tully Alliance Project Corduroy Creek to Tully High School



The Impacts

- Removal of habitat for Cassowary and Mahogany Glider
- Possible increased risk of collision due to increased speeds
- Fragmentation, edge effects etc

Mitigation Package

- Provision of culverts and fauna friendly bridge designs
- Provision of nest boxes and rope bridge
- Increase in area of food plants (away from road)
- Result – reduction in risk to species

The decision

- **Not a controlled action if undertaken in the manner specified – less than one month after referral**

Conclusions

- the need to 'maintain or enhance' is driving some of the desire to mitigate the impacts of roads
- Offsetting is also becoming an important 'tool' to deal with impacts under environmental legislation



Recommendations:

- Where impacts can not be avoided spend time designing mitigation prior to seeking approval
- Where impacts can not be mitigated explore options for offsets as early as possible
- Provide an assessment of consequential impacts and be prepared to account for these where they occur
- And remember that time and offsets cost money so mitigate where possible

Thanks

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Amy Bond *Griffith University*



And the rest of the organising Committee

Danielle Bolton and EAINZ



Australian Government

Department of the Environment, Water, Heritage and the Arts

