Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Great Barrier Reef Marine Park Authority

Environment Protection and Biodiversity Conservation Act 1999

Great Barrier Reef Marine Park Act 1975

GUIDELINES FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE GREAT KEPPEL ISLAND TOURISM AND MARINA DEVELOPMENT, QUEENSLAND

GKI RESORT PTY LTD
(EPBC 2010/5521/GBRMPA G33652.1)

February 2011

1 PREAMBLE

GKI Resort Pty Ltd (hereafter referred to as the proponent) proposes to develop a tourism and marina development on Great Keppel Island, Queensland. The proposal is a staged development expected to take between 10 to 15 years to complete.

The main components of the proposed development include: 750 villas, 300 apartments, a 250 suite hotel facility, a 250 berth marina, an 18-hole golf course and golf club, a retail area, a sporting oval, upgrade works to the existing airstrip, and the creation of 545 hectares of environmental protection areas.

The proposal was referred for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 1 June 2010. The assessment process commenced following a determination on 4 July 2010 by the then Federal Minister for Environment Protection, Heritage and the Arts that the proposed development was a controlled action under the provisions of the EPBC Act. The controlling provisions for the proposal under the EPBC Act are:

a) World Heritage properties (sections 12 & 15A);

b) National Heritage places (sections 15B & 15C;

c) Great Barrier Reef Marine Park (sections 24B & 24C);

d) Listed threatened species and communities (sections 18 & 18A);

e) Listed migratory species (sections 20 & 20A); and

f) Commonwealth marine areas (sections 23 & 24A).

On the same day, the then Minister for Environment Protection, Heritage and the Arts, the Hon Peter Garrett MP, determined that an Environmental Impact Statement (EIS) would be required for the proposal. The EIS Guidelines identify the issues that the Australian Government requires the proponent to address in the EIS.

As a component of the proposal involves an activity that requires a permission under the *Great Barrier Reef Marine Park Regulations 1983* (GBRMP Regulations) the referral under the EPBC Act is taken to be an application under the GBRMP Regulations. A single integrated assessment will be undertaken to support decisions under both the EPBC Act and *Great Barrier Reef Marine Park Act 1975* (GBRMP Act).

2 ENVIRONMENTAL ASSESSMENT AND APPROVAL PROCESS

2.1 PURPOSE OF GUIDELINES

This document is intended to set the scope of environmental, social, cultural, heritage and economic studies required in the EIS to allow for an assessment and decision on the appropriateness of the construction and operation of the Great Keppel Island tourism/marina development. These Guidelines have been jointly developed by the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC) and the Great Barrier Reef Marine Park Authority (GBRMPA) to address assessment requirements specified in Section 97 of the EPBC Act and Schedule 4 of the *Environment Protection and Biodiversity Regulations 2000* (EPBC Regulations) (refer **Attachment 1)** and GBRMP Regulations 88Q and 88R (refer **Attachment 2**) and the GBRMP Act (refer **Attachment 4**).

2.2 OPPORTUNITIES FOR PUBLIC INPUT

There are a number of opportunities for public input throughout the environmental impact assessment process. The following are statutory requirements for public input:

a) For a period of 10 business days when the EPBC Act referral was lodged on 1 June 2010 to the then Department of Environment, Water, Heritage and the Arts (DEWHA) and placed on DEWHA's website;

b) For a period of 40 business days on the draft EIS Guidelines; and

c) For a period of 60 business days during the period for public comment when the draft EIS has been completed and submitted to the Australian Government.

The Minister for Sustainability, Environment, Water, Population and Communities (the Minister) may also invite comments on the proposed decision.

In addition to the above statutory requirements, the proponent will be required to engage the community in consultation throughout the development of the EIS to inform the assessment of impacts of the proposed action.

3 DESCRIPTION OF THE PROJECT

3.1 THE PROPOSED PROJECT AREA

The proposed development is located on Great Keppel Island (1478 hectares), within the Keppel Island Group, which is located approximately 12 kilometres off the coast of Yeppoon on the central Queensland coast. Great Keppel Island is located within the Great Barrier Reef World Heritage Area, the Great Barrier Reef National Heritage place, and the Great Barrier Reef Marine Park.

Tenures on the Island include leasehold, council reserve, freehold, state owned land and land in trust. The proposed tourism development is located in areas of Great Keppel Island that are leased by the proponent, including Lot 21 SP192569, which covers a total area of 875 hectares.

The Island is currently occupied by the now closed Great Keppel resort, two backpacker's facilities and 20 residential/commercial premises.

3.2 DESCRIPTION OF PROPOSED ACTIVITIES

The major components of the action are expected to include:

a) 750 eco-tourism villas;

b) 300 eco-tourism apartments;

c) A 250 suite hotel facility at Fisherman's Beach (including day spa and swimming pools);

d) New marina at Putney Beach comprising 250 berths, emergency services facilities, ferry terminal, yacht club, and dry dock storage, including associated dredging activities;

e) Retail area with a mix of cafes, restaurants and clothing shops around the marina;

f) An 18 hole golf course and golf club (including golf pro shop, café, restaurant, swimming pool, convenience store, day spa, tennis courts and gymnasium facility);

g) Sporting oval/park;

h) Upgrade works and extension to the existing airstrip runway;

i) Associated service facilities and utilities (waste collection area, fire-fighting and emergency services hub, fuel, solar, wastewater treatment plant);

j) Wastewater treatment plant and constructed wetlands;

k) Scientific research centre;

l) Installation of sub-marine connection of power, water, telecommunications and possibly wastewater and gas line between the island and mainland;

m) Restoration work to the historic Leeke's homestead; and

n) Creation of 545 hectares of environmental protection areas, including marked walking tracks, compost toilets and picnic facilities.

The resort will be powered by a combination of solar energy and electricity supplied from the mainland via a proposed sea-cable. Water supply will be provided by rainwater tanks to be installed to all villas and throughout the resort, and supplemented by a mainland water connection. Transportation between the resort precincts is proposed to be undertaken via pedestrian access, bicycles and electric carts. Other transport between the various resort precincts will be provided by regulated resort mini-bus services.

3.3 TIMEFRAME

The proponent proposes to commence construction in 2012 subject to the receipt of all necessary approvals, with the construction period expected to take between 10 and 15 years. Construction will be staged, with Stage 1 expected to comprise decommissioning of existing infrastructure and construction of the new hotel at Fisherman's Beach, the marina, refurbishment of the historical Leeke's Homestead, creation of environment protection areas and associated infrastructure.

4 INFORMATION AND ADVICE RELATED TO THE PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT

4.1 THE OBJECTIVES OF AN ENVIRONMENTAL IMPACT STATEMENT

Environmental impact assessment depends on adequately defining those elements of the environment that may be affected by a proposed development, and on identifying the significance, risks and consequences of the potential impacts of the proposal at a local, regional and national level. The EIS will be a significant source of information on which the public and government decision-makers will assess the potential environmental impacts of the proposal.

It is expected that additional ecological and socio-economic work will be required to be undertaken to provide sufficient information for the EIS. The nature and level of investigations must be related to the likely extent and gravity of the potential impacts (including worse case scenarios). All potential impacts of the proposal on the environment are to be investigated and analysed, and commitments to avoid, mitigate and offset any adverse impacts are to be detailed in the EIS.

This document provides Guidelines (or terms of reference) for the drafting of the EIS based on the formal requirements for the contents of an EIS provided in:

a) Section 102 of the EPBC Act and Schedule 4 of the EPBC Regulations; and
b) Section 88Q and 88R of the GBRMP Regulations and Section 31 of the GBRMP Act.

In preparing the EIS the proponent must consider the following aims of the EIS and public review process:

a) To provide a source of information from which interested individuals and groups may gain an understanding of the proposal, the need for the proposal, the alternatives, the environment[1] which it could potentially affect, the impacts that may occur and the measures proposed be taken to minimise these impacts;

b) To provide a forum for public consultation and informed comment on the proposal; and

c) To provide a framework in which decision-makers can consider the environmental aspects of the proposal including biophysical, cultural, social, heritage, economic, technical and other factors.

The proponent must ensure that the EIS discusses compliance with the objectives of the EPBC Act and GBRMP Act, and the principles of ecologically sustainable development as set out in the EPBC Act (**Attachment 3**).

The draft EIS prepared by the proponent must be approved for publication by the Minister prior to it being published in accordance with the EPBC Regulations. An invitation for anyone to provide comments relating to the draft report within the period specified must also be published. After the period for comment, the proponent must take account of the comments received in finalising the EIS, which is then provided to the Minister. An assessment report for the controlled action is then prepared by SEWPAC. GBRMPA will also prepare an assessment report for components of the proposal requiring a permission under the GBRMP Regulations. Following this, in accordance with Part 9, Division 1 of the EPBC Act, the Minister will decide whether to approve the proposal and attach any conditions required. GBRMPA cannot grant a permission for actions requiring a permission under the GBRMP Regulations if the Minister has not decided to approve the taking of that component of the proposal under the EPBC Act.

It is the responsibility of the proponent preparing the EIS to identify and address, as fully as possible, all matters relevant to this proposal and its potential impacts.

---

[1] The definition for 'environment' is as stipulated under section 528 of the EPBC Act and should be considered when any reference to the 'environment' is made in the EIS.

The EIS must provide a description of the existing environment in the area affected by the proposal and any decommissioning of existing infrastructure, construction and operations proposed. All potential impacts on the environment are to be investigated and analysed. The EIS must present an evaluation of the potential environmental impacts using an accepted risk-based methodology and describe proposed measures to avoid, minimise or offset the expected, likely, or potential impacts. Particular attention must be given to potential impacts on the listed values of the Great Barrier Reef World Heritage Area and National Heritage place, the environment of the Great Barrier Reef Marine Park, listed threatened species and communities, listed migratory species, and the Commonwealth marine environment under the EPBC Act. Any prudent and feasible alternatives must be discussed in detail and the reasons for selection of the preferred option must be clearly given.

These EIS Guidelines are not necessarily exhaustive and should not be interpreted as excluding from consideration currently unforeseen matters that emerge as important from environmental studies or otherwise during the course of the preparation of the EIS.

The specific requirements to be addressed in the EIS are provided in Section 5. It is on these requirements that public comment is sought, with the earlier sections of this document providing the context.

4.2 General Advice

The EIS must be a stand-alone document. It must contain sufficient information from any studies or investigations undertaken to avoid the need to refer to previous or supplementary reports. The EIS is to address both the Australian Government Guidelines and the Queensland Government Terms of Reference. A cross referencing table should be provided in an Appendix to enable cross referencing of information provided in the EIS with Australian and State Government requirements.

The EIS must enable interested stakeholders and the assessing agencies to understand the environmental consequences of the proposed development. Information provided in the EIS must be objective, clear, succinct and, where appropriate, be supported by maps, plans, diagrams or other descriptive detail. The body of the EIS is to be written in a style that is easily understood by the general reader. Technical jargon must be avoided wherever possible and a full glossary included. Cross-referencing should be used to avoid unnecessary duplication of text.

Detailed technical information, studies or investigations necessary to support the main text must be included as appendices issued with the EIS. Any additional supporting documentation and relevant studies, reports or literature not normally available to the public from which information has been extracted must be made available at appropriate locations during the period of public display of the EIS.

If there is a need to make use of material that is considered to be of a confidential nature, for instance information obtained in regard to traditional use or of a commercial nature, the proponent may request that such information remain confidential and not be included in any publicly available document.

An executive summary must be provided in the EIS and made available as a stand-alone document for public information.

The EIS must state the criteria adopted in assessing the proposal and its potential impacts, such as: compliance with relevant legislation, policies, standards and best practice; community acceptance; maximisation of environmental benefits (if any); and minimisation of risks and harm.

Any and all unknown variables or assumptions made in the assessment must be clearly stated and qualified. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment must be discussed.

The proponent must ensure that the personnel providing information to address this EIS have the relevant qualifications and experience in their relevant fields.

The EIS must comprise three elements:

a) The executive summary;

b) The main text of the document, written in a clear and concise manner so as to be readily understood by general readers; and

c) Appendices containing:

   i. A table cross referencing Australian Government and State EIS requirements (by section number) with an EIS table of contents.

   ii. A copy of these Guidelines; and

   iii. Detailed technical information.

Sensitive commercial or cultural information should be included in a separate Appendix marked "Confidential".

Part 5 of these Guidelines details the Australian Government requirements for the EIS and has been set out in a manner that may be adopted as the format for the EIS. This format need not be followed where the required information can be more effectively presented in an alternative way. However, all requirements set out in the EPBC Act and Regulations and GBRMP Act and Regulations must still be addressed.

The EIS must be written so that any conclusions reached can be independently assessed. To this end all sources must be appropriately referenced.

5 SPECIFIC CONTENT REQUIREMENTS

An extract of Schedule 4 of the EPBC Regulations 2000, which sets out the matters that must be addressed in an EIS, is provided at **Attachment 1**. An extract of the GBRMP Regulations 88Q and 88R, which set out considerations for deciding whether or not to grant a permission, is provided at **Attachment 2**. An extract of the GBRMP Act, Section 31 which sets out the areas of the Marine Park and the process for amendment or revocation of a part of the Marine Park, is provided at **Attachment 4**. The following content requirements are based on these matters and considerations, with the addition of directions specific to the proposed action and the receiving environment. Requirements on presentation and consultation, that have proven valuable in communicating with members of the public and specific interest groups, are also included.

5.1 EXECUTIVE SUMMARY

An executive summary that outlines the key findings of the EIS must be provided. The executive summary must briefly:

a) State the background and the need for the proposal;

b) Discuss alternatives and the reasons for selecting the preferred option and rejecting the alternatives;

c) Summarise the decommissioning of existing infrastructure, pre-operational (construction), operational and post-operational activities associated with putting the proposal into practice;

d) State the proposed schedule for each key component of the proposal, the relationships and interdependencies between each stage, the expected duration of each stage and the proposal as a whole;

e) Provide an overview of the existing regional and local environments, summarising the features of the physical, biological, social, cultural and economic environment relating to the proposal and associated activities;

f) Summarise stakeholder consultation undertaken in preparing the EIS;

g) Describe the expected, likely and potential impacts of the proposal on the physical, biological, social, cultural and economic environment during decommissioning of existing infrastructure, pre-operational (construction), operational and post-operational phases;

h) Summarise the environmental protection measures and safeguards, mitigation measures, offsets and monitoring to be implemented for the proposal; and

i) Provide an outline of the environmental record of the proponent.

5.2 Objective

The objectives of the EIS must be clearly stated and include specific reference to EPBC Act and GBRMP Act legislative requirements.

5.3 General Information

The EIS is to provide the background of the proposed development. This is to include:

1. The title of the proposal;
2. The full name and postal address of the designated proponent;
3. A clear outline of the proposal;
4. The location of the proposal;
5. The background to the development of the proposal;
6. How the proposal relates to any other developments (of which the proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region (including the Keppel Group, islands in the southern GBR and the Capricorn Coast);
7. The current status of the proposal;
8. The consequences of not proceeding with the proposal or components of the proposal;
9. A brief explanation of the scope, structure and legislative basis of the EIS;
10. The specific EPBC Act and GBRMP Act matters affected by the proposal; and
11. A description of government planning policies, statutory controls and agreements which will influence the proposal. All applicable jurisdictions and areas of responsible authorities within the area (both terrestrial and marine) must be listed and shown on maps at appropriate scales.

5.4 The Proposal Description

This section must describe the proposal in sufficient detail to allow an understanding of all stages (including interdependencies between stages) and components of the proposal, and determine potential environmental impacts associated with the proposal. Those elements with potential implications for matters protected under Part 3 of the EPBC Act must be highlighted.

In relation to the requirement to describe all components of the proposal, all decommissioning, construction and operational components of the proposal (short and long term) must be described in detail. This includes, but is not limited to, the date or time period over which construction will take place, details of the locations of each component of the proposal, exact dimensions of structures to be built and materials (including proposed colours and height of buildings above tree-lines), equipment and machinery to be used as well as construction access requirements, lay down areas and workforce accommodation arrangements. Details of proposed maintenance, monitoring and enforcement programs to help limit the impacts of the ongoing operations, such as dredging and increased boating activity in the area, on matters of National Environmental Significance, along with the resources available to support these programs, must also be addressed.

A discussion of the assumptions underlying the predicted operation of the proposal and associated changes in the activities undertaken in the surrounding environment, including use of supporting facilities such as maintenance and storage yards, must be provided.

5.4.1 Project Details

The description of the proposal must cover:

1. The environmental principles on which the development will be managed;
2. All the components of the proposal including:
    (a) Site selection, based on an analysis of prudent and feasible alternative sites;
    (b) Lease arrangements, including longevity, public access and pest management;
    (c) Site preparation, including decommissioning of existing infrastructure;

(d) Development options, including an explanation of prudent and feasible alternatives;

(e) Associated infrastructure, including transport networks/corridors (both land and marine);

(f) Associated services including details of the total demand expected on mainland resources (for example electricity, water, waste disposal) during each phase of the development;

(g) Construction;

(h) Commissioning;

(i) Operation, including details of the expected tourist and residential populations for each stage of the proposed development; and

(j) Related maintenance activities, both long and short term.

3. The precise location of works to be undertaken (including specific footprint area(s)), structures to be built or other elements of the proposal that may have impacts on the environment. This must include elements on Great Keppel Island, the Keppel Group, the mainland and the marine environment which may be used to service the proposal. Aerial photographs, maps, figures and diagrams must be incorporated where appropriate.

   A general location map must be provided that illustrates the distances of the notional development areas and the locations of any areas which are consequential to the proposal, including 'upstream', 'downstream' and nearby areas likely to be affected by the proposal. The map must include the location of other known or potential future developments occurring on the islands in the Great Barrier Reef and the mainland along the Capricorn Coast.

   The following maps and figures must be provided in relation to the Great Barrier Reef Marine Park and Great Barrier Reef World Heritage Area:

   - A detailed map showing the boundary of the Great Barrier Reef Marine Park, including the location of Mean Low Water around Great Keppel Island, in relation to proposed development footprints of the marina, dredging channel, submarine infrastructure and any other marine based developments (including GPS coordinates of the footprint boundaries and mean low water);
   - A detailed map showing the Great Barrier Reef Zoning adjacent to Great Keppel Island in relation to the proposed development areas;
   - A map showing the Great Barrier Reef Zoning of the Keppel Island group and adjacent coastline;
   - A map showing the location of the proposal in relation to the Great Barrier Reef World Heritage Area and National Heritage place; and
   - Simulated viewfields of the proposal showing its visual impact from the adjacent coastline, adjacent islands and the Great Barrier Reef World Heritage Area to the east.

   Reference must be made to detailed technical information in appendices where relevant.

4. How the works are to be undertaken and design parameters for all aspects of the structures or elements of the proposal. This must include:

   - An explanation of the anticipated timetable for the decommissioning of existing infrastructure, construction and operation;
   - Details of the decommissioning of existing infrastructure, construction and operational equipment to be used;
   - Details of the environmental parameters (incorporating predictions of climate change and 'worst case scenarios') the structures are designed to withstand; and
   - Number and source of staff, and training in relation to environmental management matters for staff involved in all phases of the project.

5.5 MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

In relation to matters of National Environmental Significance listed as controlling provisions for the proposal an inventory of surveys, whether office-based or field-based, must be provided. These may be

provided as appendices, but must at least be fully referenced and must be made publicly available unless SEWPAC is furnished with compelling reasons not to do so. Any anticipated future surveys to be conducted in relation to matters of National Environmental Significance, whether office-based or field-based, must also be discussed.

Output from the protected matters search tool (accessible from SEWPAC's website) must be also included as an appendix. The results, indicating the presence of matters of National Environmental Significance, must also be provided. Any species or values considered likely or known to occur in areas impacted by the controlled action must be addressed. The description of matters of National Environmental Significance should focus on, but not be limited to the following controlling provisions:

a) World Heritage Properties (sections 12 & 15A);

b) National Heritage Places (sections 15B & 15C);

c) Great Barrier Reef Marine Park (sections 24B & 24C)

d) Listed threatened species and ecological communities (sections 18 & 18A);

e) Listed migratory species (sections 20 & 20A); and

f) Commonwealth marine areas (sections 23 & 24A).

5.6 Alternatives to the Proposal

This section must describe, to the extent reasonably practicable, any prudent and feasible alternatives to the proposal. For each alternative listed the proponent should detail the project details, impacts (positive and negative), location, scale, configuration and staging options. This section must describe, but not be limited to the following:

1. The alternative of taking no action or not proceeding with components of the proposal;
2. Potential alternative locations for different components of the proposal;
3. Potential alternative configuration or scale options for key components of the proposal;
4. A comparative description of the adverse and beneficial impacts of the development as a whole, each component of the development, and location on the matters protected by the controlling provisions for the proposal;
5. A description of how each stage would be affected if one or more of the stages does not occur or is significantly modified;
6. Sufficient detail must be provided to make clear why any alternative is preferred to another;
7. The reasons for choosing the preferred location and option for the development as a whole, and each key component of the proposal, must be explained. The explanation must include a comparison of the adverse and beneficial effects used for selecting the preferred location and option, and compliance with the objectives of the EPBC Act and GBRMP Act (including the principles of ecologically sustainable development);
8. The advantages and disadvantages of alternatives when considered against relevant matters protected under the EPBC Act and GBRMP Act, including critical issues identified in the Great Barrier Reef Outlook Report 2009, must be specifically addressed; and
9. Short, medium and long-term advantages and disadvantages of the options must be considered.

5.7 Consultation

The proponent is required to consult with Traditional Owners (which must include Dharambul and Woppaburra) and stakeholders, with a particular focus on individuals/sectors that may be affected by the proposal, as part of the EIS process.

Details of any consultation about the proposal must be provided. This is to include:

1. Consultation that has already taken place including details on the frequency, forum and timeframes provided for consultation;

2. Identification of Traditional Owners and stakeholder interests, including stakeholders likely to be affected by the proposal;
3. Details of how Traditional Owners and stakeholders were able to provide feedback on the proposal;
4. Details of issues discussed, including a description of the views of affected parties;
5. Details on how Traditional Owner and stakeholder comments received during consultations have been addressed in the EIS; and
6. Any further proposed consultation about potential impacts of the proposal.

5.8 THE EXISTING ENVIRONMENT

This section must provide a description of the project area including baseline information on Great Keppel Island's terrestrial, coastal and marine environments, including hydrology, sediment flows, geography, flora and fauna, cultural and heritage values, and all relevant socio-economic considerations. This section must link to the proposal description, potential impacts, and proposed avoidance, mitigation and/or offset measures throughout the life of the project including decommissioning of existing infrastructure, pre-construction, construction and operation. This section is to also identify and reference any relevant (published and unpublished) studies undertaken in the area which will assist in describing patterns and trends in the environment.

5.8.1 BIO-PHYSICAL ENVIRONMENT

This section must include the following elements of the environment related to the proposed development:

(a) Describe climate and atmospheric characteristics (air quality, seasonal temperatures, humidity, wind, evaporation and annual and monthly rainfall) of Great Keppel Island and the Keppel Island Group including extreme climatic and atmospheric events that have occurred. Weather information must be sourced from as close to the proposed development location as possible.

(b) Provide information and a detailed map displaying all current land and sea uses, and tenures on Great Keppel Island and nearby areas likely to be affected by the proposed development;

(c) Provide information and a detailed map displaying all geological features and soil types (including potential acid sulphate soils) on Great Keppel Island;

(d) Provide information and a detailed map describing the existence, nature and extent of contaminated sites;

(e) Provide qualitative and quantitative information on groundwater systems and a detailed map showing the location of ground water aquifers (both fresh and saltwater);

(f) Provide information on surface water systems and a detailed map showing the location of watercourses;

(g) Provide a description of biota/biotic habitats, including a map of marine/intertidal habitats (including information on seasonal fluctuations e.g. seagrass prevalence), likely to be affected by the proposed development;

(h) Provide the results of surveys and relevant research and a detailed map displaying the location of any regional ecosystems listed under Queensland's *Vegetation Management Act 1999*, ecological communities listed as threatened under the EPBC Act, and the location of any flora species of national, regional and conservation significance;

(i) Include a summary of the location, size and breeding status of terrestrial and marine threatened and migratory species listed under the EPBC Act which are likely to occur in the area affected by the proposal.

Information on listed threatened and migratory species, including foraging, roosting, resting and nesting habitats, must include but not be limited to:

i. The importance of habitat in a local, regional, national and international context;

ii. The status of the population (e.g. abundance) in the area likely to be affected by the proposed development relative to other areas outside the area likely to be affected;

iii. Local and regional representation;

iv. Conservation and biodiversity values;

v. Economic, social and cultural values of species;

vi. The extent (in hectares) of any areas of important or unique habitat; and

vii. Seasonality influences.

(j) Include a summary of the location and size of threatened ecological communities listed under the EPBC Act which are likely to occur in the area surrounding the proposal:

Information on listed ecological communities must include but not be limited to:

i. The importance of habitat in a local, regional and national context;

ii. Local and regional representation;

iii. Conservation and biodiversity values;

iv. Economic, social and cultural values of species; and

v. The extent (in hectares) of any areas of important or unique habitat.

(k) Identify, describe and map environments important to the health of the Great Barrier Reef Marine Park, including terrestrial and intertidal habitats and Island watercourses, that are likely to be affected by the proposed development;

(l) Identify, describe and map reef communities[2] and those species supported by coral reefs in areas likely to be affected by the proposed development, including information on species diversity and abundance;

(m) Identify, describe and map seagrass communities in areas likely to be affected by the proposed development, including information on species diversity, seasonality and abundance;

(n) Identify, describe and map soft sediment fauna communities (e.g. infauna, benthic invertebrates) in areas likely to be affected by the proposed development, including information on species diversity, seasonality and abundance;

(o) Describe oceanographic conditions in the region, especially those which may have a bearing on the proposal. Include information on seasonal variation, waves, tides, currents, water salinity, clarity, temperature and depths. Discuss the frequency and severity of weather conditions such as storms and cyclones, for two, ten and 100 year conditions;

(p) Provide a description of the coastal features of Great Keppel Island (for example, seabed, shoreline, beaches and rocky headlands) and describe coastal processes (for example erosion and deposition) that are occurring. This description must incorporate seasonality. Information must include, but not be limited to:

i. The importance of coastal features in a local, regional and national context;

ii. Local and regional representation;

iii. Conservation and biodiversity values;

iv. Socio-economic and cultural values of coastal features (refer 5.9.2 below); and

v. The extent (in hectares) of any areas of important or unique habitat.

(q) Provide a description of the biodiversity and biogeography of the receiving environment. Sensitive environments and species must be identified along with:

i. Key ecological relationships and interdependencies (e.g. species aggregations, flora and fauna relationships etc) with particular attention to the receiving environment in the Great Barrier Reef Marine Park; and

---

[2] A reference to reef communities includes all Great Barrier Reef ecosystem components including corals, algae, mangroves, soft sediment habitats etc (as per the Great Barrier Reef Outlook Report 2009).

ii. A description of the relative importance of the sensitive species and/or environment and the role it plays in overall ecosystem functioning and the functional redundancy of that species and /or environment;

(r) Identification of any existing or proposed reserves in or adjacent to the project and their status. Include the reserve characteristics, status, IUCN category, and values and relevant management strategies;

(s) Identification of the World Heritage and National Heritage values expressed in the vicinity of the proposed development, including an evaluation of the contribution that the values expressed at this location make the overall values for the Great Barrier Reef World Heritage Area and National Heritage place; and

(t) Identification of those aspects of the Commonwealth marine area potentially affected by the proposal, including but not limited to baseline data on listed threatened, migratory and marine species and any other species of conservation significance, including cetaceans.

5.8.2 Socio-Economic and Cultural Environment

Discussion of the socio-economic and cultural environment must provide:

(a) Baseline demographic information of the Capricorn Coast communities (e.g. from Australian Bureau of Statistics, Queensland Office of Economic and Statistical Research, Bureau of Rural Sciences) and a detailed description of all stakeholders, together with key social, economic and cultural issues related to the proposal (from community and stakeholder perspectives);

(b) A description of all historical, current and projected types of use and users, including patterns and trends in use, of the notional development areas and Great Barrier Reef Marine Park zones of the Keppel Group. Include a discussion of scientific research, commercial and non-commercial tourism, commercial, traditional and recreational fishing activities as well as non-fishing recreational activities;

(c) A description of local, State and Australian government planning policies and statutory controls which will influence the project, surrounding areas of future, planned and current use. All applicable jurisdictions and areas of responsible authorities within the area must be listed and shown on maps at appropriate scales;

(d) A description of the Great Barrier Reef Marine Park zoning adjacent to Great Keppel Island and the Great Barrier Reef Marine Park zoning of the Keppel Island group and adjacent coastline and how the zoning affects use;

(e) A description of any places with known or anticipated heritage, social or cultural values (including any Traditional Use of Marine Resource Agreements), such that they have been recognised with listing or recording under relevant State or Commonwealth legislation or are anticipated to be listed under such legislation;

(f) Information on the location (past and present considering sea level rise) and importance of sites and features of cultural significance on Great Keppel Island and Keppel Group and in the surrounding marine environment, including anthropological and archaeological sites or features of significance to the Traditional Owners in of the area. A description of how these sites and features were identified must be provided;

(g) A description of the Native Title status of the area in relation to Great Keppel Island and Keppel Group and surrounding waters; and

(h) Information on historical and current visitation activities and numbers of tourists and residents on Great Keppel Island and Keppel Group, including patterns and trends in visitation use.

5.9 Impacts of the Proposed Development

This section must provide clear linkages with the existing environmental values described in section 5.8 and safeguards, mitigation measures, monitoring and offsets described in section 5.10 and 5.11. This section must include:

(a) A description of all potential impacts of the proposal on the bio-physical, cultural, heritage and socio- economic environment;

(b) Map(s) of key components (i.e. footprint) of the proposal over Great Keppel island and surrounding waters;

(c) A description of the framework used to assess impacts, including risk assessment processes;

(d) A statement on whether any potential impacts are likely to be unknown, unpredictable or irreversible;

(e) Analysis of the significance of the potential impacts;

(f) Any technical data, any sources of authority, and other information used or needed to make a detailed assessment of the relevant potential impacts. Reliability of forecasts, modelling and predictions, confidence limits and margins of error must be indicated as appropriate; and

(g) A detailed assessment of the nature and extent of the potential short term and long term relevant impacts including: on World Heritage and National Heritage values of the Great Barrier Reef World Heritage Area; listed threatened species and ecological communities; listed migratory species; the Great Barrier Reef Marine Park; the Commonwealth Marine Area (under Part 3 of the EPBC Act); and on listed marine species (under part 13 of the EPBC Act).

5.9.1 General Impacts

This section must include:

(a) Discussion of potential impacts to habitat, with particular focus on habitat for listed threatened species which are likely to be impacted during decommissioning of existing infrastructure, construction and operation;

(b) Discussion of potential impacts which may arise through the transportation, storage and use of dangerous goods (if any), fuels and chemicals, such as accidental spills;

(c) A description of the environmental risk associated with contaminated sites including exposure pathways available to substances and whether substances have migrated or are likely to migrate from the land.

(d) Discussion of potential impacts which may arise from the introduction of pest species on the terrestrial and marine environment;

(e) A risk assessment of changing climate patterns that may affect the proposal and surrounding environment and a description of the preferred and alternative adaptation strategies to be implemented;

(f) In discussing potential impacts, consider how the interaction of extreme environmental events (e.g. cyclones, coral bleaching, flood events) and any related cumulative impacts may impact on the proposal and the environment (both independently and cumulatively); and

(g) Consideration of potential impacts throughout the life of the proposal – from decommissioning of existing infrastructure and construction through to, and including, operation.

5.9.2 Impacts to Listed Migratory Species, Threatened Species and Ecological Communities

The EIS must provide an assessment of all potential and likely impacts to listed migratory species, threatened species and ecological communities from the construction and on-going operation of the development, including but not limited to impacts on:

(a) Marine turtles;

(b) Cetaceans;

(c) Dugongs;

(d) Elasmobranchs;

(e) Migratory birds, including shorebirds; and

(f) Terrestrial flora and the ecological community Littoral Rainforest and Coastal Vine Thickets of Eastern Australia.

5.9.3 IMPACTS TO LISTED VALUES OF THE GREAT BARRIER REEF WORLD HERITAGE AREA

Provide an assessment of all potential and likely impacts to the World Heritage values of the Great Barrier Reef World Heritage Area that have been identified as being expressed in the vicinity of the proposal during decommissioning of existing infrastructure, construction and operation of the proposal. This assessment must include an analysis of the impact of the proposal on the expression of the values at this location and how this in turn impacts on the overall values of the Great Barrier Reef World Heritage Area.

5.9.4 IMPACTS TO LISTED VALUES OF THE GREAT BARRIER REEF NATIONAL HERITAGE PLACE

Provide an assessment of all potential and likely impacts to the National Heritage values of the Great Barrier Reef National Heritage place that have been identified as being expressed in the vicinity of the proposal during decommissioning of existing infrastructure, construction and operation of the proposal. This assessment must include an analysis of the impact of the action on the expression of the values at this location and how this in turn impacts on the overall values of the Great Barrier Reef National Heritage place.

5.9.5 IMPACTS TO THE ENVIRONMENT OF THE GREAT BARRIER REEF MARINE PARK

Provide an assessment of all potential and likely impacts of the proposal during decommissioning of existing infrastructure, construction and operation on the environment of the Great Barrier Reef Marine Park, and specifically address matters outlined in sections 88Q and 88R of the GBRMP Regulations. The assessment must include, but not be limited to the following matters:

(a) Downstream impacts of the proposed tourism development on Great Keppel Island on water quality, including:

  i. alterations to sediment and storm water runoff, including increased sedimentation from vegetation disturbance/clearance/erosion, and its impact on downstream biodiversity and sensitive ecosystems, including the Marine Park;

  ii. potential impacts to water catchments and alterations to wetland functioning; and

  iii. potential impacts associated with the treatment and management of waste water and contaminated surface water runoff into the environment (e.g. from batching plants), and a discussion of the fate of the waste and what effect the discharge of the waste will have on the marine environment;

(b) Potential impacts to ground and surface water resulting from physical disturbance to hydrological regimes;

(c) Assessment of sustainable limits of extraction from aquifers, recharge rates of each aquifer and how much water the proponent plans to extract from the aquifers (monthly and total annual extraction rates) for each phase of the development;

(d) Direct impacts of the proposal (including marina construction/operation and installation of sub-sea utilities) on water quality, including salinity, turbidity, suspended sediments, colour, odour, dissolved oxygen, nutrient levels, concentrations of heavy metals, pH, hydrocarbon spills, and other relevant parameters or dissolved substances;

(e) Impacts of the proposal on the sea floor, coastline and water circulation, and the likely impacts of altered water circulation patterns or volumes on the environment;

(f) Impacts to the sea floor through anchoring and direct placement of material/infrastructure, sediment disturbance, as well as any impacts of decommissioning any infrastructure. The GBRMP zone of likely seabed disturbance must be identified;

(g) Impacts of the proposal on noise levels and vibration impacts, including impacts associated with construction activities (e.g. marina), increased aircraft and increased vessel movement from the proposed marina and development operations;

(h) Impacts of the proposal on air quality (any information on greenhouse gas emissions should be presented consistent with the Australian Government's standard National Carbon Accounting Toolbox);

(i) Impacts to marine flora and fauna species and biotic habitats, including sensitive environments such as coral reefs and seagrasses. The assessment must consider changes to species

composition and abundance, community type and functionality, propagation of species and potential barriers to species' movement or gene flow;

(j) Impacts to macrobenthic species, fish, sea snakes and larger marine fauna species (composition and population densities) including changes to communities' breeding success, habitat, potential barriers or disturbances to migration or migratory patterns and other wildlife movements;

(k) Impact of anticipated illumination on seabirds, marine turtles and other migratory species, including impacts on nesting and disorientation;

(l) Impacts of increased visitor use on turtle nesting and hatchings on Great Keppel Island and the Keppel Group;

(m) Impact on cetaceans, dugongs, and marine turtles from increased vessel movement from the proposed marina and the potential for boat strike;

(n) Impacts of dredging activities (capital works and maintenance dredging) including information regarding: area and volume of material to be dredged; likely composition of dredge material; dredging methodology, including dredging plant to be used, duration and frequency of dredging programs, and location of spoil disposal site; extent and impact of plumes generated from dredging and spoil disposal; and impacts from changes to bathymetry and hydrology;

(o) Impacts of reclamation activities in the Marine Park including information regarding: area to be reclaimed, habitat types of area to be reclaimed, location of fill, type of fill, means of transport and positioning of fill;

(p) A description of the Marine Parks zones that will be utilised as part of the proposal; the objectives of zones; an assessment of the consistency of the proposal with the objectives of relevant zones; and, the permissibility of proposed activities under the Great Barrier Reef Marine Park Zoning Plan 2003;

(q) Impacts on the orderly and proper management of the Marine Park, including demand for increased management resources on Great Keppel Island, the Keppel Island Group and adjacent coastal areas;

(r) Impacts of the proposal in the context of other conduct in waters adjacent to Great Keppel Island, the Keppel Island Group and adjacent coastal areas, including future use;

(s) The effect of the proposed conduct on the public appreciation, understanding and enjoyment of the Marine Park;

(t) Consistency of the proposal with GBRMP policies and guidelines for the management of the Marine Park;

(u) Impacts of the proposal on the social, cultural and heritage values of Marine Park for each stage of the proposal including:

   i. Impacts on sites and features of cultural significance (both above and below mean low water), including anthropological and archaeological sites or features of significance to the Traditional Owners of the area;

   ii. Impacts on the Woppaburra Traditional Use of Marine Resources Agreement and the Woppaburra's aspirations for their land and sea country;

   iii. Implications of the proposal on Native Title status of the area;

(v) Impacts on current and projected commercial, recreational and scientific use of the Marine Park, including changes to visitation patterns on Great Keppel Island and in the Keppel Group;

(w) Impacts on heritage and social values of the Marine Park, including sites of historic or archaeological significance;

(x) Impacts on amenity (including from the mainland, air, vessels and surrounding Keppel Group); and

(y) A description of anticipated positive and negative social, cultural and/or economic impacts of the proposal on key stakeholder groups and individuals. This should include a consideration of anticipated changes in the social, cultural and heritage values of the Marine Park.

5.9.6 DESIGN IMPLICATIONS OF THE MARINA ON THE BOUNDARY OF THE GBRMP:

Section 31 of the *GBRMP Act 1975* details the Areas of the Marine Park. The proponent must consider and detail any implications of this proposal on the boundary of the Marine Park having regard to the requirements under Section 31 of the GBRMP Act (refer **Attachment 4**). Early scoping and design of the proposed marina should be discussed with the Great Barrier Reef Marine Park Authority.

5.9.7 IMPACTS TO THE COMMONWEALTH MARINE ENVIRONMENT

Provide an assessment and discussion of the potential direct, indirect and consequential impacts of the proposed development on the Commonwealth marine environment, including but not limited to:

(a) Impacts resulting from an increase in vessel movement from the proposed marina, and the potential for boat strike on marine fauna in the Commonwealth marine area;

(b) Impacts on other users of the area; and

(c) Potential risk of pest species becoming established in the Commonwealth marine area.

5.9.8 PHYSICAL AND BIODIVERSITY IMPACTS DUE TO PROPOSED DEVELOPMENT

1. Provide an assessment and discussion of how decommissioning of existing infrastructure, construction and operation of the proposed development will impact on the terrestrial, coastal and marine environments of Great Keppel Island. Information must include, but not be limited to:

   (a) Likely impacts to the ecological integrity of wetland areas;

   (b) Likely impacts to the ecological integrity of ecosystems important to maintaining the health of Great Barrier Reef ecosystems;

   (c) Likely impacts to the groundwater systems and hydrological regime of drainage on Great Keppel Island;

   (d) A discussion of how the construction and operation of the proposed development is likely to alter rates of erosion, sedimentation and deposition downstream; and

   (e) Likely impacts to the coastal processes and coastal features of Great Keppel Island, the Keppel Group and surrounding habitats.

2. Consider potential impacts to fauna and flora species and communities (composition and population densities);

3. Consider potential impacts arising from the introduction and/or spread of exotic pest species; and

4. Discussion of the reversibility of each component of the proposal, once constructed.

5.9.9 CUMULATIVE IMPACTS OF THE PROPOSED DEVELOPMENT

The EIS must identify and address cumulative impacts, where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the vicinity, including islands in the southern Great Barrier Reef and the mainland along the Capricorn Coast).

The EIS must also address the potential cumulative impact of the proposal on ecosystem resilience. Where relevant to the potential impact, a risk assessment must be conducted and documented.

The risk assessment must include known potential future expansions or developments by the proponent and other proponents and known impacts on ecosystem resilience. Information on cumulative impacts must include, but not be limited to:

(a) Description of existing developments (including construction status) of a similar type and scale to the proposed development, or key components of the proposed development (e.g. marina), within the Central Queensland region, that have been approved within the last five years;

(b) Discussion of the range of developments which will be facilitated or impacted (either positively or negatively) by the proposal;

(c) Discussion of the developments and activities which are likely to be facilitated by the proposal;

(d) Discussion of known impacts on ecosystem resilience, including reference to issues identified in the Great Barrier Reef Outlook Report 2009;

(e) Discussion of any potential future changes to the development which are likely to change the nature or scale of environmental impacts; and

(f) Discussion of the impacts of other tourism, residential, industrial and infrastructure projects both directly and indirectly related to the proposal in a regional context.

5.9.10 CONSEQUENTIAL IMPACTS

Provide a detailed assessment of any likely impacts that this development may facilitate on the following:

(a) The World Heritage values of the Great Barrier Reef World Heritage Area;

(b) The National Heritage values of the Great Barrier Reef National Heritage place;

(c) The environment of the Great Barrier Reef Marine Park;

(d) Listed threatened species and ecological communities;

(e) Listed migratory species; and

(f) The Commonwealth marine environment.

5.10 SAFEGUARDS, MITIGATION MEASURES AND MONITORING, OFFSETS

5.10.1 MITIGATION MEASURES

The EIS is to outline the proposed safeguards and mitigation measures to be put in place for every phase of the proposal to deal with relevant potential impacts of the development. This section must:

(a) Identify the level of risk associated with potential impacts identified in section 5.9 and those that require mitigation, monitoring or management to avoid or reduce impacts to an acceptable level;

(b) Provide a consolidated list of mitigation measures proposed to be undertaken to remediate, avoid, minimise or manage the relevant potential impacts of the proposed development as identified in section 5.9, including any management measures proposed to be taken by Commonwealth, State or local governments. Mitigation measures described should cover design, decommissioning of existing infrastructure (including remediating contaminated sites), construction and operational phases (including transportation to and from the island) of the proposed development;

(c) Describe and assess the expected or predicted effectiveness of, the proposed mitigation, monitoring, management measures and performance measures to monitor and evaluate effectiveness over time;

(d) Describe the statutory or policy basis for the monitoring and mitigation measures; and

(e) Name of the agency responsible for endorsing or approving each mitigation, monitoring and management measure.

Particular focus must be given to:

(a) Determining factors in the planning of the proposal so as to avoid damage to the environment;

(b) Measures to avoid or minimise damage to estuarine environments;

(c) Measures to avoid or minimise damage to the World Heritage values of the Great Barrier Reef World Heritage Area;

(d) Measures to avoid or minimise damage to the National Heritage Values of the Great Barrier Reef National Heritage place;

(e) Measures to avoid or minimise damage to the environment of the Great Barrier Reef Marine Park;

(f) Measures to avoid or minimise disturbance to fauna and flora found around and within the proposal area (particularly listed threatened species and listed migratory species); and

(g) Staff training, including training in relation to environmental issues.

The EIS must describe the proponent's capacity to satisfactorily develop and manage the project including the capacity to remove, clean up, rehabilitate and/or take preventative action for the entire proposal.

The EIS must identify the cost to remove infrastructure and restore the environment, and to salvage lost or damaged facilities should the development fail or the proponent becomes insolvent. The proponent must provide at least two independent salvage quotes for the removal of infrastructure and remediation of the environment covering each component/phase of development within the Marine Park.

5.10.2 Offsets

Environmental offsets are broadly understood to mean actions taken outside a development site that compensate for the impacts of that development - including direct, indirect or consequential impacts.

Environmental offsets provide an opportunity to achieve long-term conservation outcomes whilst providing flexibility for proponents seeking to undertake development which will have environmental impacts.

Offsets are not intended to replace avoidance and mitigation which are expected to be the primary strategies for managing the potential impacts of development proposals. Environmental offsets must be related to the matter protected.

This section of the EIS must outline plans to offset the potential impacts of the proposal. Environmental offsets may be appropriate when they:

(a) Are necessary to protect or repair impacts to a protected matter – i.e. a matter of national environmental significance or the environment more broadly;

(b) Relate specifically to the matter (for example, species) being impacted; and

(c) Seek to ensure that the health, diversity and productivity of the environment are maintained or enhanced.

5.11 Monitoring and Reporting

Appropriate baseline data requirements are to be identified as part of the EIS to form the basis for baseline measurement and ongoing monitoring of environmental parameters. It must be demonstrated that the proposed methods for baseline measurements and subsequent monitoring are scientifically robust and statistically sound to enable diligent and systematic data collection that will deliver unbiased and sound responses to EIS Guideline requirements. This section must identify parameters to be monitored, performance indicators to evaluate accuracy of predicted impacts and effectiveness of mitigation measures, and management response trigger values and response activities.

This section is to also identify and describe monitoring programs, procedural and compliance audit programs and reporting requirements and arrangements which will demonstrate the effectiveness of management and monitoring (linked to environmental management systems (EMS)/environmental management plan (EMP) procedures – see below).

The proponent must, in addition to outlining proposed programs, clearly identify what is to be monitored and why. Monitoring programs must be designed to provide objective evidence regarding activities associated with the proposal and if these activities are adversely impacting on the environment in the short, medium and long term.
Monitoring programs must demonstrate an understanding and consideration of:

(a) Ecosystems and habitats, flora and fauna (particularly listed threatened species/ecological communities and listed migratory species), and water quality issues affected by the proposed development;

(b) Measuring the effectiveness of mitigation and/or rehabilitation measures;

(c) Documenting the difference between predicted and actual impacts;

(d) Methods for identification of non-predicted impacts and appropriate reporting and remedial measures;

(e) Application and effectiveness of emergency and contingency plans; and

(f) Review of consultation and management arrangements with regulatory authorities and the community.

A diagram showing monitoring and reporting arrangements must be included in the EIS.

5.12 Environmental Management System

The EIS must describe the environmental management system (EMS) that will be applied to the areas affected by the proposed development.

An outline of the EMS must be provided covering the following key elements:

(a) Consultation arrangements;

(b) Relevant legislation and standards adopted;

(c) Safeguards, mitigation and management practices to be implemented;

(d) Performance indicators and management responses;

(e) Monitoring programs;

(f) Audit protocols;

(g) Reporting arrangements;

(h) Feedback of monitoring results into project management; and

(i) Contingency plans and emergency response.

Reference must also be made to Environmental Management Plans (EMPs), where appropriate, to manage impacts on the World and National Heritage values of the Great Barrier Reef, listed threatened species and communities and listed migratory species.

Details of requirements for the preparation of EMPs under other relevant legislation must also be provided. In an effort to minimise duplication, areas of consistency between separate requirements must also be highlighted.

A diagram showing the EMS framework and above key elements, together with its relationship to specific EMP's must be provided in the EIS.

5.13 Other Approvals and Conditions

The EIS is to include information on other approvals to be obtained and their associated conditions. This must include the following:

(a) A description of any approval that has been obtained from a State, or Commonwealth agency or authority (other than an approval under the EPBC Act and GBRMP Act), including any conditions that apply to the proposal;

(b) A statement identifying any additional approval that is required;

(c) A description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the development;

(d) Details of any local or State government planning scheme, or plan or policy under any local or State government planning system (including licensing and permitting requirements) that deals with the proposed development, including:

i. What environmental assessment of the proposed development has been, or is being, carried out under the scheme, plan or policy; and

ii. How the scheme provides for the prevention, minimisation and management of any relevant potential impacts.

(e) A description of any international Convention to which Australia is a signatory, or any agreement between the Commonwealth and the State, that is relevant to the proposed development.

5.14 Environmental Record

The EIS must include the environmental record of the proponent. This must include:

(a) Reference to the GBRMP Regulations 88R(j) which includes the applicant's history in relation to environmental matters (for example compliance with Marine Park permits and environmental management plans) and any outstanding charges; and

(b) Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the person proposing to take the action. If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework must be provided.

Information relating to the persons' environmental record must also include any accreditations (for example ISO 14001), environmental awards, and other recognition for environmental performance.

5.15 Conclusion

An overall conclusion as to the environmental acceptability of the proposal must be provided, including discussion on compliance with the objectives and requirements of the EPBC Act and the GBRMP Act including the principles of ESD (see **Attachment 3**). Reasons justifying undertaking the proposal in the manner proposed must also be outlined. The conclusion must highlight measures proposed or required to avoid, mitigate or offset any unavoidable impacts on the environment.

5.16 Information Sources

Information sources used in the formulation of the EIS are to be provided. This section will describe consultations and studies undertaken in the course of proposal formulation and preparation of the draft EIS, and sources of information and technical data. The following details must be provided for information used in developing the EIS:

(a) The source of the information;

(b) How recent the information is;

(c) How the reliability of the information was tested; and

(d) What uncertainties (if any) are in the information;

A copy of all data and the sampling methodologies must be made available to the SEWPAC and GBRMPA for the purpose of peer review on receipt of a written request from the SEWPAC or GBRMPA.

Any further or ongoing consultations or studies must be outlined here.

5.17 Reference List and Bibliography

The reference list and bibliography provided in the EIS is to be accurate and concise and include the address of any internet pages used as data sources.

5.18 Appendices and Glossary

Detailed technical information studies or investigations necessary to support the main text of the EIS, but not suitable for inclusion in the main text must be included as appendices; for example, detailed technical or statistical information, maps, risk assessment, baseline data, supplementary reports etc. A copy of the Guidelines must also be included. A glossary defining technical terms and abbreviations used in the text must be included to assist the general reader.

5.19 Additional Social and Economic Matters

Section 136(1)(b) of the EPBC Act requires the Minister to consider economic and social matters when deciding whether to grant approval to the proposed action under Part 9 of the EPBC Act. The requirements under s136(1)(b) encompass a broader range of matters that may be considered than those addressed during the assessment of the potential impacts of a controlled action. Accordingly, information must be provided in the EIS on the broad social and economic impacts (positive or negative) of the proposal for the purposes of the Part 9 decision on approval.

As the matters protected by the controlling provisions for this action include "the environment", there is the potential for an overlap between the information provided in response to this, and the information requested in the main body of the Guidelines in relation to social, economic and cultural aspects within the definition of the environment. The latter set of information need not be repeated if it will be contained in the body of the EIS.

ATTACHMENT 1: MATTERS THAT MUST BE ADDRESSED IN AN EIS (SCHEDULE 4 OF THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION REGULATIONS 2000*)

1. General information

1.01 The background of the action including:

(a) the title of the action;

(b) the full name and postal address of the designated proponent;

(c) a clear outline of the objective of the action;

(d) the location of the action;

(e) the background to the development of the action;

(f) how the action relates to any other actions (of which the proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region affected by the action;

(g) the current status of the action; and

(h) the consequences of not proceeding with the action.

2. Description

2.01 A description of the action, including:

(a) all the components of the action;

(b) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;

(c) how the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts;

(d) relevant impacts of the action;

(e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;

(f) any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;

(g) to the extent reasonably practicable, any feasible alternatives to the action, including:

(i) if relevant, the alternative of taking no action;

(ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action;

(iii) sufficient detail to make clear why any alternative is preferred to another;

(h) any consultation about the action, including:

(i) any consultation that has already taken place;

(ii) proposed consultation about relevant impacts of the action;

(iii) if there has been consultation about the proposed action — any documented response to, or result of, the consultation;

(i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

3. Relevant impacts

3.01 Information given under paragraph 2.01 (c) must include:

(a) a description of the relevant impacts of the action;

(b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;

(c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;

(d) analysis of the significance of the relevant impacts; and

(e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

4. Proposed safeguards and mitigation measures

4.01 Information given under paragraph 2.01 (d) must include:

(a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;

(b) any statutory or policy basis for the mitigation measures;

(c) the cost of the mitigation measures;

(d) an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;

(e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program; and

(f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the proponent.

5. Other Approvals and Conditions

5.01 Information given under paragraph 2.01 (e) must include:

(a) details of any local or State government planning scheme, or plan or policy under any local or State government planning system that deals with the proposed action, including:

(i) what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy;

(ii) how the scheme provides for the prevention, minimisation and management of any relevant impacts;

(b) a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the Act), including any conditions that apply to the action;

(c) a statement identifying any additional approval that is required; and

(d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

6. Environmental record of person proposing to take the action

6.01 Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

(a) the person proposing to take the action; and

(b) for an action for which a person has applied for a permit, the person making the application.

6.02 If the person proposing to take the action is a corporation — details of the corporation's environmental policy and planning framework.

7. Information sources

7.01 For information given the EIS must state:

(a) the source of the information; and

(b) how recent the information is; and

(c) how the reliability of the information was tested; and

(d) what uncertainties (if any) are in the information.

ATTACHMENT 2: CONSIDERATION OF APPLICATIONS UNDER THE *GREAT BARRIER REEF MARINE PARK REGULATIONS 1983*

Division 2A.4 Consideration of applications

88Q Consideration of applications — mandatory considerations

In deciding whether or not to grant a permission in relation to an application, and whether or not to impose any conditions on the permission, the Authority must consider the following:

(a) the potential impacts of the conduct proposed to be permitted by the permission (the ***proposed conduct***) on the environment and on the social, cultural and heritage values of the Marine Park or a part of the Marine Park;

(b) options for monitoring, managing and mitigating the potential impacts of the proposed conduct;

(c) if the proposed conduct will take place in an area to which a zoning plan applies — the objectives of the zone as set out in the zoning plan;

(d) if the proposed conduct also requires an approval or permit under the *Environment Protection and Biodiversity Conservation Act 1999*:

  (i) whether the approval or permit has been, or is likely to be, granted and, if granted, the terms and conditions of it being granted; and

  (ii) any relevant assessment documentation (within the meaning given by subsection 133 (8) of that Act) in relation to the approval or permit;

(e) any written comments received about the application in response to the public advertisement published in accordance with regulation 88D;

(f) any other matters relevant to the orderly and proper management of the Marine Park.

Note Subsection 7 (3) of the *Great Barrier Reef Marine Park Act 1975* provides that the Authority must, in managing the Marine Park and performing its other functions, have regard to, and seek to act in a way that is consistent with, the objects of the Act, the principles of ecologically sustainable use and the protection of the world heritage values of the Great Barrier Reef World Heritage Area.

88R Consideration of applications — discretionary considerations

In deciding whether or not to grant a permission in relation to an application, and whether or not to impose any conditions on the permission, the Authority may consider the following:

(a) the requirement in section 37AA of the Act for users of the Marine Park to take all reasonable steps to prevent or minimise harm to the environment in the Marine Park that might or will be caused by the user's use or entry;

(b) the effect that the grant of the permission will have on public appreciation, understanding and enjoyment of the Marine Park;

(c) the impact of the conduct proposed to be permitted under the permission in the context of other conduct in the relevant area or nearby areas, or in the Marine Park, that is being undertaken, is planned, is in progress, or is reasonably foreseeable at the time of the Authority's consideration of the application, whether or not related to or a consequence of the proposed conduct;

(d) any policies or guidelines issued by the Authority about the management of the Marine Park or the performance of the Authority's functions under the Act and these Regulations;

(e) if the application for the permission relates to an undeveloped project the cost of which will be large — the capacity of the applicant to satisfactorily develop and manage the project;

(f) if the proposed conduct also requires an approval or a permission under a law of Queensland — whether the approval or permission has been, or is likely to be, granted and, if granted, the terms and conditions of it being granted; and

(g) any international Convention to which Australia is a signatory, or any agreement between the Commonwealth and a State or Territory, that is relevant to the application;

(h) any relevant law of the Commonwealth, or a relevant law of Queensland as in force from time to time, or a relevant plan made under such a law, relating to the management of the environment, or an area in the Marine Park;

(i) any relevant recovery plan, wildlife conservation plan, threat abatement plan or approved conservation advice, under the *Environment Protection and Biodiversity Conservation Act 1999*;

(j) whether the applicant for the permission is a suitable person to hold such a permission, having regard to:

(i) the applicant's history in relation to environmental matters; and

(ii) if the applicant is a body corporate — the history of its executive officers in relation to environmental matters; and

(iii) if the applicant is a company that is a subsidiary of another company (the ***parent body***) — the history of the parent body and its executive officers in relation to environmental matters; and

(iv) any charge, collected amount or penalty amount that is overdue for payment by the applicant as the holder of a chargeable permission (whether or not the permission is in force); and

(v) any late payment penalty that is payable by the applicant as the holder of a chargeable permission (whether or not the permission is in force); and

(vi) any unpaid fines or civil penalties required to be paid by the applicant in relation to a contravention of the Act or of these Regulations;

(k) any other matters relevant to achieving the objects of the Act.

ATTACHMENT 3:

OBJECTS OF THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999*

3. Objects of the Act

(a) to provide for the protection of the environment, especially those aspects of the environment that are matters of National Environmental Significance

(b) to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources

(c) to promote the conservation of biodiversity

(d) to promote a co-operative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples

(e) to assist in the co-operative implementation of Australia's international environmental responsibilities

(f) to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and

(g) to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in co-operation with, the owners of the knowledge.

3A. Principles of Ecologically Sustainable Development

The following principles are principles of ecologically sustainable development:

(a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;

(b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;

(c) the principle of inter-generational equity – that the present generation should ensure that the health , diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;

(d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;

(e) improved valuation, pricing and incentive mechanisms should be promoted.

OBJECTS OF THE *GREAT BARRIER REEF MARINE PARK ACT 1975*

2A Objects of this Act

(1) The main object of this Act is to provide for the long term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region.

(2) The other objects of this Act are to do the following, so far as is consistent with the main object:

(a) allow ecologically sustainable use of the Great Barrier Reef Region for purposes including the following:

(i) public enjoyment and appreciation;

(ii) public education about and understanding of the Region;

(iii) recreational, economic and cultural activities;

(iv) research in relation to the natural, social, economic and cultural systems and value of the Great Barrier Reef Region;

(b) encourage engagement in the protection and management of the Great Barrier Reef Region by interested persons and groups, including Queensland and local governments, communities, Indigenous persons, business and industry;

(c) assist in meeting Australia's international responsibilities in relation to the environment and protection of world heritage (especially Australia's responsibilities under the World Heritage Convention).

ATTACHMENT 4: AREAS OF THE GBRMP

SECTION 31 OF THE *GREAT BARRIER REEF MARINE PARK ACT 1975*

31 Areas part of Marine Park

(1) Subject to subsection (5), the Governor General may, by Proclamation, declare an area specified in the Proclamation, being an area within the Great Barrier Reef Region, to be a part of the Marine Park and assign a name or other designation to that area.

Note: A Proclamation under subsection (1) is a legislative instrument but is not subject to disallowance or sun setting (see item 23 of the table in subsection 44(2), and item 22 of the table in subsection 54(2), of the Legislative Instruments Act 2003).

(2) Where an area is, for the time being, declared by Proclamation under subsection (1) to be a part of the Marine Park:

(a) the waters of any sea within the area;

(b) the sea bed beneath any sea within the area;

(c) the subsoil beneath any such sea bed, extending to such depth below the sea bed as is specified in the Proclamation;

(d) the sub soil beneath any land within the area, extending to such depth below the surface as is specified in the Proclamation; and

(e) the airspace above the area, extending to such height above the surface as is specified in the Proclamation;

shall be taken to be in the Marine Park and, for the purposes of this Act, part of the area.

(3) Subject to subsections (4) and (5), the Governor General may, by Proclamation, revoke or amend a Proclamation made under subsection (1).

Note: A Proclamation under subsection (3) is a legislative instrument but is not subject to disallowance or sun setting (see item 23 of the table in subsection 44(2), and item 22 of the table in subsection 54(2), of the Legislative Instruments Act 2003).

(4) Before the Governor General makes a Proclamation causing an area in the Great Barrier Reef Region to cease to be part of the Marine Park, the Minister must be satisfied:

(a) that the Proclamation, if made, would be in accordance with a resolution passed by each House of the Parliament on a motion; and

(b) that notice of the motion was given no less than 15 sitting days of that House before the motion was moved.

(5) Before the Governor General makes a Proclamation, the Minister must consider a report by the Authority in relation to the matter dealt with by the Proclamation.

(6) Before preparing the report, the Authority must, by public notice:

(a) state that the area is proposed to be included in the Marine Park; and

(b) state the boundaries of the area; and

(c) state any name or other designation proposed for the area; and

(d) invite the public to make comments in connection with the proposal by the date specified in the notice (which must be at least 60 days after the date the notice is published in the Gazette); and

(e) specify the address to which comments must be sent.

(7) The Authority must include in the report any comments made in accordance with the notice and the Authority's views on the comments.

ATTACHMENT A: AREAS OF THE GBRMP

SECTION 31 OF THE GREAT BARRIER REEF MARINE PARK ACT 1975

31 Areas part of Marine Park

(1) Subject to subsection (5), the Governor General may, by Proclamation, declare an area specified in the Proclamation, being an area within the Great Barrier Reef Region, to be a part of the Marine Park and assign a name or other designation to that area.

Note A Proclamation under subsection (1) is a legislative instrument but is not subject to disallowance or sun setting (see item 23 of the table in subsection 44(2), and item 22 of the table in subsection 54(2), of the Legislative Instruments Act 2003).

(2) Where an area is, for the time being, declared by Proclamation under subsection (1) to be a part of the Marine Park:

(a) the waters of any sea within the area;

(b) the sea bed beneath any sea within the area;

(c) the subsoil beneath any such sea bed, extending to such depth below the sea bed as is specified in the Proclamation;

(d) the sub soil beneath any land within the area, extending to such depth below the surface as is specified in the Proclamation; and

(e) the airspace above the area, extending to such height above the surface as is specified in the Proclamation,

shall be taken to be in the Marine Park and, for the purposes of this Act, part of the area.

(3) Subject to subsections (4) and (5), the Governor General may, by Proclamation, revoke or amend a Proclamation made under subsection (1).

Note A Proclamation under subsection (3) is a legislative instrument but is not subject to disallowance or sun setting (see item 23 of the table in subsection 44(2), and item 22 of the table in subsection 54(2), of the Legislative Instruments Act 2003).

(4) Before the Governor General makes a Proclamation declaring an area in the Great Barrier Reef Region to cease to be part of the Marine Park, the Minister must be satisfied:

(a) that the Proclamation, if made, would be in accordance with a resolution passed by each House of the Parliament on a motion; and

(b) that notice of the motion was given no less than 15 sitting days of that House before the motion was moved.

(5) Before the Governor General makes a Proclamation, the Minister must consider a report by the Authority in relation to the matter dealt with by the Proclamation.

(6) Before preparing the report, the Authority must, by public notice:

(a) state that the area is proposed to be included in the Marine Park; and

(b) state the boundaries of the area; and

(c) state any name or other designation proposed for the area; and

(d) invite the public to make comments in connection with the proposal by the date specified in the notice (which must be at least 60 days after the date the notice is published in the Gazette); and

(e) specify the address to which comments must be sent.

(7) The Authority must include in the report any comments made in accordance with the notice and the Authority's views on the comments.