



Detailed Planning and Legislative Framework Response

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Detailed Planning and Legislative Framework Response

This appendix supports Chapter 4 and provides responses to the planning and legislative framework issues raised by submissions to the EIS.

1 State Planning Framework

1.1 State Planning Policies

1.1.1 State Planning Policy 1/92 - Development and the Conservation of Agricultural Land

Submitters have suggested that the proposed HHI Development was non-compliant with SPP 1/92, and in particular Policies 1 and 7.

The Department of Primary Industries and Fisheries (DPIF) (now part of the Department of Employment, Economic Development and Innovation (DEEDI)) submission to the EIS advised that Hummock Hill Island is not classified as good quality agricultural land. This means that SPP 1/92 is not relevant to this development.

1.1.2 State Planning Policy 2/02 - Planning and Managing Development Involving Acid Sulfate Soils

Submitters suggested that the HHI Development was non-compliant with SPP 2/02 and in particular Section 2.2 and 2.3.

The Proponent proposes to manage the disturbance of acid sulfate soils in accordance with the SPP and guideline. The Proponent will prepare detailed acid sulfate soil management plans for each specific development site (where acid sulfate soils are present) to be approved by the Department Environment and Resource Management (DERM). It is considered that the HHI Development can satisfy all of the requirements of this SPP through the adoption of appropriate management measures.

1.1.3 State Planning Policy 1/03 - Mitigating the Adverse Impacts of Flood, Bushfire and Landslide

Submitters suggested that the development was non-compliant with SPP 1/03, and in particular Section A1.1 (a) of ANNEX 1 (bushfire).

The HHI Development has been designed to manage bushfire hazards (refer to the EIS) and the level of hazard present does not preclude development of Hummock Hill Island subject to appropriate management regimes.

Section A.4.6 of Annex 4 of SPP 1/03 outlines the requirements for development within a Natural Hazard Area, as follows:



6. *Development maintains the safety of people and property by:*

- a) *avoiding areas of High or Medium bushfire hazard; or*
- b) *mitigating the risk through:*
 - allotment design and the siting of buildings; and
 - including firebreaks that provide adequate:
 - *setbacks between buildings/structures and hazardous vegetation, and*
 - *access for fire-fighting/other emergency vehicles;*
 - providing adequate road access for fire-fighting/other emergency vehicles and safe evacuation; and
 - providing an adequate and accessible water supply for fire fighting purposes.

As stated in Section 18.2.3.4 of the EIS "*Areas with a medium to high bush fire risk based on SPP 1/03 (such as the western slopes of the central ridge) have either been avoided or incorporate the designated cleared buffer distance required under SPP 1/03*".

1.2 State Coastal Management Plan

1.2.1 Irrelevant Policies

Several submissions have stated that the HHI Development is non-compliant with 16 policies of the State Coastal Management Plan.

Seven (7) of the policies identified by submitters are not relevant to the proposed HHI Development for the following reasons:

- Policy 2.1.3 Coastal Dependent Land Uses - the definition of coastal dependent land uses refers to land use for which a '*location adjoining the waterfront or access to the water is essential to function, including industrial and commercial facilities such as ports, harbours, jetties, pontoons, marinas, ramps and slipways, coastal or marine (boating) tourism facilities and appropriate marine service industries. It may also include residential and tourist land uses that are part of an integrated development proposal incorporating a marina and such land uses relocated landward of the marina and are protected from coastal processes and hazards by the marina*'. The development does not include a port or marina and therefore this policy is not relevant;
- Policy 2.1.4 Canals and dry land marinas - the development does not include a canal or dry land marina as defined by the State Coastal Management Plan and therefore this policy is not relevant;
- Policy 2.1.11 Rural land uses - the proposed development is for tourism and associated residential land uses not for rural land uses. Therefore this policy is not relevant;
- Policy 2.1.12 Managing water resources - this policy is about water resource plans, applications to take water from a watercourse and water allocation policy. As the proposal



does not involve the taking of water from a watercourse it is not relevant to this development;

- Policy 2.1.13 Fishing - the proposed development is for tourism and associated residential land uses not for management of fisheries. Therefore this policy is not relevant;
- Policy 2.4.6 Acid Sulphate Soils - this policy applies to rural land holders and the proposed development is for tourism and associated residential land uses. SPP 2/02 deals with acid sulphate soil requirements for developments. Therefore this policy is not relevant; and
- Policy 2.8.4 Rehabilitation of Coastal Resources - this policy encourages the rehabilitation of coastal resources and provides direction for rehabilitation activities undertaken by community groups and local government. It is not relevant for development activities.

1.2.2 Relevant Policies

The HHI Development can satisfy the relevant requirements of the State Coastal Plan. Assessment against the State Coastal Plan Policies is provided as follows.

Policy 2.1.2 - Settlement Pattern and Design

Policy Intent

This policy seeks to conserve the coast in its natural or nonurban state outside of existing urban areas, to the extent practicable, avoid or minimise impact to coastal resources and seeks to maintain public access to the coast to protect the public's expectation of access.

EIS Response

The need for this development and the availability of alternative land is addressed in Section 3 of the EIS. Due to its location on an Island, expansion of the development beyond the lease area is not possible.

Design of the HHI Development creates a new integrated tourist and residential community that coexists with the natural environment in a sustainable manner. To achieve this, valuable coastal resources have been identified for protection and appropriate buffers have been identified to further protect them from incompatible development to the extent practicable.

This EIS investigates possible impacts on coastal resources and demonstrates how these impacts would be avoided or minimised.

Submitter Comment

The proposed development on Hummock Hill Island would be detrimental to vegetation and the ecosystems of the area. The Island's rural isolation provides a unique coastal area and surrounding marine life. Public access and an influx in population would subsequently alter and impacts upon the unique coastal area. Therefore, the proposal is inconsistent with this Policy.

Supplementary EIS Response



Refer to **Chapter 4** for an overarching response regarding the regional settlement pattern.

Impacts to existing vegetation and ecosystems on the island would occur as a consequence of development. The areas to be developed have been disturbed by past land use activities. The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets.

Furthermore, geomorphological assessment of the coastal landforms has indicated that they are not unique within the context of the region, and that representative examples of the landform units that would be subject to modification under the development proposal are included within the existing conservation estate.

Due to the tenure and land use restrictions on other comparable areas to Hummock Hill Island in the Central Queensland and Wide Bay Burnett regions, and the natural attribute of the island, this is the most appropriate site for a high quality tourist destination. There are no practicable alternatives for an integrated tourist resort community within or adjacent to existing urban areas in this region.

Policy 2.1.5 - Maritime infrastructure

Policy Intent

This policy supports the provision of public maritime infrastructure and requires need to be demonstrated and significant impacts on coastal resources to be avoided or minimised.

EIS Response

Proposed maritime infrastructure is described in Section 3 of the EIS. The location and design of the proposed maritime infrastructure has considered possible impacts on coastal resources to minimise impacts. Sections 9, 15 and 18 of the EIS provide an assessment of possible impacts and demonstrate how these impacts are proposed to be avoided or minimised.

Submitter Comment

The public infrastructure proposed for water based recreational activities would be detrimental to fish habitats and stocks that surround Hummock Hill Island. This is inconsistent with the Policy.

Supplementary EIS Response

This policy supports public maritime infrastructure instead of multiple private maritime infrastructure. The proposal is to provide two boat ramps for small craft to be used by tourists and residents of the Island. The Department of Transport and Main Roads (DTMR) has no objection to the development of the boat ramps.

The EIS and Supplementary EIS demonstrate how impacts would be avoided where possible and otherwise minimised during construction and use.



The surrounding waters are managed through two marine parks and fisheries management requirements to ensure the marine waters and values are protected.

Policy 2.1.10 - Tourism & Recreational Activities

Policy Intent

This policy seeks to maintain recreational and tourism opportunities while ensuring that the coastal resources and their values, upon which these experiences rely, are protected.

EIS Response

The provision of tourism and infrastructure for recreational activities is the core of the HHI Development. It is planned to provide a wide range of high quality nature and non-nature based activities and resources including pedestrian access to sandy beaches, walk/cycle tracks, scenic lookouts, boat ramps and a 18 hole golf course and retail and leisure facilities in the commercial centres. Waste treatment and access infrastructure would be designed to cater for peak usage of tourism and recreational facilities (refer to Sections 6, 11 and 16 of the EIS for further detail).

Submitter Comment

The proposed development supports recreational and tourism related facilities. However, the existing coastal environmental resources would not remain as protected as the current existing status upon urbanisation of this rural/coastal location. This is inconsistent with the policy.

Supplementary EIS Response

The Island is an appropriate location within the region for a tourism development.

The EIS and Supplementary EIS demonstrate that environmental impacts have been avoided or otherwise minimised.

The surrounding World Heritage Area would continue to be protected by 2 marine parks and DPIF (now DEEDI) management requirements.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The Nature Refuge will have a far greater level of protection than is afforded under the current Rural zoning.

The Nature Refuge will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas.

Dedication of open space and public facilities within the development footprint to the Gladstone Regional Council will ensure long-term preservation of identified environmental values.

Policy 2.2.2 - Erosion Prone Areas



Policy Intent

This policy seeks to maintain erosion prone areas free from development so as to maintain natural coastal processes. The erosion prone area is:

- Specified widths from the toe of the frontal dunes (open coast); and
- Generally 40 m above mean high water springs or highest astronomical tide whichever the greatest distance along tidal creeks unless there are existing revetments.

EIS Response

The erosion prone areas have been identified and mapped and the area is generally retained free of development. In particular, the most sensitive erosion prone areas on the east and north sides of the Island would be retained free from development. Any works in erosion prone area will be designed to prevent increased vulnerability of the coastline to erosion and would be developed in accordance with DERM Management Guidelines.

Submitter Comment

The Plan of Development is identified on the Coastal Management Overlay in the Miriam Vale Shire Planning Scheme, as containing a 'Coastal Dune District/Coastal Building Line area'.

The proposed development has indicated that development is appropriately setback the 55 m at the headland and 80 m along the coastline.

However, the proposed development has not included sufficient supportive information, as the proposal envisages infringing on the Coastal Dune District/Coastal Building Line area and is therefore inconsistent with this policy.

Supplementary EIS Response

The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area. The development complies with this policy.

The proposed residential development does impact on dune systems outside of the coastal management district/erosion prone area. This impact has been minimised and the development has been demonstrated to be a net benefit to the State.

Policy 2.3.3 - Coastal Road Network

Policy Intent

The coastal road network is planned to minimise impacts on coastal resources and their values. Generally, vehicular access will be provided to, rather than along the coast. In this regard:



- where roads need to run parallel to the coast, they should be set back from erosion prone areas and significant coastal resources, with only smaller access roads running to the coast; and
- minor spur roads to the foreshore and associated car parks should provide access to the foreshore at locations that are convenient to the public, have low environmental sensitivity, and avoid locations that may increase storm tide hazard. In addition, before undeveloped esplanades and roads on the coast are formally developed for vehicular purposes, their suitability will be assessed to determine if this will have adverse impacts on coastal resources and their values. Particular regard must be had to:
 - whether there is a net benefit for the region;
 - any impact on adjoining landholders, where such unconstructed roads provide the only legal and dedicated access to the property; and
 - opportunities for areas containing significant coastal resources or subject to erosion to be included in a network of reserves and protected areas along the coast.

EIS Response

The EIS did not provide an assessment against this Policy Framework

Submitter Comment

The proposed Plan of Development is identified on the Coastal Management Overlay, containing a required 55 m and 80 m setback (Coastal Dune District/Coastal Building Line area).

The proposed development has incorporated a road that runs parallel in the Coastal Dune District/Coastal Building Line area and not setback the appropriate distance required.

The road will be frequently used and have adverse impacts on the Coastal Dune District resource.

The proposed development is inconsistent with the policy.

Supplementary EIS Response

The road referred to is to be located outside of the coastal management district/erosion prone area. The coastal setback is incorporated into the district and an additional setback is not required by the policy.

The road would have some impact on the dune system located outside the district.

Policy 2.8.1 - Areas of State Significance (Natural Resources)

Policy Intent

This policy seeks to protect coastal biodiversity values which include coastal wetlands, dune systems and mangroves which occur in this area from development unless there is a net benefit to the state.

EIS Response



The proposed development does not directly impact coastal wetlands or mangroves except for the bridge crossing and boat ramp at Boyne Creek.

The dune system within the Coastal Management District is only impacted at the location of the boat ramps and pedestrian access to the northern beaches.

The dune ridges behind the Coastal Management District along the north eastern beach are not considered to be significant dunes.

Areas of state significance are identified and assessed in Section 3 of the EIS. Particularly relevant to the development are the endangered regional ecosystems and potential significant coast dune systems on the Island. The proposal seeks to minimise development in these areas. This would contribute to the recreational and tourism setting and opportunities of the proposed HHI Development. While some impacts would be likely to these areas, the development is considered to be of net benefit to the state as demonstrated in Section 3 of the EIS.

Submitter Comment

The proposed development on Hummock Hill Island would be detrimental to surrounding wetlands, dune systems and mangroves.

The proposed HHI Development proposes little to no net benefit to the state. Therefore, is inconsistent with the Policy.

Supplementary EIS Response

Impacts to areas of state significance (natural resources), particularly dune systems and regional ecosystems have been minimised.

The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area. The Proponent's coastal management consultants advise that the dune ridges behind the Coastal Management District are not significant. The assessment demonstrated that the development in this area was of significant benefit to the state, taking into account the environmental value of the dunes.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets.

The development is therefore consistent with this policy.

Policy 2.8.2 - Coastal Wetlands

Policy Intent



Further loss or degradation of coastal wetlands is to be avoided and impacts on coastal wetlands prevented, minimised or mitigated (in order of preference).

EIS Response

The proposal seeks to avoid impacting on the coastal wetland areas by maintaining appropriate buffers to the wetland areas and maintaining existing flows from ephemeral watercourses into the wetland areas. This is discussed in Section 9 of the EIS.

Submitter Comment

The proposed development on Hummock Hill Island would be detrimental to vegetation and ecosystems. An influx in population would generate adverse impacts on the Island. The proposal is inconsistent with the policy.

Supplementary EIS Response

The EIS and Supplementary EIS demonstrate that vegetation and ecosystem impacts are avoided where possible and otherwise minimised and offset.

The development is therefore consistent with this policy.

Policy 2.8.3 - Biodiversity

Policy Intent

Biodiversity on the coast is to be safeguarded through conserving and appropriately managing the diverse range of habitats including coral reefs, seagrass, soft bottom (benthic) communities, dune systems, saltflats, coastal wetlands and riparian vegetation.

EIS Response

The proposal seeks to maintain the biodiversity of the coastal ecosystem on and around Hummock Hill Island by avoiding biodiversity and habitat loss. Vegetation and fauna habitats on the Island have been mapped and the Master Plan for the proposed HHI Development avoids development in areas of endangered ecosystems and important habitats.

Submitter Comment

As mentioned above, the proposed development provides insufficient setbacks to the Coastal Dune District/Coastal Building Line area. This is inconsistent with the Policy.

Supplementary EIS Response

The proposed development, apart from the boat ramp, bridge, elevated pedestrian walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area.



The EIS and Supplementary EIS demonstrate that vegetation and ecosystem impacts are avoided where possible and otherwise minimised and offset.

The development is therefore consistent with this policy.

2 Regional Planning Framework - Wide Bay Burnett Regional Plan

2.1 Regional Vision for People and Settlement in 2026

Submitters have noted that the proposed development application does not support the preferred Settlement Pattern outlined in the Regional Vision of the Wide Bay Burnett Regional Plan. They are concerned that the development will encroach on existing natural ecosystems, vegetation and protected marine environments in the former Miriam Vale Shire region. Furthermore, the proposed HHI Development reflects a high degree of dependence on private vehicle movements and does not provide information outlining how it proposes to support public transport services in the area.

Supplementary EIS Response

Gladstone is facing major industrial expansion and associated population growth from, amongst other industries, liquefied natural gas projects and port development. With the expansion of Gladstone, comes a need to provide tourism and recreational facilities to support the local population and to assist diversify the economy of the region.

The HHI Development offers tourism, recreation and leisure facilities not found elsewhere in the Gladstone region, thereby helping to satisfy a growing demand for these services. The project also will diversify industry in the region, through the formation of a major tourist destination, leading to the creation of businesses, employment and training of staff. The number of jobs created is expected to rise steadily over the life of the development and is expected to peak at approximately 700 people in 2024. The majority of construction is to be carried out by local firms and contractors, adding further to the economic and social benefits of the project. The construction of the HHI Development will provide an average of 190 jobs over a 20 year period, with a peak employment of 350 people.

This regional plan is non-statutory and does not bind decision-makers. The relevance of the regional plan is also affected by the recent Council amalgamation process, whereby the former Miriam Vale Shire was found to have a community of interest with Gladstone to the north rather than the Council areas to the south. This effectively splits the area subject to the Wide Bay Burnett Regional Plan and results in the need to review regional planning arrangements.

The proposed HHI Development will create a new community supported by a major tourism industry. The provision and growth of tourism opportunities is supported by the regional plan. Policy 2.1.10 of the *Coastal Protection and Management Act 1995* also recognises the value of tourism and recreational activities and seeks to maintain such opportunities while ensuring that the coastal resources and their values, upon which these experiences rely, are protected.



Hummock Hill Island is the best opportunity of development of tourism infrastructure on the coast in the Gladstone region. While residential development is proposed as part of the HHI Development, it is primarily intended to support the tourism facilities. The HHI Development will offer a large range of privately owned, self-catered holiday properties located across the island in 1, 2, 3 and 4 bedroom configurations, accommodating from 1 to 10 people. Permanent residential accommodation will include affordable housing and is minor in scale when considered against the identified growth in, and demand for residential development in the region to be developed over the next 10 to 20 years.

The EIS and Supplementary Report demonstrate that environmental impacts are avoided where possible or minimised and mitigated. The proposal has been designed to minimise impacts upon and intrusions into existing natural ecosystems, especially identified remnant regional ecosystems that are classified as 'Endangered' and 'Of Concern' (much of the island is in a disturbed state following previous grazing activities on the site).

Any encroachment onto marine habitats would be minimal, limited to upgrading the existing causeway to a bridge, boat ramps, infrastructure connections to the mainland and limited public access arrangements. Some increase to recreational boating traffic would occur with some increase in recreational fishing activities. However, the proposed Environmental Management Plan (EMP) (Section 17) mitigation strategies and the measures outlined in the Proponent Commitments (Section 18) significantly alleviate these concerns.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The Proponent propose the Gladstone Regional Council impose a special area environmental levy on land owners to cover the cost of these environmental services.

2.2 Regional Overview for Settlement Pattern

Submissions have noted that Hummock Hill Island contains coastal area restrictions with high marine importance and land restrictions, due to the significant environmental resources such as dominant endangered ecosystems and remnant vegetation that exist and are outlined on the Queensland Government Essential Habitat Map. On that basis, the submitters suggest the proposed HHI Development will generate adverse impacts upon the existing endangered ecosystem and remnant vegetation.

Supplementary EIS Response

The EIS and Supplementary Report demonstrate that impacts are to be avoided or minimised and offset. The proposal has been designed to minimise impacts in regard to existing natural ecosystems, especially identified remnant regional ecosystems that are classified as 'Endangered' and 'Of Concern'. Much of Hummock Hill Island is in a disturbed state following the previous grazing activities on the site.



Any encroachment onto marine habitats is minimal, limited to upgrading the existing causeway to a bridge, two boat ramps, infrastructure connections to the mainland and limited public access arrangements. Some increase to recreational boating traffic would occur with some increase in recreational fishing activities. However, the proposed EMP mitigation strategies and the measures outlined in the Proponent Commitments (Section 18) significantly alleviate these concerns.

2.3 Regional Plan Policy Principles and Actions

Chapter 4 of the Wide Bay-Burnett Regional Plan 2007-2026 (WBBRP) sets out Regional Plan Policy Principles, which are accompanied by actions that aim to achieve the associated Policy Framework designed to facilitate the achievement of the regional vision.

The applicable Objectives and Policy Principles contained within the Regional Plan are addressed below. Policy Framework provides a summary of the applicable regional environmental and planning issues, objectives and principles included in the Regional Plan. The Submitter Comments and the Proponent's response are outlined as follows.

2.3.1 Policy Framework 1.1 - Biological Economic Resources

Primary production based on harvesting of native ecosystem products is an integral component of the region's economy.

Objective: To manage the region's commercially utilised biological resources so that their economic and ecological values are not compromised.

Policy Principles:

- *Terrestrial and aquatic native ecosystems generating native species products are identified and recognised for their commercial and 'ecosystem service' importance and sustainably managed.*
- *Managed modified ecosystems producing native and exotic species (plantations, aquaculture, intensive crop and livestock production facilities) to minimise impacts on native flora and fauna, environmental attributes (water, air and soil quality) and ecological processes.*
- *Planning and land use decision making is informed by readily accessible, adequate and relevant natural resource information incorporated into pertinent policy and approval processes.*

EIS Response

The Proponent proposes to have the undeveloped parts of the island declared as Nature Refuge and protected under a formal agreement with the government agencies. The Island's natural coastal processes would be maintained.

Submitter Comment

The proposed development's no setbacks to the Coastal Dune District/Coastal Building Line area and the proposed urban population would be detrimental to this Island's coastal area and surrounding



marine life that would subsequently impact upon Hummock Hill Island's flora and fauna. This is inconsistent with the Policy.

Supplementary EIS Response

There are no coastal building lines on Hummock Hill Island. The *Coastal Protection and Management Act 1995* and State Coastal Management Plan do not require setbacks from the coastal management district (as the district itself is the setback distance). The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area.

The EIS and the Supplementary EIS demonstrate that impacts to flora and fauna on the island as well as the surrounding marine environment are avoided where possible or minimised and offset.

2.3.2 Policy Framework 1.2 - Land Use and Management

Land based agriculture capitalises on the region's natural assets and the resourcefulness of primary producers and processors to serve expanding local, domestic and international markets; with regional employment and economic returns as outcomes. Urban development pressure on agricultural land and rising community expectations regarding management of off-site impacts from all land uses highlight the need for protection of this resource and maintenance of its productive capacity through sustainable land management practices.

Objective: To protect the region's agricultural land resources and ensure their sustainable management.

Policy Principles:

- *Identify and protect land suitable for agricultural and aquacultural production, outside of areas of biodiversity significance, through planning measures.*
- *Encourage the adoption of sustainable land management practices and effective property scale planning, responsive to changing economic and biophysical understanding.*
- *Encourage land management practices which provide ecosystem services for whole of community benefit.*

EIS Response

Hummock Hill Island does not possess any significant agricultural values, and as such the HHI Development would not result in a loss of agricultural resources. No pastoral activity has occurred on the Island since 1991, consequently there will be no loss of agricultural productivity.

Submitter Comment

Historically, Hummock Hill Island has been utilised for beef and sheep breeding.



The proposed Plan of Development is identified as Class 1 (suitable for improved pasture) in the Good Quality Agriculture Land Overlay (Map 4.43.1) of Miriam Vale Shire Council, Draft IPA Planning Scheme.

Therefore, existing and future farming opportunities will be constrained by the proposal, which will subsequently fragment the areas rural land resource. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The DPIF (now DEEDI) submission to the EIS confirms that the Island does not contain good quality agricultural land. Agricultural activities are not currently undertaken on the Island and it is not expected that agricultural activities are a viable future use.

2.3.3 Policy Framework 1.3 - Minerals and Extractive Industry

Regional deposits of minerals and extractive materials constitute a vital component of the region's economy and provide a significant resource for construction purposes. Ongoing access, uncompromised by incompatible adjacent developments, and 'leading edge' extractive, processing and transport practices which have regard to environmental impacts, are vital to a growing Wide Bay Burnett region.

Objective: To ensure supplies of minerals and extractive resources are available for future use, and that their processing, transport and downstream value-adding contribute to the local economy without adverse human and environmental impacts.

Policy Principles:

- *Minerals and extractive resources should be protected and the operation of extraction and processing activities carried out in a manner which does not compromise current and future resource use aspirations, amenity and ecosystem processes.*

EIS Response

The HHI Development does not comply with the Extractive Resources Overlay Code. This is because the proposed development would sterilise 12% of the identified mineral resources by locating development (i.e. residential development with regard to extractive industry) on or near to the resource area. However, the commercial viability of the mineral deposit requires utilisation of additional resources to the south and north, the northern deposits being within a National Park and unlikely to be released for extractive purposes. As such mineral deposits on the Island are not considered a viable resource in their own right.

Submitter Comment

Hummock Hill Island is subject to a number of mineral leases with the proposed development to be located on land identified as mineral lease. As such the HHI Development would result in a loss of



mineral resources and would not be consistent with the Wide bay Regional Plan Policy 1.3 for Minerals and Extractive industry.

Supplementary EIS Response

Prior to granting the Special Lease over the site, a strategic assessment of the region was undertaken to identify the best future use of land identified as having mineral sand deposits.

The lease was created in 1991 by the Goss Government following land use negotiations between mineral sand mining interests and State agencies that created National and Environmental Parks in areas of high conservation value, such as Byfield, Curtis Island, Wild Cattle Island, Rodds Peninsula, Eurimbula and Deepwater National Parks and Bustard Head Conservation Park.

Remaining areas such as Hummock Hill Island and Middle Island were considered to have lower conservation values and also considered to have suitable opportunities for either mining or tourism. Hummock Hill Island was identified as having the appropriate characteristics for tourism, and the Special Lease was granted accordingly.

2.3.4 Policy Framework 1.4 - Water Supply

Water is a fundamental resource; it underpins the 'health' of the region's economy, as well as the 'health' of living systems at all levels. Increasing demand for water, fuelled by population increase, rising community expectations regarding water quality and ecosystem protection, and uncertainty regarding the implications of climate change highlight the importance of prudent far-sighted management of regional water resources.

Objective: To balance the competing demands of economic development, human settlement and maintenance of ecosystem processes in the allocation of water resources.

Policy Principle:

- *Management of regional water resources will balance economic and social outcomes within the ecological capacity of catchment ecosystems, and be cognisant of the implications of seasonal climate variability and long term climate change.*

EIS Response

The proponent for Hummock Hill Island will provide the necessary water infrastructure to service the Island. However, demand on potable water resources will be reduced through water sensitive urban design measures including endemic and drought tolerant landscaping design, the harvesting and storage of rain water from building rooftops and the use of recycled water for outdoor and non-consumption purposes. By implementing these measures, the development can minimise the effects on the region's water catchments, impoundments and distributions systems.

Submitter Comment



The water infrastructure in the proposed development will encourage water sensitive urban design, but fails to provide sufficient information on how the urban residential water supply will be managed at the various stages of development.

Supplementary EIS Response

The proposed infrastructure would be provided in a staged manner across many years at a level commensurate with the early establishment of acceptable standards for the proposed tourist community. The early establishment of the resort complex on the island would provide a level of service availability that would exceed those typically associated with new developments as the facilities required to support the resort would also be available to early residents of the island.

The Proponent will provide all necessary infrastructure for the development as well as contributions for external infrastructure so that local and State infrastructure providers are not affected. The proposal would not make demands on the trunk infrastructure network requiring works to be brought forward. The Proponent proposes to enter into an operation and maintenance agreement with the Gladstone Regional Council to maintain and operate the service infrastructure for a period of years to be agreed and until such operation and maintenance costs can be covered by income from rates and service charges applied to the developed land.

2.3.5 Policy Framework 2.2 - Biodiversity

The Wide Bay Burnett region's biodiversity wealth is an asset of inestimable value. Realisation of this value in economic and social terms is dependent on the protection and, where necessary, restoration of regional values.

Objective: To protect the region's significant terrestrial and aquatic ecosystems, constituent species and ecological processes.

Policy Principle:

- *The extent, function and condition of wetlands is maintained and improved, enhancing their capacity to sustain habitat for dependant flora and fauna species and hydrological processes.*
- *Terrestrial biodiversity protection is enhanced across all land tenures.*
- *Aquatic ecosystems, their constituent species and related processes are maintained and improved.*
- *Threats to biodiversity values (including climate change, pests and weeds, and incompatible development) are identified, understood and actions to either remove or ameliorate their effects are facilitated.*

EIS Response

HHI Development does not extend into the Island's wetland areas and the current extent, function and condition of wetlands would be maintained. There would be some impacts on terrestrial biodiversity however the Proponent aims to minimise clearing and changes to the physical landscape where possible, such that impacts on terrestrial biodiversity would be minimised.



Submitter Comment

The road infrastructure outlined in the proposed development is positioned in proximity to endangered vegetation areas. It is envisaged that the road network would potentially have an adversely impact on the environmental values of the area.

The development is non-compliant with adequate overall protection of identified areas of environmental significance and the biodiversity (land and marine ecosystems).

The Hummock Hill Island unique isolation and existing tranquillity would certainly be lost with the instalment of urban development. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The road network and proposed development layout has been aligned to generally avoid areas of Endangered regional ecosystems. Where impacts occur, The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets. The offset areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The offset areas will continue to be managed until the areas reach remnant status.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The HHI Development boundary will be fenced and have a barrier to prevent vehicular access and uncontrolled pedestrian access to the Nature Refuge. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas.

2.3.6 Policy Framework 2.3 - Coastal Environment

The Wide Bay Burnett coastline is a dynamic transition zone between marine and terrestrial habitats, providing for significant landscape and oceanic processes as well as high levels of biodiversity.

Objective: To ensure that the coastal landscape is protected for the benefit of current and future generations, and that coastal ecosystems and the natural processes that support them are appropriately managed.

Policy Principle:

- *Activities in the coastal zone should allow for natural fluctuations in coastal processes and not adversely impact on the natural coastal environment.*
- *High value natural assets of the coast are protected from incompatible uses and managed for community benefit.*



EIS Response

No residential or commercial development is proposed in the coastal management zone/erosion prone area. Activities in the erosion prone area would be limited to nature based recreation activities such as walking, swimming, kayaking etc. The Island's natural coastal processes would be maintained (refer to Section 9 of the EIS).

Submitter Comment

The introduction of a large residential population would be detrimental to adjoining fish habitats and protected Marine Park.

Recreational fishing is a large part of the residents and visitor's lifestyle. Furthermore, by possibly damaging fish stocks and disturbing breeding habitats in the area, the proposed development could potentially affect fishing in other parts of the area. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The EIS and the Supplementary EIS demonstrate that impacts to the surrounding marine area would be minimal and able to be managed.

Based on population numbers and current boat ownership in Queensland, approximately 24% (around 384) of the permanent population of Hummock Hill Island are likely to participate in recreational fishing, with at least 8% (128 people) fishing weekly. DEEDI (previously DPIF) stated in consultations that, despite the anticipated increase in recreational fishing, they consider that current bag limits for recreational fishers are adequate to ensure sustainable catches. Potential impacts on recreational fish stocks from increased use of adjacent estuarine and marine waters are considered minimal.

2.3.7 Policy Framework 2.4 - Regional Landscapes

Regional landscapes provide for recreation, conservation, protection of landscape processes and buffers between incompatible land uses. The Wide Bay Burnett region enjoys a large reserve of such lands in public ownership. The challenge is to accommodate the expanding urban footprint while still maintaining these values.

Objective: To retain a network of open spaces which enhances the region's liveability and provides for the needs of future generations.

Policy Principle:

- *Areas of natural, cultural, recreational and scenic value are identified, protected and made appropriately accessible for current and future generations.*
- *Open spaces are managed to balance public access and use with protection of site values, where potential conflict exists.*



EIS Response

Undeveloped parts of the special lease area would be protected as a conservation precinct (zoning) under the proposed Plan of Development. This would provide nature based recreational opportunities which contribute to the Island's liveability for current and future populations. The development's effects on scenic amenity are unlikely to be significant and are described in Section 5b. The development's effects on cultural heritage values are to be managed through a Cultural Heritage Management Plan and are described in Section 13.

Submitter Comment

The proposed development includes the preservation of over 50% of the site to be included in the conservation precinct. This is in conflict with Policy 2.4 which seeks to protect and enhance public access to regionally significant open spaces through planning and development processes. Insufficient information has been provided relating to access of the abovementioned conservation areas and for the authority and/or mechanism for the establishment and ongoing maintenance of these areas.

Supplementary EIS Response

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided. With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The HHI Development boundary will be fenced and have a barrier to prevent vehicular access and uncontrolled pedestrian access to the Nature Refuge. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas. The Proponent propose the Gladstone Regional Council impose a special area environmental levy on land owners to cover the cost of these environmental services.

2.3.8 Policy Framework 2.5 - Water Quality

Water is a critical resource that sustains all life. Human uses of water are diverse but dependant on quality standards which reflect 'fitness for purpose'. At a regional level the supply of water, of appropriate quality, which also protects human and ecosystem health is increasingly important. Expansion of urban development, aquaculture and other land or water based activities with potential to adversely affect water quality, are consequences of population growth. Meeting the community's water quality expectations will entail adoption of innovative approaches to new development and management of existing activities; with decision-making about future



development levels informed by realistic evaluation of the social, economic and environmental impacts of such development.

Objective: To maintain water quality standards across the region which provide for maintenance of aquatic ecosystems and services.

Policy Principle:

- *Regional water quality planning that is underpinned by reliable local knowledge.*
- *Improved community understanding of the interaction between human activities and water quality is fostered and actions which contribute to improved local water quality are supported*

EIS Response

The potential impacts on water quality have been considered and addressed in Section 8 of the EIS. The proposed Environmental Management Plan includes measures to maintain water quality on Hummock Hill Island, thereby maintaining the Island's aquatic ecosystems and services. The proposed Environmental Management Plan is contained in Section 20 of the EIS.

Submitter Comment

The HHI Development fails to provide sufficient information and details regarding how the proposal complies with Policy 2.5 of the Regional Plan.

Supplementary EIS Response

The proposed HHI Development will implement water sensitive urban designs, reuse options and onsite water storage in a way to reduce water demands and sustainably manage waste and storm water runoff.

It is intended to fully recycle stormwater and sewage effluent on the island and to prevent contaminated runoff from entering the natural environment through application of a Total Water Cycle Management strategy.

2.3.9 Policy Framework 3.1 - Preferred Settlement Pattern

The primary purpose of the Regional Settlement Plan Strategy is to provide a planning framework for sustainable growth in the Wide Bay Burnett to the year 2026.

Objective: To ensure that urban development within the region is directed towards areas that can be serviced efficiently and equitably, without degradation of environmental values, or restriction of the operation of future development of important economic activities.

Policy Principle:



- *The development of a Regional Centres Network is essential in providing community services to regional sub catchments and identifying the most cost effective and efficient locations for future infrastructure investment. A strong and successful centres network provides a community focus and can help to achieve compact, self contained and diverse communities. A strong centres network also facilitates efficient transport systems, provides a focus for government investment and promotes commercial confidence in private sector investment.*

EIS Response

The proposed development does not detract from the established or desired regional centres network.

The proposal is to a dynamic, sustainable and self sufficient community that is supported by and supports a major tourism industry. One of the major positives of the development is that is close to a major metropolitan and industrial centre that has regional social services

The proposed development will include a combined emergency services building, medical centre and educational facilities.

However, Gladstone will still provide the administrative and higher order commercial, social and entertainment needs for the visitors and residents on Hummock Hill Island.

Submitter Comment

The proposal would subsequently create a new centre removed from the existing centres and compromise a strong and successful centre network within the region.

Urban development on Hummock Hill Island would be detrimental to native vegetation and aquatic ecosystems and marine life. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The proposal would create a new centre focussed on tourism. With a tourism focus, it does not directly compete with and therefore compromise the existing urban centres in the region. The residential component of the proposed development is relatively minor over the next 20 years in comparison to the capacity of the regional and other urban centres.

A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism experiences. It would also enable Council to better manage tourism pressures at more fragile or at-capacity areas.

The proposed Hummock Hill Island Community can be serviced efficiently and equitably as the Proponent is prepared to meet the full cost of infrastructure and service provision throughout the establishment and construction phases of the proposal.

The development would be compact and relatively self-contained with a strong community focus.



The proposed development layout has been realigned to avoid areas of Endangered regional ecosystems. The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets.

The Proponent proposes to have the undeveloped parts of the island declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas.

2.3.10 Policy Framework 3.2 - Development Constraints

The use of land for a specific purpose is constrained by a range of physical, social and economic factors that need to be considered prior to it being designated as suitable for that use. The benefits of locating particular land uses in areas that exhibit high levels of development constraints must be weighed against the potential costs to the wider community and future generations.

Objective: To ensure that urban development within the region is not located in areas that are, or are likely to be, subject to factors that threaten life, amenities, property or the environment.

Policy Principle:

- *Land uses relating to where people live or work should not be located on or adjacent to locations that are potentially subject to natural hazards, likely to be used for the storage or use of hazardous materials or noxious industries, or identified for extractive industry or other incompatible land uses.*

EIS Response

In regard to natural hazards, some parts of Hummock Hill Island are subject to a Bushfires Risk, as identified in the draft Miriam Vale Shire Council Planning Scheme Overlay Plan.

In response, housing will not be established on the western slopes of the ridgeline on Hummock Hill Island, which is an area that is susceptible to bushfire risk.

Generally, the HHI Development is compatible with the Island's environment as development will consist mostly of, tourist and retail uses, with supporting residential dwellings which are not likely to cause impacts (refer to Section 18 of the EIS for further details on hazards).

Submitter Comment

The subject site is physically constrained by environmental aspects and is a significant distance to existing services. The subject site is identified as having medium and high potential bushfire hazard. Sections of the proposed development have provided insufficient setbacks to the Coastal Dune District / Coastal Building Line area. The proposed development is inconsistent with the Policy.



Supplementary EIS Response

The subject site is not physically constrained. The development proposal fits with the natural topographical and environmental values of the island.

The Plan of Development for HHI Development footprint has been designed to reduce impacts on endangered regional ecosystems, increase the width of fauna corridors, increase buffers to tidal lands, wetlands and waterways.

The design of the proposal has considered a detailed site assessment of hazard and risk factors, including bushfire risk. The risk of bushfire at the site can be mitigated to within acceptable levels by appropriate design and management strategies (e.g. establishment and maintenance of firebreaks, fuel reduction strategies).

The Proponent will provide all necessary infrastructure for the development as well as contributions for external infrastructure so that local and State infrastructure providers are not affected. The Proponent proposes to enter into an operation and maintenance agreement with the Gladstone Regional Council to maintain and operate the service infrastructure for a period of years to be agreed and until such operation and maintenance costs can be covered by income from rates and service charges applied to the developed land. This period is likely to occur 12 years after commencement of development of Hummock Hill Island.

HHI Development is expected to deliver a range of community facilities which will be accessible to residents of Hummock Hill Island and adjoining communities, who currently lack easy access to these facilities. The community facilities will include a medical centre, emergency services, a public bus service, and a range of recreational facilities. The establishment of these facilities will be developed by the Proponent and then maintained and operated or subsidised by the Proponent until the costs of operation are matched by income from either local government rates and levies or from commercial operation of the facility.

There are no coastal building lines on Hummock Hill Island. The *Coastal Protection and Management Act 1995* and State Coastal Management Plan do not require setbacks from the coastal management district (as the district itself is the setback distance). The development, apart from necessary marine infrastructure, is located outside the coastal management district (which is also the erosion prone area).

2.3.11 Policy Framework 3.3 - Co-ordination and Sequencing

In delivering services to a fragmented settlement pattern, the coordination and sequencing of a range of infrastructure and community services are important in achieving cost savings and the timely delivery of services to meet the needs of the Wide Bay Burnett community. Development sequencing can achieve efficiencies in the provision of a range of public and private funded facilities and services.



Objective: To ensure that urban development within the region occurs in a coordinated manner so that efficiency of existing infrastructure and services is maximised and new infrastructure and services are supplied in a cost effective manner.

Policy Principle:

- *Development in the region will be coordinated so as to ensure that existing infrastructure and services are utilised efficiently and effectively and new infrastructure and services can be planned and supplied in an orderly, cost effective manner.*

EIS Response

The Proponent will provide the necessary infrastructure on Hummock Hill Island so as not to detrimentally affect the coordination of infrastructure in the region.

Submitter Comment

The proposed development is not cost effective, or efficiently located for future infrastructure investment.

The proposal would potentially compromise the delivery of community services and efficient public transport systems to the area and region. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

HHI Development will be a significant and important asset to the Gladstone region and its community.

The development offers the opportunity to develop a viable and sustainable community, economically sustained by a tourism industry.

The development also offers the opportunity to build efficient and sustainable infrastructure, utilising up-to-date technologies and design.

The Proponent will provide all necessary infrastructure for the development as well as contributions for external infrastructure so that local and State infrastructure providers are not affected. The Proponent proposes to enter into an operation and maintenance agreement with the Gladstone Regional Council to maintain and operate the service infrastructure for a period of years to be agreed and until such operation and maintenance costs can be covered by income from rates and service charges applied to the developed land. This period is likely to occur 12 years after commencement of development of Hummock Hill Island.

2.3.12 Policy Framework 3.4 - Rural Residential Development

Rural residential is very low density residential development in a rural area. Most residents of rural residential development are not involved with traditional rural production in agriculture or forestry. Rather, they choose large lots in a rural location for their amenity, affordability or ability to



accommodate particular home businesses or lifestyles. Such forms of development contribute to the diversity of lifestyle options, character, economy, employment and social fabric of many regions. They may also play a role in sustaining the viability of some rural communities by providing new investment and community support for existing or improved services. However, rural residential development also has potential negative impacts that should be considered prior to designation of this form of land use.

Objective: To ensure that urban development within the region occurs in a coordinated manner so that efficiency of existing infrastructure and services is maximised and new infrastructure and services are supplied in a cost effective manner.

Policy Principle:

- *Development in the region will be coordinated so as to ensure that existing infrastructure and services are utilised efficiently and effectively and new infrastructure and services can be planned and supplied in an orderly, cost effective manner.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The site is not regarded as the most cost effective and efficient location for future infrastructure investment and would result in areas unable to be efficiently or economically serviced by basic infrastructure. Even though current rural activities on the subject site are limited, the subject site is still considered a rural allotment and the activities will be potentially compromised with the proposed development. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The proposal does not include rural residential development. This Policy is not applicable.

2.3.13 Policy Framework 4.1 - Urban Form and Character

Residential design is a major factor in the wellbeing of individuals, families and communities. The design of communities and neighbourhoods should facilitate the provision of housing that is affordable, appropriate, safe and secure within well serviced, aesthetically pleasing and safe environments.

Objectives: To ensure that urban development proposals follow best practice town planning design guidelines.

Policy Principle:

- *The preferred settlement pattern should include a range of residential living opportunities consistent with other Regional Plan principles.*



EIS Response

A range of housing options are proposed for Hummock Hill Island. These include apartment dwellings, small lot town houses and cottages and detached dwellings on larger lots, which provide a range of residential living opportunities. Hummock Hill Island is a master planned community, and as such residential areas will be developed in a coordinated manner.

Submitter Comment

The proposed development is inconsistent with the policy. It has failed to demonstrate that the development provides a mix of housing types, densities, tenures and styles to meet the need of people at different stages of their lifestyles or economic circumstances. The proposed development is inconsistent with the policy by not locating housing close and accessible to places of employment and to a range of services and facilities, communication and transport networks required to meet other household needs.

Supplementary EIS Response

As detailed in Policy 4.2 - Housing Mix, Affordability and Design of the EIS, a range of housing options would be provided. This would include a mixture of apartment dwellings, small lot townhouses, cottages, and larger detached dwellings. This provides housing options at a number of price categories, including options at the more affordable end of the market for tourism and service industry workers as well as retirees.

The proposed HHI Development will provide close and accessible places of employment in the tourism and services industries and a range of services, facilities, communications and transport needs to those on the island.

2.3.14 Policy Framework 4.2 - Housing Mix, Affordability and Design

The need for affordable housing, and for housing options for single adults, communal living arrangements and single parent families is growing. Housing designs should also take into account the regional climatic variables, energy efficiency initiatives and the diversity of housing type and tenure required to satisfy community demand.

Objective: To ensure that adequate supplies of housing exist within the region; that individual household designs are appropriate to the needs and circumstances of the residents; and that housing meets best practice guidelines in terms of safety and energy efficiency.

Policy Principle:

- *The Wide Bay Burnett community has access to an adequate supply of affordable housing that complements the natural and built environment and heritage of the surrounding area, and is carefully designed to maximise residents' amenity, safety and security.*

EIS Response



A range of housing options are proposed for Hummock Hill Island primarily for tourist accommodation. These include apartment dwellings, small lot town houses and cottages and detached dwellings on larger lots, which provide a range of residential living opportunities.

Submitter Comment

A range of housing options for tourist and residents are proposed.

However the proposed exclusive residential and tourism island has failed to demonstrate a supply of affordable housing that complements the natural and built environment of the surrounding area. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The development is not proposed to be exclusive. A range of housing options would be provided to support people wishing to holiday, work and live on the Island.

As stated in the EIS, a range of housing options are proposed for Hummock Hill Island, including apartment dwellings, small lot town houses and cottages and detached dwellings on larger lots. This will provide housing options at a number of price categories, including options at the more affordable end of the market for tourism and service industry workers as well as retirees.

As the majority of the housing supply proposed for the region will consist of detached dwellings, the proposal would contribute to the diversity and affordability of housing in the region.

The proposed development is consistent with the Policy.

2.3.15 Policy Framework 5.1 - Rural Sustainability, Growth and Development

Rural communities, industries and environments make an important and often under-recognised contribution to the region's quality of life. The Wide Bay Burnett's rural communities are a significant contributor to Queensland's economy in the agriculture, grazing, forestry and fishing sectors.

Rural areas and the communities they support contribute greatly to the character of a region, and to the regional economy as a whole.

Objective: To recognise the significant role rural communities play in the Wide Bay Burnett, and to support and encourage healthy and viable rural enterprises that enhance the interdependence of urban and rural communities.

Policy Principle:

- *Conserve and manage rural areas to enhance their ongoing contribution to the regional economy, rural industries and the regional landscape.*

EIS Response



The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

As previously mention, historically, Hummock Hill Island has been utilised for beef and sheep breeding.

Existing and future farming opportunities will be constrained and fragmented by the proposed development. Therefore, rural industries will cease to exist. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The DPIF (now DEEDI) submission to the EIS confirms that the Island does not contain good quality agricultural land.

There is no permanent water on the island to support agricultural use.

The land has no value for agricultural use. Agricultural activities are not currently undertaken on the island and it is not expected that agricultural activities are a viable future use.

This policy is not relevant to the proposed development.

2.3.16 Policy Framework 5.2 - Rural Communities

Rural communities generally have less access to social infrastructure and diverse employment opportunities than their city counterparts. Long travel distances to regional centres and a lack of public transport services often compound this situation.

To address this, State and local governments will work together to improve infrastructure and services to rural areas, and to ensure that the regional land use pattern provides sufficient land around rural towns to facilitate future growth of these centres.

The intent is to reduce isolated rural residential development by consolidating growth around discrete serviceable urban centres. The Regional Plan also identifies a number of major urban centres to focus the delivery of higher order infrastructure, community services, commercial activities and transport into rural areas.

Objective: Ensure rural communities gain benefits from future growth, and participate fully in the planning and development of the Wide Bay Burnett Region.

Policy Principle:

- *Positive change in rural communities will be facilitated by partnerships between government and local communities that build leadership and networking in local communities.*

EIS Response



The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The Regional Plan does not identify Hummock Hill Island as a preferred location for future development. The proposed development is an isolated rural residential development and does not consolidate growth around a discrete serviceable urban centre.

Furthermore, the Regional Plan has not identified Hummock Hill Island as a major urban centre, in which the delivery of higher order infrastructure, community services, commercial activities and transport is focused.

The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The proposed development does not include rural residential lots.

The proposal would create a new centre focussed on tourism. With a tourism focus, it does not directly compete with and therefore compromise the existing urban and rural centres in the region.

A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism and leisure experiences. It would also enable Council to better manage tourism pressures at more fragile or at-capacity areas.

A full array of services and amenities comparable to those found in a rural town are proposed, along with tourist industry that can provide a significant source of local employment.

The strong regional growth expected over the next 20 years is likely to ensure that growth on Hummock Hill Island is unlikely to significantly detract from planned growth in and around existing rural centres in the region. The growth in the regional tourism industry supported by the development would strengthen the regional economy, with flow-on benefits for existing rural centres. On this basis, the proposal does not undermine positive change in rural communities.

2.3.17 Policy Framework 5.3 - Rural Industries

The rural sector continues to undergo structural adjustment due to a range of factors, including competition, deregulation and changing product demands. The intent of the Regional Plan is to maintain and grow those industries which are competitive and to transition non-viable sectors to new activities.

The changes being experienced by rural areas provide opportunities to develop new activities such as rural ecotourism, sport and recreation, culture, art and crafts and niche agricultural products.

The cultural heritage and tourism appeal of the region's rural towns and settlements is becoming increasingly important. The unique character of rural towns and settlements and the diversity of natural features provide significant opportunities to boost these activities.



Efficient transport services, a reliable water supply and good access to infrastructure is crucial to the ongoing viability of rural industries and communities.

Objective: To strengthen rural industries by increasing adaptability, productivity, value-adding and access to markets.

Policy Principle:

- *Maintain a viable rural production sector, capitalising on existing advantages and ready to meet changing circumstances.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

As previously mention, historically, Hummock Hill Island has been utilised for beef and sheep breeding.

Existing and future farming opportunities will be constrained and fragmented by the proposed development. Therefore, rural industries will cease to exist. The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The DPIF (now DEEDI) submission to the EIS confirms that the Island does not contain good quality agricultural land. Agricultural activities are not currently undertaken on the Island and it is not expected that agricultural activities are a viable future use.

There is no permanent water on the island to support agricultural use. The land has no value for agricultural use.

2.3.18 Policy Framework 5.4 - Rural Living

Historical subdivision throughout the region has resulted in a large number of relatively small land parcels. Some of these are too small to support viable traditional farming industries but are attractive to people seeking acreage for non-agricultural use. This ad hoc rural subdivision has the potential to significantly increase the already dispersed settlement pattern of the region, making it increasingly difficult to effectively supply services to residents in these areas through traditional channels.

Policies to encourage rational rural settlement patterns, as well as innovative means of providing acceptable levels of services to these residents need to be developed and implemented to ensure that the lack of services, itself, does not contribute to the decline of otherwise viable communities.

Objective: Consolidate future rural population growth around existing towns and settlements.



Policy Principle:

- *Residential development in rural areas will be encouraged in areas that can be provided with a level of infrastructure and services appropriate to the maintenance of lifestyle standards that are consistent with local community expectations.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The Regional Plan does not identify Hummock Hill Island as a preferred location for future development. The proposed development is an isolated rural residential development and does not consolidate growth around an existing town or settlement.

The site is not regarded as the most cost effective and efficient location for future infrastructure investment and would result in areas unable to be efficiently or economically serviced by basic infrastructure.

The proposed development is inconsistent with the Policy.

Supplementary EIS Response

The development does not include rural residential lots.

The proposal would create a new centre focussed on tourism. With a tourism focus, it does not directly compete with and therefore compromise the existing urban and rural centres in the region.

A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism and leisure experiences. It would also enable Council to better manage tourism pressures at more fragile or at-capacity areas.

Substantial employment opportunities will also arise from the tourism activity generated by the project. The number of jobs created is expected to rise steadily over the life of the development and is expected to peak at approximately 700 people in 2024.

The Queensland Government median projections forecast there will be population growth from the current 50,000 to 81,000 in 2026. If industrial development were to meet the Government's real expectations the population could increase by 40,000 to 90,000 over the 20 year period.

Infrastructure and services are to be provided at a standard commensurate with maintenance of lifestyle standards that are consistent with local community expectations.

The Proponent will provide all necessary infrastructure for the development as well as contributions for external infrastructure so that local and State infrastructure providers are not affected. The Proponent proposes to enter into an operation and maintenance agreement with the Gladstone Regional Council to maintain and operate the service infrastructure for a period of years to be



agreed and until such operation and maintenance costs can be covered by income from rates and service charges applied to the developed land.

HHI Development is expected to deliver a range of services and amenities comparable to those found in a rural town which will be accessible to residents of Hummock Hill Island and adjoining communities, who currently lack easy access to these facilities. The community facilities will include a medical centre, emergency services, a public bus service, and a range of recreational facilities.

2.3.19 Policy Framework 6.1 - Connecting People Places and Activities

The principal role of transport is to efficiently move people and goods around and through the Wide Bay Burnett region. This needs to occur with minimal impact on residents' amenity, safety and environmental quality and with a high regard to meeting growing community and economic needs in the most cost efficient manner. An effective transport system is the key to market access for the region's agricultural produce. Transport is therefore a fundamental contributor to industrial and business growth, income generation, employment, skilling of labour sectors and social wellbeing. Feedback from the region's industry and business sectors consistently cites poor transport as a major barrier to further growth and productivity. A firm commitment is needed from all levels of government and the private sector to identify, plan for, and implement, cost effective transport strategies that address key issues such as road maintenance, the need for an efficient, economic regional freight network and public transport networks.

Objective: To ensure that land use and transportation infrastructure development is undertaken in a coordinated manner, contributes to the achievement of the preferred settlement pattern for the region and underpins a strong regional economy.

Policy Principle:

- *Transport and land use planning should be carried out in an integrated and coordinated planning and policy framework so that the development of transport services and infrastructure supports efficient travel, regional freight requirements and settlement patterns, rather than responding to ad hoc land use demand.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The proposed development is inconsistent with the preferred settlement pattern for the Wide Bay Burnett Region as it does not ensure land use and transport infrastructure development is undertaken in a coordinated manner to contribute to the achievement of the preferred settlement pattern for the region, and underpins a strong regional economy.



Supplementary EIS Response

As advised previously, the Proponent will be providing, or funding the provision of internal and external transport infrastructure. Justification of the development is also provided in the introductory statements.

Also refer to the response to Policy 6.2.

Policy Framework 6.2 - Equitable Access to Transport

Objective: To provide all residents of the region with access to transport services that meet their needs.

Policy Principle:

- *An acceptable level of transport services should be available to all residents, particularly members of the community who do not have access to transport and so have limited access to services.*

EIS Response

The Proponent will provide the necessary road infrastructure to service the HHI Development prior to any construction of tourism facilities on the Island.

Master Planning of the proposed development has provided for bus services to the island and includes bus stops for tourists and residents to utilise local services that will meet the increasing demand.

Submitter Comment

The proposed development is car orientated and although a proposed bus service will operate, the information provided on the level of transport service availability is insufficient to support the policy. This is inconsistent.

Supplementary EIS Response

Hummock Hill Island community is proposed to have a high degree of self-containment. The need to travel would be minimised within the development by providing facilities and services close to the proposed tourist and residential areas. These facilities and services are to be within comfortable walking and cycling distance for residents and tourists on the island.

Transport requirements are to be further supported by local bus services on the island ensuring reasonable access for those unable to use a private vehicle. Whilst walkability has been optimised, the need to avoid impacts to sensitive environments on the island, has resulted in a form that is not compact as possible.



2.3.20 Policy Framework 6.3 - Sustainable Transport Initiatives

Objective: Minimise environmental impacts of transport movements within the region.

Policy Principle:

- *The region's transport system will be developed to avoid significant environmental damage as a result of inadequate planning, work programs and daily operations and activities.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The proposed development is inconsistent with the policy as limited details have been provided as to the levels of transport services made available to the future residents and tourist external to the island.

Supplementary EIS Response

The proposed HHI development promotes sustainable transport initiative with walking and cycling to be provided within the development. The Proponent has committed to providing or funding the provision of all necessary transport infrastructure. Refer to response to Policy 6.2.

2.3.21 Policy Framework 7.1 - Infrastructure Coordination and Efficiency

In order to service the preferred settlement pattern in a cost-effective and timely manner, it is important to coordinate infrastructure provision. Improved coordination and integration of infrastructure and land use planning can significantly assist in reducing infrastructure costs to the community, and ensure the resources of all levels of government are more effectively and efficiently applied to a highly dispersed population.

Objective: To ensure orderly urban growth and efficient provision of infrastructure.

Policy Principle:

- *The efficient and timely delivery of infrastructure should be consistent with the Preferred Settlement Pattern.*

EIS Response

The proponent will provide the necessary urban infrastructure to service the HHI Development as a condition of the SL, prior to constructing any tourist, commercial and residential areas.

Submitter Comment



The proposed development is inconsistent with the Policy as the Policy seeks to direct development towards areas of preferred settlement patterns that have identified infrastructure capacity, and ensure any infrastructure costs of development that is inconsistent with the preferred settlement pattern is not borne by public authorities.

Supplementary EIS Response

The Proponent will provide or fund the provision of all necessary infrastructure costs.

2.3.22 Policy Framework 7.5 - Energy Supplies

Competitively priced and reliable energy supplies are crucial in attracting and retaining business and industry, and promoting value-adding activities in the region. Increasingly, the local, regional and global community will demand that energy be generated and distributed in ways that are less environmentally damaging, or that measures be put in place to mitigate damaging practices. This will include ensuring high levels of energy efficiency, development of renewable energy sources, capturing waste energy, and undertaking measures to decrease the impact of greenhouse gas emissions.

Objective: To ensure that energy supplies are reliably provided throughout the region in a cost-effective, efficient, and environmentally sensitive manner.

Policy Principle:

- *The region should meet its energy needs in an economically efficient and ecologically sustainable manner.*

EIS Response

The proposed development did not provide an assessment against this Policy Framework.

Submitter Comment

The proposed development fails to provide adequate information to demonstrate compliance with the Policy.

The Policy seeks to promote the efficient use of energy and the provision of economically and environmentally viable alternative energy supplies. Furthermore 7.1.5 (d) seeks to encourage energy efficiency in residential, commercial and industrial developments, having particular regard to the design and construction of subdivisions, residential dwellings and business premises.

Supplementary EIS Response

The development offers the opportunity to build efficient and sustainable infrastructure, utilising up-to-date technologies and design.

2.3.23 Policy Framework 8.1 - Provision of Community Services

Community infrastructure and services may include health services, individual, family and community support, community development, education, arts, culture, sport, recreation, housing, employment and training, legal services, public safety, emergency services and community transport. Essentially, it is the framework of community services and facilities required to provide quality of life and community wellbeing. It is financed and managed by all levels of government, community organisations and the private sector.

With continual change in the region the issue of human services delivery will be a significant factor influencing the wellbeing of our communities in meeting the day-to-day needs of residents, providing assistance to the disadvantaged and in building community stability and identity. Due to the dispersed pattern of settlement in the Wide Bay Burnett region and the complexity of the human services sector, a more integrated, coordinated and flexible approach to service delivery is required to ensure that we retain and continue to improve the quality of life of the Wide Bay Burnett community.

Objective: To provide communities with access to essential services which support their daily needs and underpin their quality of life and functioning as viable working communities.

Policy Principle:

- *To ensure new and effective levels of community services and facilities are provided to the Wide Bay Burnett region, whilst adhering to social justice principles.*
- *Cooperative interaction must occur between all levels of government and community organisations in the planning and development of human services and community facilities to ensure services are accessible, cost effective, and responsive to local needs.*

EIS Response

Community services and facilities are discussed in Section 16.

Submitter Comment

The proposed development seeks to create an urban development, which is inconsistent with the preferred settlement pattern identified of the Policy. The department is concerned that the EIS fails to demonstrate that a range of services are available, accessible, cost effective, and responsive to local needs, for each stage of development and for the life of the development.

Supplementary EIS Response

The proposed community facilities would be provided in a staged manner across many years at a level commensurate with the early establishment of acceptable standards for the proposed tourist community. The early establishment of the resort complex on the island would provide a level of service that would exceed those typically associated with new developments as the facilities required to support the resort would also be available to early residents of the island.



The proposed Hummock Hill Island Community can be serviced efficiently and equitably, as the Proponent is prepared to meet the full cost of infrastructure and service provision throughout the establishment and construction phases of the proposal.

A full array of services and amenities comparable to those found in a rural town are proposed, along with tourist industry that can provide a significant source of local employment.

2.3.24 Policy Framework 10.4 - Tourism

Tourism is a significant driver for growth throughout the region. Many of the natural tourism advantages of the region are underdeveloped, under-packaged and under-promoted.

Objective: To effectively capitalise on the region's natural advantages and current trends and patterns in tourism, in order to promote a sustainable, prosperous tourism industry through enhancing viability, innovation, efficiency and market awareness.

Policy Principle:

- *Having regard to the long term preservation of the region's key natural assets, identify opportunities in tourism which builds on the region's natural advantages, promotes cooperation in tourism packaging and branding, while supporting the most cost effective application of marketing and promotional funds.*

EIS Response

The HHI Development will enhance the tourism industry in the region by providing approximately 1,500 tourist accommodation units. Tourists staying at Hummock Hill Island will have access to the Island's natural environment, including beaches and bush land areas, for the purposes of low impact recreation opportunities.

Hummock Hill Island's natural assets, which contribute to the attractiveness of the Island for tourists, will be protected. Large areas of remnant vegetation will be retained within the development footprint to promote ecological connectivity on the island. The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies.

Submitter's Response

The proposed development provides a wide range of tourism opportunities that build on the region's natural advantages. The proposed Plan of Development has incorporated the dominant remnant vegetation that exists on the island.

However, the island and surrounding waters are identified in the regions large marine park. Ecosystems and fish breeding grounds would be damaged by an increase to the population in the proposed large urban and tourism development.



Therefore, the proposal does provide ample tourism opportunities, however will damage aspects of the environment in doing so and is considered inconsistent with the policy.

Supplementary EIS Response

The Proponent recognises that the preserving and maintaining the ecological values of Hummock Hill Island are a key factor in the ongoing success of the proposed tourist development.

The EIS and Supplementary EIS demonstrate that impacts to terrestrial and marine environments are avoided where possible and minimised through mitigation measures and offsets.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies.

Furthermore, Hummock Hill Island will provide a range of tourism experiences and settings currently unavailable within the region, which will strengthen and enhance the overall tourism industry.

DEEDI manages recreational fishing to ensure fish habitats and stocks are maintained.

The two marine parks in place include provisions to ensure developments and marine park users do not detrimentally affect the marine resources.

The Proponent will provide education programs for tourists and local residents to promote awareness of the potential to impact on both the terrestrial and marine environments and take responsibility for the local environment.

2.3.25 Policy Framework 10.5 - Inwards Migration

A significant driver for growth throughout the region is the aggregation of patterns of migration to and within the region. These changes provide significant opportunities for further economic growth.

Objective: To effectively plan for and capitalise on current demographic trends and patterns of inwards migration to the region.

Policy Principle:

- *Having regard for the long term preservation of the region's key assets such as balanced settlement patterns and renewable resources; evaluate the impact of new population movements and demographic patterns at the local and sub-regional levels, identify opportunities and constraints generated by these drivers, encourage the development of planning strategies to address constraints, and to access economic development opportunities.*

EIS Response



The proposed development will support and encourage migration into the region by providing housing and tourism opportunities. The draft Plan of Development and planning implications of the project are addressed within this section. The social and economic implications of the project are discussed in Section 14 and Section 15 of the EIS.

Submitter's Response

Currently the seaside residential lifestyle and settlement pattern is identified as a major component and contributor to the proposed development.

The proposed development seeks to benefit from the ocean views, natural isolation and large waterfront possibilities the island possesses. However, the proposed development is not envisaged to contribute to a positive balance for settlement pattern when compared to the surrounding towns.

The supplied information has not provided sufficient information to support this policy, nor justify the large settlement pattern, that would remove tourism from Miriam Vale Shire Council's existing tourism towns. The proposal is considered inconsistent with the policy.

Supplementary EIS Response

The proposal would create a new centre focussed on tourism. With a tourism focus, it does not directly compete with and therefore compromise the existing urban and rural centres in the region.

A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism experiences. It would also enable Council to better manage tourism pressures at more fragile or at-capacity areas.

Hummock Hill Island would increase tourist numbers rather than diverting growth and tourism from the existing tourist towns in the region (which are experiencing sustained growth).

Where a variety of tourism centres are present within a region, there would be synergistic effects that create benefits for all tourist destinations in that catchment (including greater marketability and the ability of the region to gain a lift from new investment that raises overall awareness of tourism opportunities).

3 Local Planning Instruments and Local Laws

The Proponent recognises that the site of the project is not currently identified for tourist or urban development and that the project is inconsistent with the current planning scheme zoning. However, the Proponent intends to seek a change to the zoning of the land to allow the project to proceed. The zoning of the site as Rural does not preclude development of tourism facilities.

In accordance with the *Integrated Planning Act 1997*, the project satisfies the requirement of an ecologically sustainable development. Consequently, projects that are shown to be ecologically sustainable can be given approval to over ride the planning scheme.



3.1 Transitional Planning Scheme

3.1.1 Strategic Plan

Submissions have expressed a view that the proposed HHI Development is inconsistent with the aims and objectives of the Strategic Plan of the Transitional Planning Scheme. Provisions of the Strategic Plan that are relevant to the HHI Development are discussed as follows.

Strategic Plan Aim - Economic Development

- to support the expansion of the economy of the Plan Area through the establishment of rural, industrial and commercial enterprises which provide a sound and appropriate employment basis;
- to promote the development of tourism and recreational facilities and to promote the establishment of a viable tourism industry;
- to support appropriate growth and development within the Plan Area.

EIS Response

The proposed HHI Development, comprising a range of tourism accommodation recreational facilities and supporting facilities, and housing, will provide the catalyst for expansion of the Shire's economy by establishing a predominantly self-sufficient community of approximately 5,000 people.

This community would function as a new centre for employment in the Shire, providing employment opportunities ranging from the construction phase to the continued operation of businesses, facilities and services. The tourism and recreational facilities are key elements of the integrated development and will contribute to the growth of a viable and diverse tourism industry in the Shire.

As such, the proposal is consistent with the relevant aims of the Strategic Plan relating to economic development.

Submitter Comment

The proposed HHI Development generally contributes to creating a strong and productive economy, through enhancing tourism opportunities in the shire as well as providing future employment opportunities.

However, it is considered that the proposal may serve to dilute existing tourism activity occurring presently at both Agnes Water and Seventeen Seventy. Moreover, Hummock Hill Island has not been identified as a location for a Tourism Facility.

Supplementary EIS Response

The proposal would create a new centre focussed on tourism in a region focused on industrial growth. With a tourism focus, it does not directly compete with and therefore compromise the existing urban and rural centres in the region.



A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism and leisure experiences. It would also enable Council to better manage tourism pressures at more fragile or at -capacity areas.

Hummock Hill Island would increase tourist numbers rather than diverting growth and tourism from the existing tourist towns in the region (which are experiencing sustained growth).

Where a variety of tourism centres are present within a region, there would be synergistic effects that create benefits for all tourist destinations in that catchment (including greater marketability and the ability of the region to gain a lift from new investment that raises overall awareness of tourism opportunities).

The Island is subject to a Special Lease, sponsored by the Queensland Government that identifies tourist development as a suitable use.

Strategic Plan Aim - Social and Economic Wellbeing

- to ensure infrastructure is provided at an appropriate standard commensurate with acceptable standards of living for the community;
- to ensure the provision of a transportation network which efficiently serves the needs of residents and visitors;
- to limit development to locations where an acceptable standard of amenity can be maintained; and
- to maintain socio-economic diversity within the community through flexibility in the location and type of housing.

EIS Response

Current infrastructure provision on Hummock Hill Island is very limited and the establishment of a new community on Hummock Hill Island will necessitate significant infrastructure provision to sustain the community and achieve a liveable environment. The access road to Hummock Hill Island and the bridge over Boyne Creek will be constructed in the first stage of infrastructure works.

The potable water supply, wastewater treatment plant, solid waste transfer station and electricity will be provided in the next stage of infrastructure works coinciding with the first stage of construction of the resort and residential development to ensure that an acceptable standard of living is provided to dwellings. Details of proposed infrastructure are included in Section 3.

Further infrastructure including the trans Island boulevard will be constructed to coincide with the staging of further development on Hummock Hill Island. Socio-economic diversity within the HHI Development community will be facilitated through provision of a diverse range of housing choice, both permanent and temporary. Housing choice will include bushland allotments, golf course allotments, hillside allotments, resort apartments and tourist park accommodation.

Submitter Comment



The provision of the required infrastructure will necessitate large scale works, operational works on site and the proposed bridge will subsequently generate additional potential impacts on existing fauna and flora.

Furthermore, the proposed development reflects a high degree of dependence on private vehicle movements and does not provide information outlining how it proposes to support public transport services in the area. Furthermore, the proposed new road system will subsequently impact on the area's natural environment.

Supplementary EIS Response

The proposed infrastructure would be provided in a staged manner across many years at a level commensurate with the early establishment of acceptable standards for the proposed tourist community. The early establishment of the resort complex on the island would provide a level of service availability that would exceed those typically associated with new developments as the facilities required to support the resort would also be available to early residents of the island.

The infrastructure provision on the island would be at the cost of the Proponent, and the proposal would not make demands on the trunk infrastructure network requiring works to be brought forward. The costs of all external works to support the proposal would be met by the Proponent in accordance with conditions of development, the EMP and Proponent Commitments.

The EIS and Supplementary EIS demonstrate that environmental impacts are avoided where possible and minimised and offset.

The location and development of the road system has been revised to avoid areas of 'Endangered' and 'Of Concern' regional ecosystems. The development of both the roads and other infrastructure will be subject to the proposed mitigation and management strategies outlined in the EMP, Proponent Commitments and the provision of Offsets as required to meet Best Practice Standards for Environmental Management.

The Proponent will provide public transport service between the island and Gladstone/Tannum Sand during the development years until a viable transport business can be established on the island.

Strategic Plan Aim - Environment

- To promote a high quality environment as a significant resource for both residents and visitors;
- to limit development to locations where adverse environmental effects can be minimised;
- to ensure that all development conforms to appropriate performance standards and criteria;
- to protect all environmentally significant or sensitive areas from adverse impacts of development;
- to promote environmental concern and awareness within the community;
- to promote the principles of ecologically sustainable development, within an appropriate economic framework, within the land use management process.



EIS Response

The proposed HHI Development concept focuses on achieving coexistence of the natural and built environments. It is proposed to utilize and promote the environment as a key resource that will contribute to the unique character and liveability of the proposed HHI Development.

The HHI Development seeks to preserve the environment, protect significant environmental resources to the extent practicable and put in place management protocols to manage potential development effects.

Submitter Comment

The subject site is currently affected by coastal area restrictions due to the high marine importance and land restrictions because the subject site contains significant environmental resources such as Dominant Endangered Ecosystems and Remnant Vegetation. Therefore, it is considered that the proposed development will generate adverse impacts upon the natural environment and biodiversity of the area.

Supplementary EIS Response

The EIS and Supplementary EIS demonstrate that environmental impacts have been avoided where possible and minimised and offset.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided.

With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved. The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated. The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The HHI Development boundary will be fenced and have a barrier to prevent vehicular access and uncontrolled pedestrian access to the Nature Refuge. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas. The Proponent propose the



Gladstone Regional Council impose a special area environmental levy on land owners to cover the cost of these environmental services.

Strategic Plan Objective - Rural Areas

Section 1.5.2, Objective 1 - Further fragmentation of rural holdings will not be supported.

EIS Response

The purpose of this objective is to maintain rural productivity by protecting the fragmentation of rural holdings. Land within the proposed HHI Development has been classified as poor quality agricultural land in accordance with the SPP1/92 Guideline for Development and Conservation of Agricultural Land. This is addressed in Section 5. Pursuant to this classification, the HHI Development would not result in the loss of valuable rural land and rural productivity would not be adversely affected.

The implementation criteria of this objective state that development and associated subdivision within the Rural Area will not be supported other than where such subdivision clearly satisfies a demonstrated need and is associated with development which is in accordance with the provisions of the Strategic Plan.

Local government approval of the integrated tourist/residential development in 1988 indicates acceptance that the development of the land for tourism and residential related purposes would not result in the unacceptable fragmentation of rural holdings.

The implementation criteria allow for development and associated subdivision within the Rural Areas to be supported in respect of proposals such as appropriate tourism or recreational development.

The HHI Development will include a range of tourism and recreational facilities including accommodation, for example resort apartments, hotel, camping ground and recreational facilities including a golf course, two boat ramps pedestrian beach access and picnic parks. These facilities will rely upon the 'naturalness' of Hummock Hill Island in providing unique tourism experiences. Housing also forms a main component of the proposed community and this will provide a residential population to support the viability of ancillary services that also service the tourist and recreation population.

Submitter Comment

The proposed development seeks to locate an urban residential development outside of the Council's designated urban area. Rural areas require a demonstrated demand for further development of low density residential housing, in which the information provided, was insufficient. The proposed development is inconsistent with this objective.

Supplementary EIS Response



The proposal would create a new centre focused on tourism. With a tourism focus, it does not directly compete with and therefore compromise the existing urban centres in the region. The residential component of the proposed development is relatively minor over the next 20 years in comparison to the capacity of the regional and other urban centres.

A new tourism centre would strengthen the tourism industry in the Gladstone Regional Council area and increase the diversity of tourism experiences. It would also enable Council to better manage tourism pressures at more fragile or at-capacity areas.

Population growth within the former Miriam Vale Shire area and the region generally has been at a higher rate than generally envisaged within the Planning Scheme. A comprehensive residential strategy provides for an array of housing choice in a variety of settings that caters for the housing needs and wants of the population.

The coastal/island settings available at Hummock Hill Island provide attractive residential options not currently available or planned to be available elsewhere in the region. Opportunities for further growth at Agnes Water are limited, though it is under development pressure as it has a unique characteristic of being the northernmost surf beach environment on the east coast of Australia. Hummock Hill Island would complement the range of residential options available or planned in Tannum Sands/Boyne Island and Gladstone and would cater for differing market categories than many of these planned developments.

The Island is subject to a Special Lease which accommodates development and proposals for development have previously been approved on the island.

The island is not suitable for use for agricultural purposes.

Strategic Plan Objective - Rural Areas

Section 1.5.4 Objective 2 - Visually and/or environmentally significant areas, including higher areas, steep land, foreshores and wetlands shall be preserved and protected from inappropriate development.

EIS Response

Strategic Plan Map 1 in the Transitional Scheme identifies areas of significance in the Shire and those relevant to the HHI Development are:

- fish habitat reserves;
- erosion prone areas; and
- mining leases.

Colosseum Inlet and the tidal estuary that divides Hummock Hill Island is a declared fish habitat areas. The fish habitat area is discussed further detail in Section 15. Erosion Prone Areas exist on the northern coastline of Hummock Hill Island. There are two mining leases over parts of Hummock



Hill Island however Strategic Plan Map 1 does not acknowledge these as areas of significance that should be protected from inappropriate development.

Whilst the proposed HHI Development seeks to avoid development in environmentally significant areas, the two proposed boat ramps and bridge have the potential to impact on the declared fish habitat areas and erosion prone areas. Section 15 addresses the potential impacts of these works and recommendations are made to mitigate identified impacts.

Submitter Comment

The introduction of a large residential population onto the subject site would be detrimental to adjoining fish habitats and protected Marine Park.

Recreational fishing is a large part of shire residents and visitor's lifestyle. Furthermore, by possibly damaging fish stocks and disturbing breeding habitats in the area, the proposed development could potentially affect fishing in other parts of the Shire.

The proposed Plan of Development is identified on the Coastal Management Overlay, containing a required 55m and 80m setback (Coastal Dune District/Coastal Building Line area).

The proposed development has incorporated a road that runs parallel in the Coastal Dune District / Coastal Building Line area and not setback the appropriate distance required.

The road will be frequently used and have adverse impacts on the Coastal Dune District resource.

The proposed development is inconsistent with the policy.

Supplementary EIS Response

The EIS and Supplementary EIS have demonstrated that impacts on fish habitats and marine parks are not significant and are avoided where possible, and otherwise minimised. DPIF (now DEEDI) manages recreational fishing to maintain fish habitat and stocks. The two marine parks include provisions to manage the use of and impacts to the marine park areas.

The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area. The district incorporates the required setback.

Impacts on coastal dunes have been minimised by changes to the design of the development. The remaining impacts have been balanced with the demonstration of a net benefit to the state if the development proceeds.

Strategic Plan Objective - Rural Areas



Section 1.5.6, Objective 3 - The development and subdivision of additional smaller rural allotments will not be supported except in accordance with the provisions of subsection 1.5.3. The preferred objective is to utilize existing allotments efficiently and effectively.

EIS Response

The proposed development did not provide an assessment against this objective.

Submitter Comment

The applicant failed to demonstrate compliance with this objective. As the proposed development is inconsistent with section 1.5.3 (objective 1) for rural areas "Further fragmentation of rural holdings will not be supported". The proposed development is inconsistent with this objective.

Supplementary EIS Response

The proposal does not intend to create smaller rural allotments.

Instead the proposal intends to create a tourist resort/urban environment within a wider conservation setting. The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. There will be no further rural/agricultural use of the island. The development will benefit the region by increasing tourism opportunities and expenditure.

The DPIF (now DEEDI) submission confirmed that the Island does not contain good quality agricultural land.

The Island is subject to a Special Lease which accommodates development.

Strategic Plan Objective - Tourism

Section 1.7.2 Objective 1 - The establishment of a significant tourism industry as a major contribution to the future economic well being of the Plan Area is supported.

EIS Response

Hummock Hill Island and surrounding estuaries currently provide limited low-key tourist and recreational resources that cater for fishing, boating, swimming and basic camping. The development will significantly expand and diversify the range of recreational and tourism facilities provided on Hummock Hill Island including the following:

- Two boat ramps;
- Two golf courses and associated golf clubs;
- Camping area;



- Picnic parks;
- Walking trails; and
- Lookouts.

The implementation criteria identify the provision of facilities for boating related activities, which will be provided for with the new boat ramps and marine precinct.

Agnes Water/Seventeen Seventy is identified as the principal tourism focus for the Shire. The Plan does not identify Hummock Hill Island as a location for tourism facilities. However, Hummock Hill Island has been earmarked for an integrated development for a considerable period of time. The Island was once designated as a Future Urban Zone and in 1998, Council resolved to approve the rezoning of part of the Island under pastoral lease 19/129 from Rural A Zone to the General Business Zone. Council also resolved to grant town planning consent for the purpose of an integrated tourist resort on the Island subject to a Special Lease. The HHI Development would propose a similar range of tourism facilities as proposed in the previous development and it does not preclude the development of Agnes Water/Seventeen Seventy as the tourism focus for the Shire.

The proposed facilities will contribute towards strengthening the tourism industry in Miriam Vale Shire, for the benefit of tourists and residents of the Shire. The strengthened tourism industry will, in turn, contribute to the economic well being of the Shire. This is discussed in further detail in Section 3.

Submitter Comment

It is considered that the proposal may serve to dilute existing tourism activity occurring presently at both Agnes Water and Seventeen Seventy. Furthermore, Hummock Island has not been identified as a location for a Tourism Facility. The proposed development is inconsistent with this objective.

Supplementary EIS Response

The Hummock Hill Island proposal offers differing and complementary tourism experiences than what is currently available within the region. It has a different setting than what is provided at Seventeen Seventy, Agnes Water and Tannum Sands.

It offers the only opportunity for an integrated resort community between the Capricorn Coast and the Burnett. Hummock Hill Island would increase tourism numbers rather than diverting growth and tourism from the existing tourist towns in the region. Existing centres are experiencing sustained growth at levels greater than those forecast in the regional plan.

Where a variety of tourism offerings are present within a region, there are synergistic effects that create benefits for all tourist destinations in that catchment (including greater marketability and the ability of the region to gain a lift from new investment that raises overall awareness of tourism opportunities). The proposal would contribute to the development of a significant tourism industry that would make a major contribution to the economic well being of the Gladstone region.



A major investment that is not industrial, mining or port related, significantly adds to the social infrastructure of the region, attracting visitors, offering a variety of employment opportunities that are not industrial. The project also adds to the diversity of the community.

The development of Hummock Hill Island would also benefit existing tourism centres that are at-capacity and are under development pressure as well as tourism centres that are based on more sensitive environments.

Strategic Plan Objective - Tourism

Section 1.7.4 Objective 2 - All tourism proposals shall conform with the objectives and implementation criteria of the Strategic Plan, particularly those relating to conservation and ecological sustainability, as may be relevant to the particular proposal.

EIS Response

The planned tourism and recreation opportunities are predominantly environmentally based in that they will base tourism and recreation experiences around the natural and amenity values of Hummock Hill Island and surrounds. To achieve this focus and maintain the viability of tourism and recreational opportunities, the HHI Development seeks to protect the natural systems from intrusion and degradation.

The key objective of the HHI Development is to develop a residential/tourist community that coexists with the natural environment and utilises the natural resources as the basis for the lifestyle, tourism and recreational opportunities.

Technical studies have been undertaken of the existing environment to identify potential impacts and measures to mitigate and manage impacts on the environment have been recommended in the EIS.

Submitter Comment

The introduction of a large residential population onto the subject site would be detrimental to adjoining fish habitats and protected Marine Park. Recreational fishing is a large part of shire residents and visitor's lifestyle. However, by possibly damaging fish stocks and disturbing breeding habitats in the area, the proposed development could potentially affect fishing in other parts of the Shire.

The proposed supporting infrastructure is positioned in proximity to endangered vegetation areas and would potentially adversely impact on the values of these areas. In particular, the development is noncompliant with adequate buffers, setbacks and the overall protection of identified areas of environmental biodiversity (land and marine ecosystems). The Hummock Hill Island unique isolation and existing tranquillity would certainly be lost with the instalment of urban development. This is inconsistent with the Policy.

Supplementary EIS Response



The EIS and Supplementary EIS have demonstrated that impacts on the marine environment are not significant. Such impacts are avoided where possible and otherwise minimised.

DPIF (now DEEDI) manages recreational fishing to maintain fish habitats and stocks. Two marine parks are in place to manage the use of marine waters.

The development, apart from the marine infrastructure is located outside the coastal management district (erosion prone area). The district incorporates the required coastal setback.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided. With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets. The offset areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The offset areas will continue to be managed until the areas reach remnant status.

Strategic Plan Objective - Transportation

Section 1.9.4, Objective 2 - The incorporation of alternative transportation facilities in development proposals, including those for public transport, bicycling and pedestrian, is encouraged and supported.

EIS Response

The proposed development did not provide an assessment against this objective.

Submitter Comment

The applicant failed to demonstrate compliance with this objective.

Supplementary EIS Response

Walking and cycling are to be promoted within the development.



The Island community is proposed to have a high degree of self-containment, with the need to travel minimised within the proposal by providing facilities and services close to the proposed tourist and residential areas. This would mean that these facilities and services would be within comfortable walking and cycling distance for many residents and tourists on the island.

Transport services would be further supported by local bus services on the island and to Tannum Sand and Gladstone ensuring reasonable access for those unable to use a private vehicle.

Walkability has been optimised to the extent possible within the development relative to the need to protect significant environment values.

Strategic Plan Objective - Environment and Lifestyle - Character

Section 1.10.2 Objective (a) - To create, maintain or reinforce the desired character of local areas within the Plan Area.

EIS Response

The proposed HHI Development seeks to preserve the natural character of the locality by incorporating an extensive network of open space throughout the development and basing recreation and tourism experiences around the natural resources both on and surrounding Hummock Hill Island.

Submitter Comment

The subject site is a rural locality. With introduction of urban development onto the island, the existing Rural character will be lost. The proposed development is inconsistent with this objective.

Supplementary EIS Response

The majority of the island would be retained undeveloped, thereby retaining the rural/open space character on most of the Island.

The area to be developed would have an urban/tourism character. While this is a change from the existing character, the nature and design of the development seeks to ensure the surrounding character is prominent. The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The EIS and Supplementary EIS demonstrate benefits for the region and state for this development and this justifies the proposed character change.

The EIS and subsequent development applications allow the State and local governments to assess the development and ensure the development is appropriate.

Strategic Plan Objective - Environment and Lifestyle - Character

Section 1.10.2 Objective (e) - To initiate design controls for the built environment.



EIS Response

A Plan of Development will be compiled for the proposed HHI Development that sets out design controls for the built environment that will achieve the desired design outcomes of the Transitional Planning Scheme.

Submitter Comment

The proposed development has not provided specific design details for compliance with the Transitional Planning Scheme. The proposed development is inconsistent with this objective.

Supplementary EIS Response

The EIS included the draft Plan of Development which contains the HHI Development Code. The code provides for detailed assessment of future built form. The proposed code would work with the planning scheme to ensure appropriate design controls exist for future development.

The proposed Material Change of Use development application would include a full assessment of the planning scheme in place.

Strategic Plan Objective - Environment and Lifestyle - Biodiversity

Section 1.10.5 Objective (1) - to maintain biological diversity through the protection management and enhancement of areas of nature conservation value such as areas of native vegetation, wildlife habitats, conservation corridors, wetlands, coastlines and foreshores and areas otherwise identified as giving conservation value.

EIS Response

The proposed development did not provide an assessment against this objective.

Submitter Comment

The applicant failed to demonstrate compliance with this objective.

Supplementary EIS Response

The majority of the island and the surrounding marine environment would not be developed.

The EIS and Supplementary EIS have demonstrated that environmental impacts have been avoided where possible and otherwise minimised and offset.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided. With a few limited exceptions for public access and infrastructure, the development would be set well back from coastal areas (outside the coastal management district). Buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.



Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated. Vegetation Management Offsets will be acquired and managed to compensate for any unavoidable loss of endangered or off concern vegetation. The Proponent has located suitable vegetation for offsets that has far greater environmental value than that lost on the island.

Strategic Plan Objective - Environment and Lifestyle - Conservation and Heritage Area

Section 1.10.6, Objective (1) - To protect core areas of conservation value such as national parks, state forests and reserves, Marine Parks, World Heritage Properties and National Estate Areas from nearby incompatible uses.

EIS Response

Hummock Hill Island lies within the Great Barrier Reef Marine World Heritage Area and is located adjacent to the Great Barrier Reef Marine Park and Great Barrier Reef Coast Marine Park. Potential impacts to these areas are discussed in the EIS and provide mitigation actions that minimise identified impacts. The Environmental Management Plan prepared in association with the HHI Development sets out recommended measures to protect the environmental values of the World Heritage Area and marine parks.

Submitter Comment

The subject site has extensive coastline. Introducing human activity into this relatively isolated natural area will be detrimental to biodiversities existing along the coastline and in the coastal wetlands. The proposed development is inconsistent with this objective.

Supplementary EIS Response

The majority of the island and the surrounding marine environment would not be developed. The development, apart from marine infrastructure is located outside the coastal management district (erosion prone area).

The marine water surrounding the Island are managed by fisheries management requirements as well as two marine parks.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided. With a few limited exceptions for public access and infrastructure, the development would be set well back from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated. Vegetation Management Offsets will be acquired and managed to compensate for any unavoidable loss of endangered or off concern vegetation. The



Proponent has located suitable vegetation for offsets that has far greater environmental value than that lost on the island. A relatively small area of coastal dunes is likely to be affected by the development. An economic assessment has been undertaken, and a net benefit to the state has been demonstrated.

Strategic Plan Objective - Environment and Lifestyle - Prevention of Land Degradation

Section 1.10.7 Objective (1) - To prevent degradation of land, water systems and other environmental values and to restore degraded areas.

EIS Response

The proposed development did not provide an assessment against his objective.

Submitter Comment

The applicant failed to demonstrate compliance with this objective.

Supplementary EIS Response

The EIS and Supplementary EIS have demonstrated that environmental impacts would be avoided where possible or otherwise minimised.

The majority of the island would be retained undeveloped. The development land has been degraded by previous grazing activities, and through the development, it would be rehabilitated and managed.

Strategic Plan Objective - Environment and Lifestyle - Rural Land Strategy - Approach

Section 1.11.7.2, the preparation of a detailed rural land strategy would identify guiding principles and areas of significance and would provide a framework for the determination of development proposals and for the use and management of the rural areas.

EIS Response

The proposed development did not provide an assessment against this objective.

Submitter Comment

The applicant failed to demonstrate compliance with this objective.

Supplementary EIS Response

The DPIF (now DEEDI) submission confirmed that the Island does not contain good quality agricultural land. Rural activities do not currently occur on the Island and they are not viable future uses for the Island. The land has no value for agricultural use. The development would have a tourism/urban nature rather than a rural nature.



3.1.2 Strategic Plan Area Designation

Various submissions have stated that the proposed HHI Development is generally inconsistent with the intent of the rural zone as detailed within the Transitional Planning Scheme.

The majority of Hummock Hill Island will not be developed and will be retained for open space/non-urban purposes.

It is recognised that the proposed HHI Development does not reflect the existing rural/non-urban land use. This is why the proposal seeks to change the planning scheme to allow an integrated tourist and residential community. Following the EIS process, Council will be able to further consider this issue through the consideration and assessment of the proposed Preliminary Approval for a Material Change of Use application.

Hummock Hill Island is now in the Gladstone Regional Council area and its status must now be considered in this context. It would be expected that a new planning scheme will be developed for the GRC and that Hummock Hill Island's strategic values may be reconsidered. Hummock Hill Island (and in particular the Leasehold area) are considered highly appropriate for a major tourism destination, adjacent to a major, rapidly expanding industrial city and with an abundance of natural attributes and highly suitable topography for a major resort and recreational development. The suitability of the Hummock Hill Island for a tourism development is recognised by the issue of the development lease by the Government, granting of revised and contemporary lease conditions in 2005 and the subsequent granting of significant project status by the Queensland Coordinator General.

The land use outcomes sought by the proposal are consistent with the intentions of the Special Lease over the site, that recognises appropriate uses for business, industrial commercial residential tourist and recreational uses. The Island does not contain good quality agricultural land which has been confirmed by the DPIF (now DEEDI). There are no current rural activities on the subject site and rural activities ceased some 18 years ago. The site is currently vacant as per the terms for the cessation of the former pastoral lease. The current lease conditions do not envisage rural use of the subject land. The development of Hummock Hill Island is to occur in accordance with the intent of the Special Lease over the site issued by the State Government (which caters for the development of Hummock Hill Island) as well as planning instruments and/or approvals.

Hummock Hill Island remains the only viable location to establish a major integrated tourist resort community on the Curtis Coast. This is due to the fact that environments and ecosystems found on Hummock Hill Island are well protected in the national park estate and due to the unique tenure arrangements present on Hummock Hill Island. The proposal would have a net economic benefit to the region and State, with this potential recognised by the granting of the Special Lease.

Due to the fact that the proposal covers a discrete area on an island, with an extensive conservation buffer around the proposed developed areas, a clearly defined boundary between urban and rural areas will be maintained.



3.1.3 Zoning

The preferred land uses within the Shire of Miriam Vale are broadly expressed into two zones, Urban and Rural. The area comprised of the HHI Development is included within the Rural Zone.

Under Section 2.2.2 of the Miriam Vale Shire Transitional Planning Scheme, the site is designated part of the Rural Zone. The scheme states that the intent of the Rural Zone is:

“(a) Rural development such as agriculture, forestry, grazing, intensive agriculture and intensive animal husbandry;

(b) Extractive industry and higher intensity industry at appropriate locations; and

(c) Open space, recreational and tourist development at suitable locations”.

Submitters have noted that the proposed HHI Development is generally inconsistent with the rural objectives given the range of proposed land uses and reconfiguration of the land into a range of lot sizes that are not consistent with the Transitional Planning Scheme.

The HHI Development is consistent with ‘open space, recreational and tourist development at suitable locations’ as:

- the majority of Hummock Hill Island will remain undeveloped and would be used for open space purposes;
- the development is tourist focussed; and
- the location is suitable for tourism development given its proximity to the Great Barrier Reef, and the land is not good quality agricultural land.

3.1.4 Planning Scheme Provisions

Part 4, Section A of the Transitional Planning Scheme includes special requirements in relation to development, that provide guidance to achieve an acceptable standard of land use and development. Section B contributes urban design and environmental requirements in relation to development. It is considered that the urban design aspects of the Transitional Planning Scheme are premature for assessment as insufficient information regarding the individual land uses are not provided. The following Section assesses the proposed HHI Development against the special requirements and environmental aspects in within Part 4 of the Transitional Planning Scheme.

Requirement - General

Section 4.1.3 - Development shall not be carried out until the applicant has provided or made provision for, to the satisfaction of the Council:

- alterations to public utility mains, services or installations made necessary by the development;
- external works, required by Council, such as:



- concrete kerbing and channelling or table drains;
- forming, grading and construction of footpaths;
- construction or paving of roads;
- crossings over the channels and footpaths;
- access;
- water supply and sewerage; and
- drainage;
- Contributions as required by Council for:
 - water supply and sewerage works in accordance with the requirements of the Act and the relevant local planning policy;
 - parkland in accordance with the requirements of the Act and the relevant local planning policy;
 - roadworks; and
 - other matters where reasonably necessary;
- an agreement for works between the Council and the applicant in accordance with the requirements of the Act;
- suitable landscaping and the maintenance of that landscaping as required by the Council;
- adequate screening and buffering between potentially conflicting uses as required by Council;
- adequate buffering between development and any adjoining or nearby environmentally sensitive area, including: wetlands, waterway corridors, conservation areas or marine areas;
- the dedication of land for road widening purposes, including corner truncation, as required by Council;
- appropriate performance criteria and operational standards to ensure that any emissions from such development are within acceptable standards; and
- appropriate disposal of all waste products from such development.

EIS Response

The alterations, upgrades and new infrastructure required to service the HHI Development are detailed in **Section 3** and **Section 6**.

External works that will be required by the Council have been incorporated into the design of infrastructure for the proposed HHI Development. It is anticipated that detail design drawings will be subject to the approval of the Council and this will provide the mechanism for the Council to ensure that external works meet Council standards.

The Council has not advised of contributions applicable to the HHI Development. It is expected that the Council would impose conditions requiring the payment of reasonable and relevant contributions on any development approval.



An agreement for works between the Council and the applicant will be negotiated at a later date and do not form part of the EIS scope of works.

Details of landscaping and a maintenance program will be included as part of subsequent applications to the Council and do not form part of the EIS scope of works.

The provision of adequate screening and buffering between potentially incompatible uses will be addressed by development standards that will be contained in the Local Plan specifically for the HHI Development.

Adequate buffering between the HHI Development and listed wetlands, mangroves, erosion prone areas and significant fauna habitats will be provided, the details of which are included in the Environmental Management Plan.

The dedication of land for road widening purposes will be negotiated with the Council during the assessment of the EIS and detail design drawings of any upgrade works will need to be approved by the Council.

The Environmental Management Plan will address how emissions both during and after construction will be managed to acceptable standards.

The method of disposing waste generated by the HHI Development is addressed in Section 11 of the Draft EIS.

Submitter Comment

The Plan of Development is identified on the Coastal Management Overlay in the Miriam Vale Shire, Draft IPA Planning Scheme, as containing a "Coastal Dune District/Coastal Building Line area".

The proposed development has indicated that development is appropriately setback the 55m at the headland and 80m along the coastline.

However, the proposed development has not included sufficient supportive information, as the proposal envisages infringing on the Coastal Dune District/Coastal Building Line area and is therefore inconsistent with this policy.

Supplementary EIS Response

There are no coastal building lines on Hummock Hill Island.

The development is located outside the coastal management district (erosion prone area) apart from the boat ramp, bridge and water infrastructure. The district incorporates the required setbacks so no further coastal setbacks are required.

The infrastructure located inside the district is allowed to occur under the State Coastal Plan subject to meeting specific requirements.

The development generally provides sufficient buffers to environmental significant area.



A relatively small area of coastal dunes is to be affected by the development. This impact is balanced with the demonstration that the development has a net benefit to the state.

Vegetation offsets are to be provided to balance impacts to a relatively small area of regional ecosystems.

Requirements - General

Section 4.1.6 - Where proposed includes land which is in a control district, Council may require as a condition or approval that the land within the control district be transferred to the State.

EIS Response

Hummock Hill Island is included in the Wide Bay Coast Region under the State Coastal Management Plan 2001 and Erosion Prone Areas are designated around Hummock Hill Island. The Erosion Prone Areas on the seaward side of Hummock Hill Island include the 80 metre wide dune buffer zone extending along sandy ocean beach's and 55 metre wide buffer zone at the headland.

On the inland side of the Hummock Hill Island that part of Hummock Hill Island up to Highest Astronomical Tide (HAT) or 40 metres above Mean High Water Springs (MHWS). The proposed bridge across Boyne Channel and the boat ramps will be constructed within the Erosion Prone Areas and the impact of these works is discussed in Section 9.

Submitter Comment

The Plan of Development is identified on the Coastal Management Overlay in the Miriam Vale Shire, Draft IPA Planning Scheme, as containing a "Coastal Dune District / Coastal Building Line area".

The proposed development has indicated that development will be set back the appropriate 55m headland and 80m coastline width. However, the proposal has supplied insufficient information to support this statement.

Therefore, the proposed development setback is considered to infringe the Coastal Dune District / Coastal Building Line area and is therefore inconsistent with this policy.

Supplementary EIS Response

There are no coastal building lines on Hummock Hill Island.

The development is located outside the coastal management district (erosion prone area) apart from the boat ramp, bridge and water infrastructure. The district incorporates the required setbacks so no further coastal setbacks are required.

The infrastructure located inside the district is allowed to occur under State Coastal Plan subject to meeting specific requirements.

The land not to be developed, including, land in the coastal management district, would remain in state land tenure under the responsibility of DERM.



Requirements - Aesthetics

Section 4.4.1 - Development shall not adversely affect the amenity or likely future amenity of the locality; and

Section 4.4.2 - The aesthetics of the development shall be consistent with the character of the locality; and

Section 4.4.3 - Development shall incorporate appropriate design features, including building type, scale, appearance, colour and materials, consistent with the local character and shall conform to the requirements of relevant local planning policies.

EIS Response

The HHI Development seeks to preserve the character and amenity of the locality through the protection of undeveloped parts of the island from development. The future amenity of the HHI Development seeks to incorporate the 'naturalness' of the environment into the built environment. The desired amenity of the development will be achieved through development requirements contained in a Plan of Development specific to the HHI Development that will control the design and location of buildings and vegetation removal.

Submitter Comment

Historically, Hummock Hill Island has been utilised for beef and sheep breeding. Existing and future farming opportunities will be constrained by the proposal, which will fragment the rural land resource.

The rural character will be adversely affected by the proposed Urban Development of Hummock Hill Island.

Furthermore, the proposal has not provided sufficient supporting information in regard to design features, including building type, scale, appearance, colour and materials, consistent with the local rural character. The proposed development is inconsistent with the requirement outlined in this section.

Supplementary EIS Response

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas.

The development has been designed to minimise visual impacts. The proposed Hummock Hill Plan of Development establishes design requirements for the development to accompany the requirements



of the planning scheme. This Plan of Development will be further refined with Council through the development application process.

The proposed Development Applications would seek Gladstone Regional Council approval to change the preferred use of the area from rural/non-urban to tourist and residential.

Requirements - Parking and Access

Section 4.5.1 - Development shall comply with the following requirements:

- provision for access to the premises, on-site servicing and on-site car parking to the satisfaction of Council;
- the provision of parking spaces to be in accordance with the relevant local planning policy;
- the design of parking spaces in accordance with the relevant Australian Standards and Council's requirements, local laws and relevant local planning policy; and
- parking area gradients, layout, surfacing, accessibility and maintenance shall be to the satisfaction of the Council.

Section 4.5.2 - The Council may, upon application being made to it, relax or amend all or any, of the parking and access requirements if it considered that relaxation or amendment is justified in the particular circumstances.

Section 4.5.3 - Development for the purposes of dwelling house shall incorporate adequate provision for off-street car parking adequate for the size of the dwelling house to the satisfaction of Council.

EIS Response

The details of parking and access within the HHI Development have not been finalised at this time. Car parking rates and access will be covered in the Plan of Development for the development. Alternative requirements to those specified in the transitional Plan will need to be approved by the Council.

Where alternative parking and access requirements are sought in relation to the HHI Development, approval of these will be sought from the Council.

Requirements for the provision of off-street parking in relation to dwelling houses will be referred to the Local Plan for the HHI Development.

Submitter Comment

The proposal has not provided sufficient supporting information in regard to car parking provision and appropriate access.

It is envisaged that 5,000 to 7,000 people are proposed to reside and visit Hummock Hill Island on any particular day.



The EIS has not provided sufficient information in regard to public transport infrastructure and the frequency of the proposed bus transport system.

It is envisaged that the HHI Development is car orientated. The proposed development is inconsistent with the requirement outlined in this section.

Supplementary EIS Response

The development design is only conceptual at this stage as the development application is yet to be lodged. The Proponent is happy to work with Council through the development application process to ensure sufficient car parking spaces are provided and are appropriately located and designed.

Requirements - Residential

Section 4.7.5 - Development for accommodation building, dwelling house, multiple dwelling, visitor accommodation or other residential development shall:

- be required to dedicate land or make monetary contributions for park purposes in accordance with the Act and the relevant local planning policy;
- comply with the requirements of the Building Code;
- comply with the residential design standards specified by Council having regard to the Model Code and the nature of the development;
- in the case of an accommodation building, multiple dwelling or visitor accommodation incorporate the objectives of the Model Code;
- comply with the requirements of a Plan of Development where approved by Council;
- in the case of a dwelling house, be limited to one dwelling house on each allotment except where Council otherwise approves the construction of an additional dwelling house on an allotment in association with rural development; and
- incorporate adequate provision for water supply which may include on-site storage facilities, to the satisfaction of Council.

EIS Response

HHI Development proposes significant portions of the special lease area be used for a Nature Refuge and as open space. Given the area of land to be used as a Nature Refuge and as open space it is not be a reasonable requirement to require a monetary contribution for park purposes.

Subsequent applications for building works will be required to comply with the Building Code.

The Plan of Development for the HHI Development will require compliance with the design standards of the Plan unless alternative standards are set out in the Plan of Development in order to achieve the specific character and built form desired for the development in accordance with the approved Plan of Development.



Adequate potable water will be supplied to all residential dwellings in accordance with the Council standards. This is discussed further in Section 3.

Submitter Comment

The proposed medium and high density residential areas are not considered consistent with the preferred land use structure for rural areas. The proposed development is inconsistent with the requirement outlined in this section.

Supplementary EIS Response

This comment refers to preferred land use structure for rural area, which is not an issue included in Section 4.7.5. Issues in regard to rural land uses are addressed in other sections.

In regard to Section 4.7.5, the proposal includes a draft Plan of Development which will be submitted to Council for refinement and approval following the EIS process.

The Plan of Development is consistent with these requirements and this will be further demonstrated through the development application process.

Requirements - Development within a Rural Zone

Section 4.7.7.1 - Development within the Rural Zone shall comply with all relevant requirements of the Scheme including:

- the Strategic Plan in Part 1 of the Scheme;
- the special requirements for specific development in Section 4.7 of the Scheme;
- Section 5.5 of the Scheme, whether or not the development involves the reconfiguring of a lot; and
- an agricultural land assessment and/or other investigations as may be relevant to the proposal.

EIS Response

Compliance with the Strategic Plan is addressed in Section 1.2.1. Section 1.2.1.5.1 addresses the proposals compliance with the special requirements of the Plan. The proposal has been justified in accordance with the Strategic Plan.

Section 5.5 of the Plan relating to reconfiguring a lot is addressed in Section 1.2.1.5.2. The HHI Development can meet the relevant requirements of this Section.

An assessment of the Hummock Hill Development area for agricultural capability in accordance with SPP1/92 has been carried out and the land as discussed in Section 5. This assessment demonstrates that the proposed HHI Development would not result in the loss of good quality agricultural land and would not compromise the State or Local government's interest in this regard.

Submitter Comment



The proposed development is generally inconsistent with the rural objectives.

The proposed medium and high density residential areas are not considered consistent with the preferred land use structure for rural areas.

The reconfiguration of the lot proposes a range of lot sizes that are not consistent with the Transitional Planning Scheme.

As previously mention, the plan of development is identified as Class 1 (suitable for improved pasture) in the Good Quality Agriculture Land Overlay (Map 4.43.1) of Miriam Vale Shire Council, Draft IPA Planning Scheme.

Historically, Hummock Hill Island has been utilised for beef and sheep breeding. Existing and future farming opportunities will be constrained by the proposal, which will fragment the rural land resource. The proposed development is inconsistent with the requirement outlined in this section.

Supplementary EIS Response

DPIF (now DEEDI) have confirmed that the Island does not contain good quality agricultural land. Agricultural activities have not occurred on the Island for at least 18 years and are not viable future land uses. The lease over the Island supports the development of land subject to the appropriate approvals being received.

While the majority of the Island would remain undeveloped, this proposal is seeking approval to change the land use from rural to tourism/residential. Should approval be received for this change in land use, the proposed lot sizes are consistent with urban lot sizes.

Requirements - Development within a Rural Zone

Section 4.7.7.2 - Development on existing lots within historical subdivisions in surveyed town areas within the rural Zone and outside of the town area on the Strategic Plan will only be approved by Council, where:

- the lot is provided with appropriate services;
- adequate provision can be made for the disposal of wastes and for drainage of the site;
- the lot is in Council's opinion not likely to be affected by flooding.

EIS Response

Not applicable as the HHI Development area does not contain historical town areas.

Submitter Comment

See preceding comment

Supplementary EIS Response



See preceding Supplementary Response. Hummock Hill Island does not contain historical town areas. Flooding was addressed in the EIS.

Requirements - Clearing of Land

Section 4.12.4 - On any development site, vegetation shall not be cleared:

- on the crests of ridge lines;
- on land prone to erosion
- on land prone to slippage
- on land which is visually sensitive and/or of high scenic quality
- adjacent to creeks or along drainage channels
- along flora and fauna corridors
- from areas which require protection as elements of the overall open space network or for other environmental considerations; or
- on riparian areas, wetlands, areas subject to an erosion control plan or on adjacent areas;
- to an extent other than as determined by the Council in the particular circumstances, unless such vegetation is invasive or noxious or as otherwise approved by the Council.

EIS Response

The proposed development did not provide an assessment against this objective.

Submitter Comment

The proposed Plan of Development is identified on the Coastal Management Overlay, containing a required 55m and 80m setback (Coastal Dune District/Coastal Building Line area).

The proposed development has incorporated a road that runs parallel in the Coastal Dune District / Coastal Building Line area and not setback the appropriate distance required.

The road will be frequently used and have adverse impacts on the Coastal Dune District resource.

The proposed development is inconsistent with the policy.

Supplementary EIS Response

The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area. The district incorporates the required coastal setback. There are no coastal building lines on the Island.

The road referred to is located outside of the coastal management district (erosion prone area).

A relatively small area of coastal dunes is affected by the development. An economic analysis has demonstrated a net benefit to the state from the development which balances the impacts.



Requirements - Natural Features

Section 4.14.2 - Ensure that valuable and viable areas of natural habitat, including bushland, water reserves and creeks, wetlands, stands of trees, and individual trees are conserved by their incorporation within the open space system where appropriate;

Ensure that significant drainage corridors are retained and maintained in a relatively natural state.

Conservation and habitat areas including water reserves, wetlands, waterway corridors and foreshores shall be physically protected through the use of buffer areas, revegetation, erosion controls, boardwalks and fencing as appropriate.

Submitter Comment

The proposed Plan of Development is identified on the Coastal Management Overlay, containing a required 55m and 80m setback (Coastal Dune District / Coastal Building Line area).

The proposed development has incorporated a road that runs parallel in the Coastal Dune District / Coastal Building Line area and not setback the appropriate distance required.

The road will be frequently used and have adverse impacts on the Coastal Dune District resource.

The proposed development is inconsistent with the policy.

Supplementary EIS Response

The development is located outside of the coastal management district (erosion prone areas) apart from marine infrastructure. The district incorporates the required coastal setback. There are no coastal building lines on the Island.

The road referred to is located outside of the coastal management district (erosion prone area).

A relatively small area of coastal dunes is affected by the development. An economic analysis has demonstrated a net benefit to the state from the development which balances the impacts.

Requirements - Fauna and Flora Protection

Section 4.17.1:

- to ensure that adequate protection is given to those areas of environmental, conservation and/or habitat values;
- to ensure that the scenic, environmental and conservation values of vegetation are respected in all developments so as to maintain environmental quality and to minimise adverse impacts.

Submitter Comment

The Vegetation and Essential Habitat Maps provided by the Environmental Protection Agency (QLD Government) identifies areas of high value vegetation value on the island.



It is envisaged, that the proposed development will have adverse impacts on the islands environmental and habitat values and furthermore has not provided adequate information in regard to the protection of these areas.

Supplementary EIS Response

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company.

The EIS and Supplementary EIS demonstrate the development has been designed to avoid wherever possible or otherwise minimise impacts to sensitive environmental values.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets.

Requirements - Areas where Protection is Encouraged

Section 4.17.2:

The Plan Area contains extensive areas of significance which should be retained in their natural state because of their values:

- ensuring soil suitability, particular steep or slip prone areas;
- for flora and fauna protection;
- as major contributor to scenic quality
- in attracting visitors and residents to the area because of its scenic quality; and
- containing individual vegetation stands of high value.

Submitter Comment

The proposed Plan of Development is identified on the Coastal Management Overlay, containing a required 55m and 80m setback (Coastal Dune District / Coastal Building Line area).

Furthermore, the Vegetation and Essential Habitat Maps provided by the Environmental Protection Agency (QLD Government) identifies areas of high value vegetation value.

It is envisaged that the proposed development will infringe on these areas of required protection, which have are identified environmental valued areas. The proposed development is inconsistent with the policy.

Supplementary EIS Response

There are no coastal building lines on Hummock Hill Island.



The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area. The district incorporates the required coastal setback.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies.

The EIS and Supplementary EIS demonstrate the development has been designed to avoid wherever possible or otherwise minimise impacts to sensitive environmental values.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated.

3.1.5 Reconfiguration of a Lot Code

Submissions expressed the concern that the nature of the proposed reconfiguration does not support the existing character of the area outlined in the Miriam Vale Transitional Planning Scheme. The nature of the proposal is considered contrary to specific provisions of the Transitional Planning Scheme, in that it proposes a subdivision of a rural holding into smaller lots within the Shire and is an inappropriate standard of residential amenity in terms of its location, proximity to services and the nature of the development.

The HHI Development requires the submission of a Material Change of Use application to change the land use of part of the Island from rural to tourism/residential land uses. The conflict identified in the Council Comment would be resolved through achieving approval for the Material Change of Use from Council.

The Hummock Hill Island Reconfiguration of a Lot Code proposed under the Plan of Development would provide appropriate controls to meet, and may exceed, the standards of residential amenity and servicing specified in the Transitional Planning Scheme (section 2.2.1 of EIS).

3.2 Miriam Vale Shire Council, Draft IPA Planning Scheme

This section addresses a submission raised in relation to the draft IPA Planning Scheme for Miriam Vale Shire Council.

The draft IPA Planning Scheme has been amended and is now in force. HHI Development is assessed against the DEO's in the adopted Planning Scheme in Section 4 of the Supplementary Report.



3.2.1 Inconsistency with overall outcome for Rural locality

Submitters have noted that the subject site is located outside the urban area, in a natural coastal area. The subject site is considered to be inconsistent with the overall outcome for the Rural Locality.

The proposal is for an integrated tourist and residential community in an area currently included within the rural zone. A change to the planning scheme is to be sought to allow this development. There are significant grounds to justify this change including:

- the State Government has granted a Special Lease over the Island which provide for development of the Island;
- the CG has declared the project to be a significant project by where an EIS is required under the *State Development and Public Works Organisation Act 1971*;
- Hummock Hill Island has previously been granted a number of development approvals;
- Hummock Hill Island is located bordering the Great Barrier Reef providing improved access for locals and visitors to the world heritage area;
- there are no similar opportunities for tourism development between Agnes Water and north of Curtis Island and this proposal would provide a different tourism experience compared to other tourism centres;
- the proposed tourist facilities would increase the size and diversity of the tourism industry of the region thereby creating jobs and increasing tourism’s contribution to the economy;
- Hummock Hill Island is not good quality agricultural land and cannot support viable rural activities;
- Hummock Hill Island has been degraded by past grazing activities; and
- the majority of Hummock Hill Island would be retained and managed in an undeveloped state.

The proposal is to be setback from the coast to maintain the existing visual character of the coastline, particularly to maintain important views from Tannum Sands and to prevent light spillage onto the beach at night.

3.2.2 Conflict with the Rural Zone Code

Submitters have suggested that the proposed development’s character is not supportive with that of the rural zone and that the proposed HHI Development will set an undesirable precedent in the rural zone. Furthermore, the proposal is considered to be **non-compliant** with Specific Outcome 2 of the Rural Zone Code. Responses to submitter issues are provided in Table 3-1.

■ **Table 3-1 Assessment Against Rural Zone Code**

Specific Outcome	Acceptable Solution	Submitter Comment	Supplementary Response
SO2 The following uses are inconsistent with the	No solution specified.	The subject site is determined for rural uses only. The	The majority of the Island would be retained in an undeveloped state.



Specific Outcome	Acceptable Solution	Submitter Comment	Supplementary Response
<p>outcomes sought for the Rural Zone:</p> <ul style="list-style-type: none"> a) Accommodation Building; b) Dual Occupancy; c) Multiple Dwelling; d) Retirement Village; e) Commercial uses (other than Local Shop); and f) Industrial uses (other than Service Station); 		<p>development application proposes lots for low, medium and high density development with the likes of Multiple Dwellings, Accommodation Buildings and a Motel. As such, the proposal is inconsistent with the requirements of the Rural Zone Code.</p>	<p>This proposal is for an integrated tourist and residential community in an area currently included within the Rural zone by the planning scheme. A change to the planning scheme is to be sought to allow this development.</p> <p>Based on surveys conducted by SKM (2005) no good quality agricultural land is present on the Island that may be impacted by the proposed development activities and rural activities have not been undertaken on the Island for at least 18 years. It is not considered that rural activities are viable future land uses.</p>

3.2.3 Over intensification of Uses

A number of submissions commented that the nature and scale of the proposed HHI Development is an over intensification within the Rural Zone. The proposed development envisaged by this application would generate adverse impacts on the scenic and ecological values of the area. Therefore, the proposed development is inconsistent with the overall outcome for this code.

The majority of Hummock Hill Island would be retained in an undeveloped state.

This proposal is for an integrated tourist and residential community in an area currently included in the Rural zone in the planning scheme. An amendment to the planning scheme is to be sought to allow the HHI Development.

Based on surveys conducted by SKM (2005) no good quality agricultural land is present on the Island that may be impacted by the proposed development activities and rural activities have not been undertaken on Hummock Hill Island for at least 18 years. It is not considered that rural activities are viable and realistic future land uses.

The EIS and Supplementary Report demonstrate that impacts to scenic and ecological values have been avoided and otherwise minimised.



3.2.4 Inconsistency with ROL Code

Submissions have suggested that the proposed HHI Development is inconsistent with the Reconfiguration of a Lot Code, Division 38. The Proponent has proposed a new Reconfiguration of a Lot Code as a means of avoiding the necessity to comply with currently applicable reconfiguration requirements.

The Proponent has provided a Hummock Hill Island Reconfiguration of a Lot Code, which will subsequently override the Draft Reconfiguration of a Lot Code.

The proposed HHI Development provides a reduced Assessment Criteria for Reconfiguration of a Lot, to that of the Miriam Vale Shire Council, Draft IPA Planning Scheme. The proposed Assessment Criteria Package has retained nine (9) of the twenty (20) Specific Outcomes and removed necessary assessment criteria, such as Buffers, Road Layout, Access, Public Open Space and Pedestrian Facilities.

The Plan of Development was included in the EIS to provide conceptual guidance on the proposed development. The Plan of Development will be refined as part of the EIS process and submitted to Gladstone Regional Council, as part of the Material Change of Use application for assessment. Through this application Gladstone Regional Council will be able to condition the Plan of Development prior to it being finalised to ensure it is compatible with and is integrated into the new planning scheme. The Proponent will work with Gladstone Regional Council to ensure the Plan of Development satisfies Gladstone Regional Council's requirements.

The proposed Reconfiguration of a Lot Code is to be read in conjunction with the Hummock Hill Island Plan of Development. The overall site master plan included within the Plan of Development establishes the overall pattern of land use, circulation systems, buffer areas, open space as well as provisions relating to specific precincts such as Low Density and Medium Density Residential. The Plan of Development and associated Codes (including the Hummock Hill Island Reconfiguration of a Lot Code) are to be revised to incorporate more specific provisions relating to minimum allotment size, minimum dimensions and access.

3.2.5 Development Codes

Submitters have expressed concern around the fact that no assessment of the proposal has currently been undertaken against Miriam Vale Shire Council, Draft IPA Planning Scheme Development Codes. The concern revolves around the fact that there is no statutory basis to return the proposal for assessment once the new IPA Planning Scheme is adopted. Therefore, if the activities are listed as self assessable in the proposed Plan of Development assessment tables, the Council would not have the opportunity to assess them against the new IPA Planning Scheme provisions.

The draft Plan of Development was included in the EIS to provide conceptual guidance on the proposed HHI Development. The Plan of Development will be refined as part of the EIS process and submitted to Council, as part of the Material Change of Use application for Council assessment. Through this application Council will be able to condition the Plan of Development prior to it being finalised to ensure it is compatible with and is integrated into the new planning scheme. The



Proponent will work with Gladstone Regional Council to ensure the Plan of Development satisfies Gladstone Regional Council's requirements (refer Section 3.3).

3.2.6 Overlay Codes

3.2.7 Acid Sulfate Soils Overlay Code - Division 40

Submitters have noted that there is a large likelihood of ASS Soils causing adverse effects, with the soils found on the site ranging from zero to 15 m AHD. The Section below provides a response to the issues raised.

Specific Outcomes

SO1 Works avoid disturbing ASS or are managed to avoid the release of acid and metal contaminants.

Acceptable Solutions

AS1.1 Disturbance of Acid Sulfate Soils avoids the release of acid and metal contaminants by: - not excavating or removing soil or sediment containing ASS; - not permanently or temporarily extracting groundwater that results in the aeration of previously saturated ASS; - not undertaking filling that results in ASS being moved below the watertable or previously saturated ASS being aerated. OR The disturbance of ASS avoids the release of acid and metal contaminants by: - neutralising existing acidity and preventing the generation of acid and metal contaminants; and - preventing the release of surface or groundwater flows containing acid and metal contaminant into the environment.

Submitter Comment

The subject site contains Acid Sulfate Soils, subsequently over a significant portion of lots in this proposal. The level of Acid Sulfate Soils is 0 m to 15 m.

Supplementary EIS Response

A PASS management plan is proposed to be implemented in accordance with the provisions of the SPP and the relevant guideline as per Chapter 5 of the EIS and in the relevant section of the draft EMP.

Disturbance of soil above the threshold does not create an inconsistency with the Specific Outcome where an appropriate management plan is put in place as part of the relevant approvals process. This constitutes an approach that meets the requirements of Acceptable Solution 1.1 of the Overlay Code.

3.2.8 Coastal Management Overlay Code - Division 41

The proposed HHI Development has envisaged positioning buildings and structures within the 55m and 80m wide Coastal Control District/Coastal Building Line requirements. Submitters have indicated that the proposed HHI Development has not provided measurements to support the proposed setback and is therefore inconsistent with the overlay code for Coastal Management.



The Section below provides a response to the issues raised.

Specific Outcomes - SO1 Development is sited and designed to avoid impacting on natural coastal processes, by avoiding development in a 'coastal control district' or 'erosion prone area'.

OR

Where it is not possible to locate the development outside the erosion prone area, buffering the development from the natural processes occurring in the coastal zone, and incorporating suitable design measures to reduce risk to property and life.

Acceptable Solutions

AS1.1 Buildings and structures within the Coastal Control District/ Coastal Building line (as shown on Planning Scheme Maps - No. 4.38.1, 4.38.2 and 4.38.3 - Coastal Management Overlay) are of a temporary or relocatable nature for safety and recreational purposes, and are located in protected areas as far landward as practicable.

Submitter Comment

The Plan of Development is identified on the Coastal Management Overlay in the Miriam Vale Shire, Draft IPA Planning Scheme, as containing a "Coastal Dune District / Coastal Building Line area".

The proposed development has indicated that development will be set back the appropriate 55m headland and 80m coastline width.

However, the proposal has supplied insufficient information to support this statement. Therefore, the proposed development setback is considered to infringe the Coastal Dune District / Coastal Building Line area and is therefore inconsistent with this Specific Outcome.

Supplementary EIS Response

There are no coastal building lines applying to the Island. The development, apart from marine infrastructure, is located outside the coastal management district (erosion prone area). The district incorporates the coastal setback.

The boat ramp, bridge, water infrastructure and public access which occurs within the district would be developed in accordance with the relevant policies of the State Coastal Management Plan.

3.2.9 Environmental Management Overlay Code - Division 42

Submitters have noted that the introduction of human activity will cause detrimental consequence to this isolated biodiversity area and that the proposal is inconsistent with the Environmental Management Overlay Code. The Section below provides a response to the issues raised.

Specific Outcomes



SO1 The proposed development is designed, constructed and managed to retain as much native remnant vegetation as practicable.

Acceptable Solutions

AS1.1 The development minimises site clearance by developing within an existing cleared or otherwise disturbed area on the site, as indicated in Figure 1 (of the Code).

AS1.2 Development does not involve the clearing of vegetation, with the exception of that required for a building curtilage envelope and site access.

Submitter Comment

Dominant Remnant of concern regional ecosystems are identified on the Island and in the Plan of Development. Furthermore, valued biodiversity associated with waterways, wetlands line the coastal areas of Hummock Hill Island.

The proposed development does not support the protection of environmental values for biodiversities and vegetation. The proposed infrastructure is in proximity to endangered vegetation areas and would potentially adversely impact on the values of these areas.

In particular, the development is noncompliant with adequate buffers, setbacks and the overall protection of identified areas of environmental significance.

The proposed development on Hummock Island would be detrimental to the biodiversity (land and marine ecosystems).

The non-urban island is isolated from public access and an influx in population would certainly damage this island, coastal area and surrounding marine life. This is inconsistent with these Specific Outcomes.

Supplementary EIS Response

The majority of the Island would be retained in an undeveloped state.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided. With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to



satisfy the Policy for Vegetation Management Offsets. The offset areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The offset areas will continue to be managed until the areas reach remnant status.

It is intended to fully recycle stormwater and sewage effluent on the island and to prevent contaminated runoff from entering the natural environment through application of a Total Water Cycle Management strategy.

Degraded areas on the island that are to be contained within the Conservation and Open Space precincts would be rehabilitated and subject to ongoing management regimes to ensure their environmental values are enhanced and preserved.

Specific Outcomes

SO2 Vegetation, habitat and biodiversity values associated with waterways, wetlands and Declared Catchment Areas are protected.

Acceptable Solutions

AS2.1 No vegetation of an aquatic, wetland or waterway nature (as defined in Schedule 1) is cleared.

AS2.4 For Assessable Development: For material change of use proposals where assessable development, degraded, cleared or disturbed Waterway

Supplementary EIS Response

The majority of the Island would be retained in an undeveloped state.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided.

With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets. The offset areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The offset areas will continue to be managed until the areas reach remnant status.



It is intended to fully recycle stormwater and sewage effluent on the island and to prevent contaminated runoff from entering the natural environment through application of a Total Water Cycle Management strategy.

Degraded areas on the island that are to be contained within the Conservation and Open Space precincts would be rehabilitated and subject to ongoing management regimes to ensure their environmental values are enhanced and preserved.

Specific Outcomes

SO3 Development involves the protection and management of areas where fauna species are known to occur that are identified as Endangered, Threatened, Vulnerable, or Rare under the Environment Protection and Biodiversity Conservation Act or the Nature Conservation Act.

Acceptable Solutions

AS3.1 No solution specified.

Supplementary EIS Response

The majority of the Island would be retained in an undeveloped state.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity wherever possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided.

With a few limited exceptions for public access and infrastructure, the development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved.

Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP and through undertaking of the Proponent Commitments to ensure that any adverse impacts are contained and ameliorated.

The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets. The Proponent has identified 603 ha of non-remnant vegetation to satisfy the Policy for Vegetation Management Offsets. The offset areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company. The offset areas will continue to be managed until the areas reach remnant status.

It is intended to fully recycle stormwater and sewage effluent on the island and to prevent contaminated runoff from entering the natural environment through application of a Total Water Cycle Management strategy.

Degraded areas on the island that are to be contained within the Conservation and Open Space precincts would be rehabilitated and subject to ongoing management regimes to ensure their environmental values are enhanced and preserved.



3.2.10 Extractive Resource Overlay Code - Division 43

The proposed development is located on Hummock Hill Island that contains a Mineral Resource Outline and Mining Development Licence. Submissions consider the proposed HHI Development to be inconsistent with the overlay code because it includes residential, community and commercial. The proposal also includes a reconfiguration of a lot, with the creation of additional allotments.

The Section below provides a response to the issues raised.

Specific Outcomes

SO1 Where Extractive or Mineral Resources occur in existing or potential deposits, the use and development of the land does not sterilise or prevent the extraction of those resource

Acceptable Solutions

AS1.1 Development other than the extraction of identified resources, including reconfiguration of a lot, does not occur in areas identified as a Mining Lease, Mineral Development Licence or Mineral Resource Outline on the Planning Scheme Map 4.40.1 - Extractive Resources Overlay Plan.

Submitter Comment

The development application is located in an area of Mineral Resource Outline and Mining Development Licence as identified in the Draft IPA Planning Scheme Map 4.40.1 - Extractive Resource Overlay.

Supplementary EIS Response

Prior to granting the Special Lease over the site, a strategic assessment of the region was undertaken to identify the best future use of land identified as having mineral sand deposits.

The lease was created in 1991 by the Goss Government following land use negotiations between mineral sand mining interests and State agencies that created National and Environmental Parks in areas of high conservation value, such as Byfield, Curtis Island, Wild Cattle Island, Rodds Peninsula, Eurimbula and Deepwater National Parks and Bustard Head Conservation Park.

Remaining areas such as Hummock Hill Island and Middle Island were considered to have lower conservation values and also considered to have suitable opportunities for either mining or tourism. Hummock Hill Island was identified as having the appropriate characteristics for tourism, and the Special Lease was granted accordingly.

Specific Outcomes

SO2 Development and use of land or premises in close proximity to Extractive or Mineral Resource Areas, or Key Resource Areas, are compatible with the extractive industry and allow the resource to be obtained in an efficient and ecologically sustainable manner.

Acceptable Solutions



AS2.1 In identified Mining Lease, Mineral Development Licence or Mineral Resource Outline areas as shown on the Planning Scheme Map 4.40.1 - Extractive Resources Overlay Plan, the development and use of land does not involve: - Residential uses; - Community uses; or - Commercial uses. OR Reconfiguration of a Lot does not result in an increase in the number of lots within the area.

Submitter Comment

The proposed development incorporates Residential, community and commercial uses. The proposal also includes a reconfiguration of a lot, with the creation of additional allotments.

Supplementary EIS Response

Prior to granting the Special Lease over the site, a strategic assessment of the region was undertaken to identify the best future use of land identified as having mineral sand deposits.

The lease was created in 1991 by the Goss Government following land use negotiations between mineral sand mining interests and State agencies that created National and Environmental Parks in areas of high conservation value, such as Byfield, Curtis Island, Wild Cattle Island, Rodds Peninsula, Eurimbula and Deepwater National Parks and Bustard Head Conservation Park.

Remaining areas such as Hummock Hill Island and Middle Island were considered to have lower conservation values and also considered to have suitable opportunities for either mining or tourism. Hummock Hill Island was identified as having the appropriate characteristics for tourism, and the Special Lease was granted accordingly.

3.2.11 Bushfire Hazard Overlay Code - Division 45

The proposed HHI Development is situated within a 'High' bushfire risk area. Submissions noted that the proposed layout is unsafe, in regards to vehicle movement, proposed single entry access and the 'high risk' bushfire identification. The proposal materially intensifies the use of bushfire prone land and consequently, places the proposed resident and tourism population at risk of a bushfire hazard.

The Section below provides a response to the issues raised.

Specific Outcomes

SO3 Development does not materially intensify the use of bushfire prone land

Acceptable Solutions

AS3.1 Development involving the following uses does not occur in areas with moderate, high or extreme bushfire risk:

- Multiple Dwellings
- Community Uses
- Medical Centre;

AS3.2 Development does not increase the number of lots within extreme or high bushfire risk areas.



Submitter Comment

The proposed subject site is identified as a 'High Risk' area and providing development opportunities involving Multiple Dwellings, Community uses should not occur in areas with moderate, high or extreme bushfire risk.

The proposed development will significantly increase lots in a High Risk Bushfire Area.

Supplementary EIS Response

The EIS undertook an assessment that applied the provisions of the relevant SPP Guidelines in order to more accurately define the nature and extent of actual risk on the subject land. The Bushfire Risk Analysis Map Overlay defines risk at a strategic level, which highlights the need for the detailed assessment to be undertaken.

As stated in s18.2.3.4 of the EIS "Areas with a medium to high bush fire risk based on SPP 1/03 (such as the western slopes of the central ridge) have either been avoided or incorporate the designated cleared buffer distance required under SPP 1/03".

Therefore, there would be no significant increase of lots within a High Risk Bushfire Area.

Specific Outcomes

SO7 Where development (including the reconfiguration a lot) involves opening a new road, the road layout allows easy and safe movement away from any encroaching fire, and provides for alternative safe access routes should access in one direction be blocked in the event of a fire.

Acceptable Solutions

The road layout provides for "throughroads" and avoids culs-de-sac and "dead end" roads.

Submitter Comment

The proposed road network for the Master Planned Community involves a series of cul-de-sac streets. The proposed layout is unsafe, in regards to vehicle movement, proposed single entry access and the 'high risk' bushfire identification.

Supplementary EIS Response

The Plan of Development and Master Plan for the proposal is to be modified to remove areas of cul-de-sacs and single entry from the design.

Detailed assessment of the proposal against the provisions of the relevant SPP Guidelines in order to more accurately define the nature and extent of actual risk on the subject land. The Bushfire Risk Analysis Map Overlay defines risk at a strategic level, which highlights the need for the detailed assessment to be undertaken.



As stated in s18.2.3.4 of the EIS “Areas with a medium to high bush fire risk based on SPP 1/03 (such as the western slopes of the central ridge) have either been avoided or incorporate the designated cleared buffer distance required under SPP 1/03”.

Therefore, there would be no significant increase of lots within a High Risk Bushfire Area.

Specific Outcomes

SO8 Development maintains the safety of people and property by mitigating risk of bushfire through appropriate lot design and siting of buildings.

Acceptable Solutions

AS8.1 Residential lots are designed so that their size and shape allow for efficient emergency access to buildings for fire-fighting appliances (e.g. by avoiding long narrow lots with long driveways to houses).

Supplementary EIS Response

The Plan of Development and Master Plan for the proposal is to be modified to remove areas of cul-de-sacs and single entry from the design.

3.3 Draft Hummock Hill Island Plan of Development

Submissions raised the issue that the proposal seeks to override the Planning Scheme, if approved, the development contemplated as part of the proposal will subsequently be measured against a unique set of Assessment Tables and Development Codes without reference or referral to Council’s Planning Scheme provisions (refer **Section 3.2.5**). In other words, despite the Proponents need to subsequently lodge an application with the local government in order to facilitate approval (or otherwise) for the proposal, many land-use activities specified by the proposed level of assessment table as being Self-assessable will not be subject to further detailed scrutiny.

Gladstone Regional Council will have the opportunity to review and condition the Plan of Development through the Material Change of Use application to be lodged following the EIS process. Gladstone Regional Council can amend the Plan of Development through negotiation and conditions to ensure it meets Gladstone Regional Council’s requirements and integrates with the local planning instrument.

It is common practice as provided for in Section 3.1.6 of the IPA for development under a Preliminary Approval to Override the Planning Scheme to provide for unique Level of Assessment Tables, which is specifically provided for under this section of the Act. The Preliminary Approval process provides a level of scrutiny over and above that which is ordinarily applied to a development permit that is made solely under the general provisions of a planning scheme. Activities under a Plan of Development that are made Self-Assessable, would still be required to meet the Code provisions of the Plan of Development established under the Preliminary Approval.

The proposed Hummock Hill Island Plan of Development is to be amended to refer to Individual precincts within the Level of Assessment Table. The Plan of Development is to be amended to



provide specific Locality Codes, including provisions for precincts and sub-precincts such as the proposed Low, Medium and High sub-precincts for the Residential Precinct.

3.4 Draft Miriam Vale IPA Planning Scheme Provisions (2nd State Interest Check)

The proposal was assessed against the Desired Environmental Outcomes, of the Miriam Vale Shire Council, Draft IPA Planning Scheme (2nd State Interest Check). The assessment is as follows.

3.4.1 DEO 1 - Economic Development

The proposed HHI Development contributes to creating a strong and productive economy, through enhancing tourism opportunities in the shire as well as providing future employment opportunities.

However, it is considered that the proposal may serve to dilute existing tourism activity occurring presently at both Agnes Water and Seventeen Seventy. Moreover, Hummock Hill Island has not been identified as a location for a Tourism Facility.

In addition, the subject site is currently affected by coastal area restrictions due to the high marine importance and land restrictions because the subject site contains significant environmental resources such as Dominant Endangered Ecosystems and Remnant Vegetation. Therefore, it is considered that the proposed HHI Development will generate adverse impacts upon the endangered ecosystem and remnant vegetation.

Hummock Hill Island (and in particular the Leasehold area) is highly appropriate for a major tourism destination, adjacent to a major, rapidly expanding industrial city and with an abundance of natural attributes and highly suitable topography for a major resort and recreational development. Hummock Hill Island would provide a range of tourism experiences and settings currently not available within the region, which would strengthen and enhance the overall tourism industry - as stated by Council. As Hummock Hill Island would not provide the same experiences as Agnes Water and 1770, it is unlikely that these two areas would be detrimentally affected, and are likely to benefit from the increased tourism industry and profile for the region. On the other hand, Hummock Hill Island would allow Council to manage pressures on other tourist centres.

This Desired Environmental Outcome (DEO) purely addresses economic outcomes and Council's comments regarding environmental issues are address under DEO 5.

3.4.2 DEO 2 - Residential Development

The proposed development will provide diverse range of housing types and a variety of housing densities. However, the proposal does not comply with section (c):-

(c) maintain and enhance existing local residential amenity.

The proposed development is included within the Rural Zone under the Miriam Vale Shire IPA Planning Scheme (2nd State Interest Check). The proposed development's character is not supportive with that of the rural zone. The proposed HHI Development will set an undesirable precedent in the rural zone. Therefore the proposal is noncompliant with this DEO.



The section referred to in the Council Comment is only relevant for existing residential areas as an area can only have a residential amenity if there is current residential development.

The application for Material Change of Use that will be submitted to Gladstone Regional Council following the EIS process, will seek approval for a change of use from rural to tourism/urban. Through its assessment of this application, Gladstone Regional Council will be able to ensure the appropriateness of the change of use.

3.4.3 DEO 3 - Development Generally

The proposed HHI Development is generally inconsistent with the rural scale, form and intensity of the rural locality given the range of proposed land uses and reconfiguration of the land into a range of lot sizes that are not consistent with the IPA Planning Scheme.

The application for Material Change of Use that will be submitted to Gladstone Regional Council following the EIS process, will seek approval for a change of use from rural to tourism/urban. Through its assessment of this application, Gladstone Regional Council will be able to ensure the appropriateness of the change of use.

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies.

While the land is currently 'rural':

- it is not good quality agricultural land;
- an economic assessment has demonstrated a net benefit to the state from the HHI Development;
- rural activities have not been undertaken for over 18 years and they are not viable future land uses; and
- the State Government has placed a Special Lease over the island which accommodates its development.

3.4.4 DEO 4 - Transport & Access

The proposed HHI Development reflects a high degree of dependence on private vehicle movements and does not provide information outlining how it proposes to support public transport services in the area. Furthermore, the proposed new road system will subsequently impact on the area's natural environment.

The Hummock Hill Island community is proposed to have a high degree of self-containment, with the need to travel minimised within the proposal by providing facilities and services close to the proposed tourist and residential areas. This would mean that these facilities and services are within comfortable walking and cycling distance for many tourists and residents on the island. Equitable transport options would be further supported by local bus services on the island ensuring reasonable access for those unable to use a private vehicle.



HHI Development is expected to deliver a range of community facilities which will be accessible to residents of Hummock Hill Island and adjoining communities, who currently lack easy access to these facilities. The community facilities will include a medical centre, emergency services, a public bus service, and a range of recreational facilities. The establishment of these facilities will reduce travel to Gladstone and Tannum Sands.

Whilst walkability has been optimised, a greater importance has been placed on avoiding impacts to sensitive environments on Hummock Hill Island, which in some cases restricts walkability.

The road system will be amended to avoid or further minimise impacts on environmental values. The majority of Hummock Hill Island would be retained undeveloped.

3.4.5 DEO 5 - Open Space, Natural Environment & Cultural Heritage

The subject site is currently affected by coastal area restrictions due to the high marine importance and land restrictions because the subject site contains significant environmental resources such as Dominant Endangered Ecosystems and Remnant Vegetation. Therefore, it is considered that the proposed development will generate adverse impacts upon the natural environment and biodiversity of the area.

The proposed development, apart from the boat ramp, bridge, pedestrian access on elevated walkways to the northern beaches and water infrastructure, is to be located outside the coastal management district which is also the erosion prone area.

The design approach for Hummock Hill Island has been to avoid areas of environmental sensitivity where possible, and to 'tread lightly' where sensitive areas cannot be wholly avoided.

Whilst detrimental impacts on the existing vegetation and ecosystems on the island would occur as a consequence of development, it should be noted that the areas to be developed have been disturbed by past land use activities. The loss of regional ecosystems values will be offset in accordance with the DERM's Policy for Vegetation Management Offsets.

Furthermore, geomorphological assessment of the coastal landforms has indicated that they are not unique within the context of the region, and that representative examples of the landform units that would be subject to modification under the development proposal are included within the existing conservation estate.

With a few limited exceptions for public access and infrastructure, the HHI Development would be setback from coastal areas and buffers would be maintained to sensitive coastal environments to ensure that natural and scenic values are preserved. Where impacts may occur, they would be mitigated and managed through application of the provisions of the EMP (Section 17) and through undertaking of the Proponent Commitments (Section 18) to ensure that any adverse impacts are contained and mitigated. The Proponent is committed to provide an offset in accordance with the DERM's Policy for Vegetation Management Offsets.

It is intended to fully recycle stormwater and sewage effluent on Hummock Hill Island and to prevent contaminated runoff from entering the natural environment through application of a Total



Water Cycle Management strategy. Degraded areas on the island that are to be contained within the Conservation and Open Space precincts would be rehabilitated and subject to ongoing management regimes to ensure their environmental values are enhanced and preserved.

Nature refuge

The Proponent proposes to have the undeveloped parts of the island (84% - which includes the undeveloped parts of special lease area and Unallocated State Land) declared as Nature Refuge and protected under a formal agreement with the government agencies. The HHI Development boundary will be fenced and have a barrier to prevent vehicular access and uncontrolled pedestrian access to the Nature Refuge. The conserved areas will be maintained, protected and enhanced through a management contract between the Proponent and an appropriate environmental management company who will also be contracted to manage the offset areas. The Proponent propose the Gladstone Regional Council impose a special area environmental levy on land owners to cover the cost of these environmental services.

3.4.6 DEO 7 - Infrastructure Provision

The provision of the required infrastructure will necessitate large scale works, operational works on site and the proposed bridge will subsequently generate additional potential impacts on existing fauna and flora.

The infrastructure provision on the island would be at the cost of the Proponent, and the proposal would not make demands on the trunk infrastructure network requiring works to be brought forward. The costs of all external works to support the proposal would be met by the Proponent in accordance with conditions of development, the EMP (**Section 17**) and Proponent Commitments (**Section 18**).

The proposed infrastructure would be provided in a staged manner across 16 years at a level commensurate with the early establishment of acceptable standards for the proposed tourist and residential community. The early establishment of the resort complex on Hummock Hill Island would provide a level of service availability that would exceed those typically associated with new residential developments as the facilities required to support the resort would also be available to early tourist of the island.

The development also offers the opportunity to build efficient and sustainable infrastructure, utilising the latest technologies and design.

The infrastructure will be constructed and funded by the Proponent. The infrastructure will be owned by the Gladstone Regional Council. The costs of operation and maintenance of the infrastructure will be borne by the Proponent until income from rates and charges exceeds the costs of operation and maintenance.

The location and development of the road system has been revised to avoid areas of Endangered and Of Concern regional ecosystems.



The development of both the roads and other infrastructure would be subject to the proposed mitigation and management strategies outlined in the EMP (Section 17), Proponent Commitments (Section 18) and the provision of Offsets as required to meet Best Practice Standards for Environmental Management.

4 Tenure and Approvals

4.1 Tenure/Special Lease

Some submitters believed that the Proponent has not met the terms of the Special Lease because they have failed to substantially progress planning of the HHI Development by November 2006.

The Proponent has not failed to meet the terms of the Special Lease as an extension to the Special Lease has been granted, as allowed for in the Lease, under the *Land Act 1994*. A request was made by the Proponent to DERM granted a request of the Proponent to amend this condition of the Special Lease.

One submission claimed that the Proponent was not transparent about the process by which land would be converted to freehold title from the Special Lease.

As discussed in Section 3.3.5 of the EIS, current land tenure for the proposed HHI Development is Lot 3 on FD841442, subject to a Special Lease SL/52155. Conditions of the HHI Development Lease include the right to make land within the Development Lease freehold, subject to the lease conditions.

Furthermore, Section 3.3.5.2 of the EIS states that all land to be developed for tourism, industrial, commercial and residential use (including the golf course) is proposed to be held under freehold title. A number of these freehold precincts may be further sub-divided and developed under group or strata title. All land developed for public facilities including roads, drainage, water supply, power, sewerage, solid waste, public parkland, beach access, public boat ramps, educational facilities will be dedicated to the Local Government Authority. Management arrangements are discussed in more detail in Section 3.6.3.

4.2 Approvals

4.2.1 *Fisheries Act 1994*

A submission identified a number of amendments to the list of approvals identified in the EIS regarding the *Fisheries Act 1994*, including:

- Executive Summary, List of Approvals:
 - request inclusion of an additional approval - a waterways barrier works approval would be required for any work within a waterway e.g. dam weir, stream redirection, crossings of ephemeral watercourses; and
 - request clarification of wording - in regard to 'resource allocation authority', the Department of Primary Industries and Fisheries is the administering authority within a Fish Habitat Area for a 'resource allocation authority'.



- Section 1.7.3.2 - request for the inclusion of an additional approval being for the constriction or raising of any temporary or permanent waterway barriers in both tidal and non-tidal areas.

The need for waterway barrier approvals was not anticipated during the preparation of the EIS, however the request to recognise this approval is supported to ensure a comprehensive approach is taken to possible approvals.

The clarification of wording in relation to 'resource allocation authority' is also supported.

4.2.2 The Reef Water Quality Protection Plan

A submission questioned why the EIS does not mention the Reef Water Quality Protection Plan. The Reef Water Quality Protection Plan has been considered by the EIS and is dealt with in **Section 13.7** and the EPBC Report (**Appendix C**).

4.2.3 Environment Protection and Biodiversity Conservation Act 1999

A submission seeks amendments to the description of the EPBC Act process under the bilateral agreement (p1-13):

- Deletion of the 3rd dotpoint - '*Conduct assessment as per State approvals pathway (refer to Section 2)*';
- Replace the 5th dotpoint with - '*Coordinator General submits assessment report to the Department of the Environment and Water Resources*'; and
- Amend the last dotpoint to read - '*Minister issues either an approval or refusal decision under the EPBC Act*'.

The amendments are supported.

4.2.4 State Development and Public works Organisation Act 1971

One submission suggested that state agencies are excluded from imposing conditions on the project and that the Coordinator General's report is the final decision on the projects approvals.

The Coordinator General's report is the overall approval for the EIS. However, when preparing the Coordinator General's report, the Coordinator General consults with relevant government agencies to ensure that specific issues are appropriately addressed in the report and that there is acceptance from the agencies with the conditions to be imposed the Coordinator General.

4.2.5 Approvals List

■ Table 4-1 Key Approvals Required and Authorities

Legislation	Approval Requirements	Application to Proposed Development	Agency
COMMONWEALTH			
<i>Environment Protection and Biodiversity</i>	Approval for 'Controlled Action' from the	Under the EPBC Act, a person must not take an	DEWHA

Legislation	Approval Requirements	Application to Proposed Development	Agency
<p><i>Conservation Act 1999 (EPBC Act)</i></p>	<p>Commonwealth Department of Environment, Water, Heritage and the Arts Resources (DEWHA).</p>	<p>action that has, will have or is likely to have a significant impact on a matter of national environmental significance without the approval of the Commonwealth Minister for the Environment and Water Resources.</p> <p>The proposed development may impact on the following matters of National Environmental Significance: World Heritage Areas (Great Barrier Reef); Listed endangered species; and Migratory and marine species.</p> <p>The project has been declared a "Controlled Action" by the Commonwealth Minister for the Environment, Water and Resources (refer to Appendix A3).</p>	
STATE			
<p><i>State Development and Public Works Organisation Act 1971 (Non-IDAS approval)</i></p>	<p>An Environmental Impact Statement must be prepared for any project declared a Project of State Significance under this Act. The Coordinator-General's assessment and conditions become a Concurrence Agency response under the <i>Integrated Planning Act 1997</i> for the material change of use development application to Miriam Vale Shire Council.</p>	<p>An application for a Project of State Significance declaration under this Act was made. It was deemed that the HHI Development is a 'Project of State Significance' and will be assessed by the Coordinator-General under this process.</p>	<p>Co-ordinator General</p>
<p><i>Marine Parks Act 2004</i> <i>Marine Parks Regulation 1990</i> <i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i> For works in a State</p>	<p>A marine park permit may be required for: Installing a structure in the Great Barrier Reef Coastal Marine Park (between high and low tide) (e.g. bridge, boat</p>	<p>Boat ramps and a bridge are proposed to be constructed in Boyne Creek and Colosseum Inlet which would require placement of structures in the Queensland Great Barrier Reef Coastal</p>	<p>DERM</p>

Legislation	Approval Requirements	Application to Proposed Development	Agency
<p>marine park, the permit approval process is administered by Queensland Parks and Wildlife Service (part of DERM).</p>	<p>ramp); and Discharging waste into the Great Barrier Reef Coastal Marine Park.</p>	<p>Marine Park (i.e. the land/waters between high tide and low tide). The structures would require Marine Parks Permits. An emergency sewage outlet is proposed for disposal of treated effluent when flows are greater than three times average dry weather flow (ADWF) typically when severe weather conditions preclude land irrigation. This outflow will discharge to an ephemeral creek that flows to the main channel of Colosseum Inlet. This would require a Marine Parks Permit.</p>	
<p><i>Vegetation Management Act 1999</i> (IDAS approval)</p>	<p>Development Permit for Operational Works - clearing of native vegetation. DERM is the assessment manager for the application.</p>	<p>Remnant vegetation is present on Hummock Hill Island including "endangered", "of concern" and "not of concern" regional ecosystems. The proposed development has been planned to avoid clearing of "endangered" vegetation except where absolutely necessary for infrastructure provision. Clearing of "of concern" and "not of concern" regional ecosystems would be required. "Of concern" vegetation cleared for the project would be off-set as required under the <i>South East Queensland Regional Vegetation Management Plan</i> (2006).</p>	<p>DERM</p>
<p><i>Water Act 2000</i> (IDAS approval)</p>	<p>Development Permit for Operational works - disturbance of the bed and banks of a watercourse. Department of Natural Resources and Water is the assessment manager for the application.</p>	<p>Schedule 8, part 1, table 4, item 3 of the <i>Integrated Planning Act 1997</i> specifies that operational work for the purposes of taking or interfering with water under the <i>Water Act 2000</i> is assessable development. This includes all work in a watercourse (e.g. a pump, gravity diversion, stream re-</p>	<p>DERM</p>

Legislation	Approval Requirements	Application to Proposed Development	Agency
		<p>direction, weir or dam). Crossings of ephemeral watercourses on Hummock Hill Island would trigger a permit requirement under the <i>Water Act 2000</i> if bed and banks are interfered with. Mainland water supply pipeline alignments may include crossings of freshwater streams to which the <i>Water Act 2000</i> would apply. There is no intention to extract water from aquifers or surface waters.</p>	
<i>Aboriginal Cultural Heritage Act 2003</i>	No permits required.	<p>Disturbance of Aboriginal cultural heritage material can only be undertaken in accordance with a Cultural Heritage Management Plan (CHMP). A CHMP is required for any project for which an Environmental Impact Assessment is undertaken. Surveys with the local Aboriginal people have confirmed the presence of Aboriginal cultural heritage material on Hummock Hill Island. A Cultural Heritage Management Plan has been compiled and approved by DERM on 17 January, 2007.</p>	
<i>Native Title Act 1993 (Cth)</i> <i>Native Title (Queensland) Act 1993</i>	No permits required.	<p>Native Title has been extinguished over Lot 3 (development lease). Infrastructure, such as the bridge and road corridors, are to be dedicated as road reserves and not subject to Native Title.</p>	
<i>Fisheries Act 1994 (IDAS Approval)</i>	Operational Works Permit - operational work completely or partly within a declared fish habitat area;	Colosseum Inlet boat ramp would require a Resource Allocation Authority and an Operational Works Permit due to works in and	DEEDI

Legislation	Approval Requirements	Application to Proposed Development	Agency
	<p>Operational Works Permit - disturbance or removal of Marine Plants; and Resource Allocation Authority for any disturbance within a Fish Habitat Area.</p> <p>DEEDI is the assessment manager for the development permits.</p> <p>DERM is the administering authority for the 'resource allocation authority' unless within a Fish Habitat Area where DEEDI is the administering authority.</p>	<p>adjacent to tidal wetlands and the Colosseum Inlet Fish Habitat Area (FHA).</p> <p>The area 100m on either side of the centreline of the existing access track and causeway is excluded from the FHA and approvals for the bridge crossing and Boyne Channel boat ramp would not be required.</p> <p>Disturbance and removal of a small number of mangroves on Boyne Channel would require Operational Works approval. Disturbance to mangroves on Colosseum inlet can be avoided.</p>	
<i>Environmental Protection Act 1994</i> (IDAS Approval)	<p>Material Change of Use Permit - establishment of new Environmentally Relevant Activities (ERAs).</p> <p>DERM is the assessment manager.</p>	<p>The HHI Development would require development permits to operate the following ERAs:</p> <p>ERA 15 (Waste Water Treatment Plant);</p> <p>ERA 19 (Dredging)</p>	DERM
<i>Nature Conservation Act 1992</i>	<p>Approval from the DERM is required to disturb, harm or destroy any species listed under the Act.</p> <p>A development permit under the <i>Integrated Planning Act 1997</i> is not required.</p>	<p>Flora and fauna surveys undertaken to date have identified several bird species listed under the <i>Nature Conservation Act 1992</i> as being present on the site (Refer to Section 13).</p> <p>It is not likely that the proposed development would harm or disturb these species and approval under the Act is not likely to be required.</p>	DERM
<i>Transport Infrastructure Act 1994</i> (IDAS Referral)	<p>Permit for Preliminary Approval - Material Change of Use.</p> <p>Concurrence agency approval from Department of Transport and Main Roads in relation to impacts on state controlled roads, including section 33 - <i>Prohibition on road works etc. on State-controlled</i></p>	<p>The proposed development exceeds the development thresholds established in the <i>Integrated Planning Regulation 1998</i>, Sch 5, Table 3, items 2 and 3.</p>	DTMR

Legislation	Approval Requirements	Application to Proposed Development	Agency
	<p><i>roads</i> and section 50 - <i>Ancillary works and encroachments</i>, would be required for the "Preliminary Approval for Material Change of Use".</p>		
<p><i>Coastal Protection and Management Act 1995</i> (IDAS Approval)</p>	<p>Operational Works Permit - Tidal Works within a coastal management district; and Resource Entitlement (non-IDAS Approval - DERM administering authority). The DERM would be the assessment manager where the works are not prescribed tidal works. Where the works are prescribed tidal works, DERM would be a concurrence agency.</p>	<p>Required for works within Colosseum Inlet and Boyne Channel, including works associated with bridge and boat ramp construction.</p>	<p>DERM</p>
<p>LOCAL</p>			
<p>Miriam Vale Shire Planning Scheme</p>	<p>Development permits for: Material Change of Use (preliminary approval); Material Change of Use (as per the approved Plan of Development); Reconfiguring a Lot; Carrying out Operational Work; and Placing an advertising device on premises.</p>	<p>A 'preliminary approval' material change of use is required to be sought from Gladstone Regional Council. Subsequent development applications for material change of use, reconfiguration of a lot, operational works and advertising devices shall be assessed within the framework of the approved Plan of Development for the site.</p>	<p>Gladstone Regional Council</p>