

F

Compliance with relevant state,
regional and local policies

Appendix F

JRYUP Compliance with State, Regional and Local Policies

1. State Planning Policies

A State Planning Policy (SPP) is a statutory instrument developed by the State Government under the *Integrated Planning Act 1997* (IP Act) on matters of state interest. SPPs apply when development is assessed, land is designated for community infrastructure and when new planning schemes are made or amended under the IP Act. Unless otherwise stated within the policy, each SPP has effect throughout the State. An assessment of the compliance of the proposed Project with all applicable SPPs has been undertaken, as if the proposed Project were assessable development.

There are currently five SPPs that are relevant to the JRYUP and associated infrastructure development, including:

- Development in the Vicinity of Certain Airports and Aviation Facilities – SPP 1/02
- Planning and Managing Development Involving Acid Sulfate Soils – SPP 2/02
- Mitigating the Adverse Impacts of Flood, Bushfire and Landslide – SPP 1/03
- Development and the Conservation of Good Quality Agricultural Land - SPP 1/92
- State and Regional Coastal Management Plans

1.1 Development in the Vicinity of Certain Airports and Aviation Facilities – State Planning Policy 1/02

1.1.1 Overview

This SPP aims to protect certain airports and aviation facilities whose efficient operation is an essential element of Queensland's transport infrastructure network or Australia's national defence system. In order to achieve this aim, the SPP and the accompanying guidelines determine the necessary land use and development controls for various areas around certain airports and aviation facilities. The SPP does not apply throughout the state, only for land that is around certain airports and aviation facilities. Annex 1 of the SPP denotes the airports of State significance.

The SPP does not apply to airports or aviation facilities themselves but to areas in the vicinity of those civil, military and joint-use airports and aviation facilities identified in Annex 1. The specific areas to which the SPP apply vary with the issue being addressed and the particular airport or aviation facility, but are generally:

- Beneath, or in the vicinity of, the airports' operational airspace
- In the vicinity of the aviation facilities
- Within areas defined by the 20 Australian Noise Exposure Forecast (ANEF) contour at and around each airport
- The public safety areas identified in Annex 3 (s 2.3).

1.1.2 Relevance to the Project

Operational airspace is defined in SPP 1/02 as "the areas and vertical dimensions of the Obstacle Limitation Surface (OLS) and the Procedures for Air Navigation Services-Aircraft Operational Surfaces (PANS-OPS)" and generally extends for approximately 15 km from the airport runway.

While the Mackay Airport has been identified as an airport of state significance in Annex 1 of the SPP 1/02, the airport is located approximately 40 km from the project area and is well outside the OLS and PANS-OPS. As such, SPP 1/02 does not apply.

1.2 Planning and Managing Development Involving Acid Sulfate Soils – SPP 2/02

1.2.1 Overview

This SPP sets out the State's interests concerning development involving acid sulfate soils (ASS) in low-lying areas. The purpose of SPP2/02 is to ensure that development:

- Avoids the release of acid and associated metal contaminants into the environment when undertaking works
- Does not disturb ASS when excavating or removing soil or sediment, extracting groundwater or filling land
- The disturbance of any ASS and drainage waters is managed correctly.

SPP 2/02 applies to 'land, soil and sediment at or below 5 m Australian Height Datum (AHD) where the natural ground level is less than 20 m AHD within local government areas listed in Annex 1. Development within these areas that involves excavating or otherwise removing 100 m³ or more of soil sediment, or filling of land involving 500 m³ or more of material with an average depth of 0.5 of a metre or greater is to be in accordance with SPP 2/02.

Development to which the SPP applies is to ensure the 'release of acid and associated metal contaminants in the environment is avoided by:

- Not disturbing ASS when excavating or otherwise removing soil or sediment, extracting groundwater or filling land.
- Treating and, if required, undertaking ongoing management of any disturbed ASS and drainage waters.

1.2.2 Relevance to the Project

The requirements of this SPP apply to only part of the project area with the Plane Creek flood plain (ie areas 5 m AHD).

Also, as the proposed Project involves excavation and filling, an ASS Management Plan will be prepared and implemented, in accordance with the SPP standards.

1.2.3 Project compliance

The Project will comply with the requirements of the SPP 2/02. A ASS investigation will be undertaken during the detailed design phase of the Project.

1.3 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide – 1/03

1.3.1 Overview

The SPP 1/03 sets out the State's interest in ensuring that the natural hazards of flood, bushfire, and landslide are adequately considered when making decisions about development.

The SPP generally applies throughout the State for flooding; however, local governments are specified in Annex 2 for the application of the policy in terms of bushfire and landslide.

Development to which the SPP applies is detailed in Annex 1 of the SPP. It should be noted that the SPP applies to the development listed in A1.1 of Annex 1 of the SPP only where the development is proposed within a *natural hazard management area*. Natural hazard management areas are identified within local government planning schemes in accordance with this SPP. Within the designated areas, risk to the community is to be minimised.

The SPP also applies throughout Queensland to 'developments that provide vital services to the community' (community infrastructure) including:

- Police and emergency services facilities including emergency shelters
- Hospitals and associated institutions
- Facilities for the storage of valuable records or items of cultural or historic significance
- State-controlled roads
- Railway lines, stations and associated facilities
- Aeronautical facilities
- Communication network facilities
- Works of an electricity entity under the *Electrical Safety Act 2002*
- Water cycle management infrastructure.

1.3.2 Relevance to the Project

The Project lies within the Sarina Shire Council where the SPP applies for flooding, bushfire and landslide (Annex 2).

The SPP states that wherever practicable, community infrastructure to which this SPP applies is located and designed to function effectively during and immediately after natural hazard events commensurate with a specified level of risk.

The SPP requires new community infrastructure to be designed to be capable of carrying out its role in natural disaster events, where this can be achieved. However, the SPP notes that it is unrealistic to expect community infrastructure to be located and designed in such a manner as to be able to withstand any natural hazard event.

The Sarina Plan (illustrating compliance with the SPP) specifically identifies land that may be subject to natural hazards through the Natural Hazards Management Areas Overlay Code. The Overall Outcomes sought for the areas subject to the Natural Hazard Management Areas Overlay Code are:

- i) Development in natural hazard management areas is planned and designed to minimise the risk to life and property and the cost to the community
- ii) Development ensures that reference points for identification of ASS are appropriately managed to avoid risk to the environment and safety.

1.3.3 Project compliance

The Project will comply with the requirements of the SPP 1/03 due to the overriding need for the Project in terms of community and economic benefits (refer to EIS Chapters 1 and 16) furthermore JRYUP will address the SPP by implementing mitigation measures during the construction and operational phases.

1.4 Development and the Conservation of Good Quality Agricultural Land — SPP1/92

1.4.1 Overview

The State Planning Policy for the Development and the Conservation of Agricultural Land (SPP1/92) "addresses the conservation of good quality agricultural land and provides guidance to local authorities on how this issue should be addressed when carrying out their range of planning duties."

The SPP identifies Good Quality Agricultural Land (GOAL) is a valuable resource and must, where possible, be protected from incompatible development. When considering development on GOAL, the Assessment Manager should consider whether it can be demonstrated that there is an overriding need for the development in terms of community benefit.

1.4.2 Relevance to the Project

Four classes of agricultural land have been defined for Queensland. Class A land (Crop Land) in all areas is considered to be good quality agricultural land, while Class D (non-agricultural land) is never classified as GOAL. In some areas, Class B land (Limited Crop Land) and better quality Class C land (Pasture Land), can also be considered to be good quality agricultural land. Class B and Class C areas can also be designated GOAL or otherwise by Council, according to the availability of GOAL land in the Shire. Council has produced mapping (EROM1: Good Quality Agricultural Land Overlay Map) of the entire Shire which identifies areas of GOAL within the project area.

1.4.3 Project compliance

The proposed Jilalan Rail Yard upgrade will be compatible with SPP1/92 as the Project will not be incompatible with future rural uses. The impact of the loss of agricultural land within the project area is minimised due to the proposed upgrade being located adjacent to an existing rail yard. In order to mitigate the loss of GOAL within close proximity to the Plane Creek Sugar Mill, QR will upgrade the existing at-grade intersection of Oonooie Road with the North Coast Line to an above grade intersection, with an Oonooie Road overpass of the North Coast Line. This will provide 24 hour unrestricted access to the CSR Sarina Distillery and the sugar cane lands along Gurnetts Road.

Furthermore, Section 4.12 of the SPP guideline states that the application may be accepted, provided "there is an overriding need in community terms of public benefit for the proposal, and the proposal cannot be located on alternative sites of poor agricultural quality".

In determining whether or not "an overriding need in terms of public benefit" exists, depends upon the circumstances of the particular proposal (Section 4.13 of the SPP Guideline). Some obvious cases of "overriding need" which are likely to justify the loss of the agricultural land are illustrated in Section 4.14 of the SPP Guideline and include:

"major infrastructure (for example, roads, railways, aerodromes and dams) usually have specific siting/location requirements that might require the loss of some good quality agricultural land."

The proposed rail upgrade is a major infrastructure project designed to cater for imminent growth in coal exports through the Dalrymple Bay and Hay Point Services Coal Terminals. A corresponding increase in the capacity of QR's rail infrastructure is required to accommodate this growth. The upgrade will significantly improve the efficiency at Jilalan as well as directly contribute to an increase in overall capacity. As such, there is certainly an overriding need for the Project in terms of economic benefits.

1.5 State Coastal Management Plan

1.5.1 Overview

Under Section 30 of the *Coastal Protection and Management Act 1995* (the Coastal Act) the Minister is required to prepare a State Coastal Management Plan (State Coastal Plan). The State Coastal Plan applies to the coastal zone defined in Section 11 of the Coastal Act as:

'coastal waters and all areas to the landward side of coastal waters in which there are physical features, ecological or natural processes or human activities that affect, or potentially affect, the coast or resources'.

The purpose of the State Coastal Plan is to provide a framework for the protection and management of Queensland's coastal, natural and cultural resources. The Plan provides policy direction on coastal waters and the development of land, including land management issues associated with such issues as vegetation and biodiversity.

The State Coastal Plan holds the status of a SPP under the IP Act, being a statutory instrument for the purpose of making and amending planning schemes and assessing and deciding development applications and therefore being a matter of State interest.

The State Coastal Plan details policies for 10 topics of interest, including:

- Coastal use and development
- Physical coastal processes
- Public access to the coast
- Water quality
- Indigenous Traditional Owner cultural resources
- Cultural heritage
- Coastal landscapes
- Conserving nature
- Coordinated management
- Research and information.

1.5.2 Relevance to the Project

The location of the JRYUP is within coastal land defined as the Whitsunday Coast (refer Section 1.6). The State Coastal Plan is implemented by the Sarina Shire Council and the Mackay City Council through their coordination and integration of relevant sections of the State Coastal Plan into their respective planning schemes, developed under the IP Act.

The State Coastal Plan contains policies and provisions for activities associated with the JRYUP. Impact assessment applications are required if the State Coastal Plan has not been appropriately reflected in the planning scheme. Ministerial community infrastructure designations will also have regard to the State Coastal Plan.

1.5.3 Project compliance

The Project will comply with the general intent and objectives of the State Coastal Plan by implementing mitigation measures during the construction and operational phases.

1.6 Draft Mackay-Whitsunday Regional Coastal Management Plan (March 2006)

1.6.1 Overview

Chapter 2, Part 2 of the Coastal Act also requires regional management plans to be developed for specific regions of the coastal zone. Regional coastal management plans operate in conjunction with the State Coastal Plan and include region-specific policies as well as applying State Coastal Plan policies to specific geographic areas, and defining the boundaries of areas such as control districts and key coastal sites.

The Queensland coastline has been divided into 11 regions, all of which are to hold a regional coastal management plan:

- Gulf of Carpentaria
- Cape York Peninsula Coast
- Torres Strait
- Wet Tropical Coast
- Cardwell-Hinchinbrook
- Dry Tropical Coast
- Mackay-Whitsunday Coast
- Capricorn Coast
- Curtis Coast
- Wide Bay Coast
- South-east Queensland Coast

The regional coastal plans identify coastal management districts which are regulatory areas that primarily identify the part of the coastal zone in which the State Government, through the EPA, becomes involved in assessing certain types of coastal development as set out in the Coastal Act.

The regionally specific information provides the basis for regional policies that:

- Provide a direction for the implementation of the State Coastal Plan in the region.
- Designate regionally specific coastal management outcomes with links to the State Coastal Plan.
- Allow for mapping areas of State significance in accordance with the State Coastal Plan.

In accordance with the State Coastal Plan, the DRAFT *Mackay-Whitsunday Regional Coastal Management Plan 2003* (Coastal Plan) was developed to operate in conjunction with the State Coastal Plan and include region-specific policies as well as applying State Coastal Plan policies to specific geographic areas. The Coastal Plan and the State Coastal Plan also have effect as State Planning Policies under the IP Act. The Sarina Shire Planning Scheme will therefore be required to be consistent with these documents, and incorporate these issues into the scheme. At present, pending completion of the DRAFT Coastal Plan they have incorporated coastal issues within the Conservation Overlay Code.

1.6.2 Relevance to the Project

The majority of the project area (including Elizabeth and Willy Creeks) lies outside of the Mackay-Whitsunday Coastal Management District; however, a small portion of the Project area does extend into the management district which runs along Plane Creek.

The project area is also in close proximity to the wetland areas adjacent to Llewellyn Bay, which are also part of the Coastal Management District.

Factors relating to water quality (Chapters 7 and 8), acid sulfate soils (Chapter 5), and nature conservation (Chapter 6) are addressed as part of the EIS.

1.6.3 JRYUP compliance

The JRYUP will comply with the general intent and objectives of the State Coastal Plan by implementing mitigation measures during the construction and operational phases of the Project.

2. State and regional land use and environmental protection guidelines

Key State and regional land use and environmental protection guidelines applicable to the Project are:

- Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland 1998
- Sarina Shire Council Planning Scheme 2005
- *State Development and Public Works Organisation Act 1971*
- *Integrated Planning Act 1997*
- *Environmental Protection Act 1994*
- *Environmental Protection (Air) Policy 1997*
- *Environmental Protection (Noise) Policy 1997*
- *Environmental Protection (Waste Management) Policy 2000*
- *Fisheries Act 1994*

2.1 Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland 1998

2.1.1 Overview

These guidelines are to provide a State wide standard sampling and analysis regime so that accurate assessment of ASS can occur. ASS generally occurs on coastal lowlands with elevations generally below 5 m AHD. An ASS Management Plan is required, with reference to the SPP 2/02 (refer Section 1.2).

2.1.2 Relevance to the Project

As stated previously, a small portion of the project area is within areas of an elevation below 5 m AHD. In accordance with SPP 2/02 an ASS Management Plan is required for the Project.

2.1.3 Project compliance

An ASS investigation and management plan will be undertaken for the Project during the detailed design phase. The investigation and plan will be consistent with the principles and intent of the Guidelines.

2.2 Sarina Shire Council Planning Scheme 2005

2.2.1 Overview

The Planning Scheme outlines broad strategies for the Shire as well as managing development in a way that advances the purpose of the IP Act by identifying assessable and self-assessable development and the outcomes sought to be achieved in the local government area.

The strategies for the Shire include:

- Residential, commercial, industry, community and recreation uses
- Ensuring the Shire remains a productive rural area
- Encouragement of rural residential development in locations which avoid productive rural lands
- Protection of ecological resources
- The road hierarchy and railway corridors are protected from inappropriate development

The Scheme contains Desired Environmental Outcomes (DEOs) which are based on ecological sustainable principles established under IP Act. The DEOs are to be achieved through future development. The DEOs cover a broad range of issues, including ecological processes and conservation, natural resources, community development and services, development patterns and cultural heritage values.

2.2.2 Relevance to the Project

The relevance of the Sarina Plan is identified in the EIS Chapter 4.

The DEOs are to achieve a balance between maintaining Sarina's role as an economic centre of national and state significance and providing a complete 'home' for its residents.

2.2.3 Project compliance

Compliance with JRYUP in terms of planning for the area is provided in the EIS Tables 4.5 to 4.7.

2.3 State Development and Public Works Organisation Act 1971

2.3.1 Overview

The SDPWO Act establishes the framework for environmental assessment of major projects in Queensland and with the IP Act is the controlling legislation for the Project at the State level. The Act provides the CG with the power to coordinate the environmental assessment of major projects through the declaration of significant projects which require the preparation of Environmental Impact Statements (s 26).

On review of the EIS, consideration of submissions and any other material the CG deems relevant to the project, the CG must prepare a report evaluating the EIS (s 35). In evaluating the EIS the CG may state conditions or make recommendations to impose on the proposed project or refuse the project. The CG's report (Evaluation Report) links the approval processes in other legislation such as the EPBC Act, the IP Act and other State legislation which requires approval under IP Act.

2.3.2 Relevance to the Project

The CG declared the proposed Jilalan Rail Yard Expansion a "significant project" on 8 May 2007 pursuant to Section 26 of the SDPWO Act. The CG has required QR to prepare an EIS under Part 4 of the SDPWO Act. The CG issued the Terms of Reference for the EIS in June 2007.

2.4 Integrated Planning Act 1997

2.4.1 Overview

The IP Act is Queensland's principal planning legislation, and seeks to achieve ecologically sustainable development.

Under IP Act, development is either Assessable, Self-assessable or Exempt.

2.4.2 Relevance to the Project

A number of approvals are required for the Project under IP Act. The Sarina Shire Planning Scheme (2005) defines the project as:

Utilities – Public:

means the use of premises for any of the following undertakings, namely:

(a) a coal terminal, railway, tramway, road or air transport, wharf, sea port, marina, harbour, sea or river undertaking: ...

The Project is on land zoned either "Community Purpose" (the existing Jilalan facility and rail line). *Table 11 Assessment Categories and Relevant Assessment Criteria for the Community Purposes Zone – Making a Material Change of Use* lists Utilities-Public as Exempt Development. The Community Purpose Zone Code also identifies Utilities-Public as a use consistent with the objectives of the zone. *Table 3 Assessment Categories and Relevant Assessment Criteria for the Rural Zone – Making a Material Change of Use* lists Utilities-Public as Impact Assessable Development, and also a use consistent with the objectives of the zone.

Under Schedule 9 - Development that is exempt from assessment against a planning scheme, Table 5 Community infrastructure activities "All aspects of development for community infrastructure prescribed under a regulation" is Exempt Development.

Schedule 11 Development for community infrastructure exempt under schedule 9, table 5, item 5 of the Act of the Integrated Planning Regulation 1998 states that the following is Exempt Development:

*All aspects of development for the maintenance, repair, upgrading, augmentation or duplication of—
(a) rail transport infrastructure under the Transport Infrastructure Act 1994;*

2.5 Environmental Protection Act 1994

2.5.1 Overview

The object of the EP Act is to protect Queensland's environment while allowing for development that improves the total quality of life both now and in the future, in a way that maintains the ecological processes on which life depends ("ecologically sustainable development").

2.5.2 Environmentally Relevant Activities

The EP Act, together with IP ACT, provides a licensing and approval regime for a range of Environmentally Relevant Activities (ERAs). These are activities that the Governor in Council is satisfied a contaminant will be released into the environment when the activity is carried out and the release of the contaminant will or may cause environmental harm (s 18, s 19). ERAs are defined in Schedule 1 of the *Environmental Protection Regulation 1998*.

The EP Act requires that any person carrying out an ERA must hold, or be acting under, a registration certificate for the activity. It is an offence to carry out an ERA unless the person is a registered operator for the activity, or is acting under a registration certificate for the activity. All operators are also required to have a development permit approval for the activity, unless a code of environmental compliance applies to the activity. Development permit approvals are granted under the IP ACT.

QR currently holds a development approval (Certificate of Registration No. ENRE00307205) with the EPA for the following Environmentally Relevant Activities (ERAs) for the existing Jilalan Rail Yard:

- 11a - Crude oil or petroleum product storing (10,000 litres – 500,000 litres)
- 15b - Sewage treatment (100 – 1,500 equivalent persons)
- 72 - Railway facility
- 85 - Regulated waste treatment

Chapter 4 of the EIS further addresses the EP Act requirements for the Project.

2.6 Environmental Protection (Air) Policy 1997

2.6.1 Overview

The object of the policy is to achieve the objects of the EP Act in relation to air. To achieve this, the policy:

- Identifies environmental values to be enhanced or protected
- Specifies air quality indicators and goals to protect the environmental values
- Provides a framework for:
 - Making consistent and fair decisions about management of the air environment
 - Involving the community in achieving air quality goals that best protect Queensland's air environment

2.6.2 Relevance to the Project

The relevance of the EP Act is discussed in the EIS Chapter 9.

2.6.3 Project compliance

The Project will contain appropriate mitigation measures to reduce potential air quality impacts in accordance with the EP Act.

2.7 Environmental Protection (Noise) Policy 1997

2.7.1 Overview

The object of the policy is to achieve the objects of the EP Act in relation to Queensland's acoustic environment. To achieve this, the policy:

- Identifies environmental values to be enhanced or protected
- Specifies an acoustic quality objective
- Provides a framework for:
 - Making consistent and fair decisions that best protect Queensland's acoustic environment
 - Developing noise management programmes with the involvement of government entities, industry groups and the community
 - Making accurate and consistent noise assessments
 - Providing consumers with important information about noise

The policy notes that:

'A beneficial asset is an airport, approved industrial estate, navigable waterway, public road or railway. It is recognised that, although the operation or use of beneficial assets may have significantly adverse effects on the environmental values, they are necessary for the community's environmental, social and economic wellbeing. However, it is intended that, so far as practicable, any significantly adverse effects from their use or operation be progressively reduced.' Hence, the JRYUP project will comply with this 'beneficial asset' concept.

2.7.2 Relevance to the Project

The relevance of the *Environment Protection (Noise) Policy 1997* is discussed in the EIS Chapter 10.

2.7.3 Project compliance

The Project will contain appropriate mitigation measures to reduce potential noise impacts in accordance with the *Environment Protection (Noise) Policy 1997*.

2.8 Environmental Protection (Waste Management) Policy 2000 and Environmental Protection (Waste Management) Regulation 2000

2.8.1 Overview

The *Environmental Protection (Waste Management) Policy 2000* and the *Environmental Protection (Waste Management) Regulation 2000* achieve the objects of the EP Act in relation to Queensland's waste management through the coordination and clarification of waste management practices and providing environmental safeguards for waste. To achieve this, the policy:

- Identifies environmental values to be enhanced or protected
- Provides a framework for the administering authority to make consistent and fair decisions
- Provides for the preparation of waste management programs

- Provides for the preparation of industry waste reduction programmes
- Provides for government planning for waste management.

The Policy provides a strategic framework for managing waste in Queensland, while the Regulation contains the requirements for handling specific waste streams.

The Policy outlines the waste management hierarchy and principles for achieving good waste management. The hierarchy (from preferred to least preferred) includes:

- Waste avoidance
- Water re-use
- Waste recycling
- Energy recovery
- Waste disposal

2.8.2 Relevance to the Project

Part 7 of the Policy provides for local governments to prepare and implement plans for managing waste, in their local government areas, in ways that best achieve the object of the Act.

The *Environmental Protection (Waste Management) Policy 2000* is relevant in that guidelines outlined within the policy on how to reduce waste, improve efficiency, and improve waste management practices will be adopted by the Project. The current waste management procedures in place are quite efficient practices but as required by the *Environmental Protection (Waste Management) Policy 2000* new technologies are to be adopted to ensure that the most efficient procedures are utilised.

Current waste management procedures are addressed in EIS Chapter 11.

2.8.3 Project compliance

During the detailed design, construction and operational phases of the Project waste management practices will be addressed. Waste management practices will include hazardous waste, sewage/septic and waste management services (recycling, resource recovery and general waste).

2.9 Fisheries Act 1994

2.9.1 Overview

The *Fisheries Act 1994* provides for the management, use, development and protection of fisheries resources and fish habitats, and the management of aquaculture activities. The Act holds provisions for the following:

- Taking, causing damage to or disturbance to marine plants, including mangroves
- Works in a declared fish habitat
- Waterway barrier works
- Tidal water, fresh and marine aquaculture operations.

Schedule 8, Part 1, Table 4 of IP Act specifies that operational work for the purposes of the above activities under the *Fisheries Act 1994* is assessable development. Fisheries development approvals for the above activities are required under the IP Act.

2.9.2 Relevance to the Project

The Project development will possibly result in both waterway barrier works in Elizabeth and Willy Creeks and disturbance to marine plants adjacent to Plane Creek. QR will obtain a permit under Section 51 of the *Fisheries Act 1994* to remove marine plants for any works that remove or damage marine plants and obtain approval for any waterway barrier works from SSC and DPIF.

3. International Conventions that Drive Australian Government Policies

The relevant International conventions and agreements to the Project include those listed below.

3.1 Ramsar Convention on Wetlands

The Convention on Wetlands, signed in Ramsar, Iran, 1971, is an inter-governmental treaty which provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.

3.2 Japan and Australia Migratory Bird Agreement (JAMBA)

JAMBA is an agreement between the Government of Australia and the Government of Japan for the Protection of Migratory Birds in Danger of Extinction and their environment.

3.3 China and Australia Migratory Bird Agreement (CAMBA)

CAMBA is an agreement between the Government of Australia and the Government of the Peoples Republic of China for the Protection of Migratory Birds and their environment.

3.4 Convention on the Conservation of Migratory Species

The convention requires migratory species to be acknowledged as an 'irreplaceable' part of the natural ecosystem and that these species are crucial to biological diversity and the integrity of biological ecosystems for future generations to appreciate.

In addition to the conventions and agreements above, the conventions below are identified as indirectly relevant to the Project.

3.5 Convention on Biological Diversity

The convention is a comprehensive, binding agreement covering the use and conservation of biodiversity. The Convention has three goals:

- Conservation of biodiversity
- Sustainable use of its components
- Equitable sharing of benefits arising from genetic resources.

3.6 CMS or Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals aims to conserve terrestrial, marine and avian migratory species through their range. The convention is to restrict, harvest, conserve habitats and control other adverse factors. The species covered include marine mammals, sea turtles and sea birds.

3.7 Convention of International Trade in Endangered Species or Wild Fauna and Flora (CITES)

CITES is an international agreement between governments with the aim to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

3.8 Project compliance

The Project compliance with the above agreements and conventions is discussed in the EIS Chapter 6.