



Introduction

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VERSION CONTROL: 27/06/2017

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1 Introduction

1.1 Background

Lindeman Island is located within the island group referred to as the Whitsundays, a world renowned tourist attraction located approximately 35 kilometres south-east of Shute Harbour and 13 kilometres south of Hamilton Island. The Island is located within the Great Barrier Reef World Heritage Area and has a total area of approximately 635 hectares with the existing resort located on a range of land tenures totalling approximately 138.17 hectares. Lindeman Island was one of the first islands in the Whitsunday Island Group to be used as a tourist resort with activities commencing in 1928 when the Nicholson's established a hosted the first expedition of over 100 people at Home Beach. Since this time a number of accommodation buildings and improvements to infrastructure have been constructed including the construction of an airstrip, jetty and golf course. In 1990 Club Med purchased the resort and increased the rooms to 225 and operated the resort as a three star family oriented tourist facility. The resort closed in 2012 with key reasons for the closure attributed to damage caused by cyclones, access difficulties, downturn in the global tourism industry and a failure to attract new and emerging tourism markets.

In 2012 White Horse Australia Lindeman Pty Ltd (White Horse Australia or proponent) purchased the resort from Club Med. Since this time White Horse Australia has been investigating a range of options to redevelop the site into a world class integrated tourist resort that protects the Great Barrier Reef World Heritage values and set new international standards in environmental sustainability and resort design. The Lindeman Great Barrier Reef Resort Project (proposed resort or project) presented in this Environmental Impact Statement (EIS) would result in a world class experience, which will not only lift the marketability of the island but also revitalise the Whitsundays and Queensland as a vibrant domestic and international tourist destination. The project would also be consistent with the tourism strategies in the Queensland Government's Advancing North Queensland Strategy, Destination Q strategy which aims to increase overnight visitor expenditure to \$30 billion by 2020 and the *Mackay Destination Tourism Plan 2014 - 2020* which supports investment in major accommodation and attractions on Lindeman Island. The project also supports the achievement of outcomes sought by the *Queensland Ecotourism Plan 2016 - 2020* by providing a tourism product that showcases the Great Barrier Reef and addresses unoccupied island resorts.

The project has been estimated to require a capital investment of \$583 million and during construction is expected to contribute \$480 million to the Mackay Region's Gross Regional Product and \$620 million to the State's Gross Product. During construction around 300 construction related jobs will be created and approximately the same number of full time equivalent jobs will be created on the island once operational. Operationally the resort is expected to contribute \$140 million to the Mackay Region's Gross Regional Product and \$195 million to the State's Gross Product. On average over 858 visitors and staff will be on the island each day totalling around 313,170 person days per year.

The project has been designed to protect the Outstanding Universal Values (OUV) associated with the Great Barrier Reef World Heritage Area (GBRWHA) through site responsive design and set new standards in sustainable tourism. Proposed environmental improvements include renewable energy production (solar/diesel hybrid), rehabilitation of disturbed habitats, incorporation of water conservation devices, improvements to stormwater management and a wastewater treatment plant with water treated to Class A+ standard. A National Park and Great Barrier Reef Research Centre is also proposed.

This EIS presents the findings of environmental, social, cultural and economic assessments undertaken to determine the potential impacts of the project in accordance with the Terms of Reference (TOR) for the project dated August 2015. It identifies recommended measures to avoid, minimise, mitigate or offset potential impacts during the construction and operation of the project.

Addendum: *This EIS was initially prepared assuming that the safe harbour was to be part of the Lindeman Great Barrier Reef Resort Project. With the commencement of the Great Barrier Reef Marine Park Authority's (GBRMPA) Dredging Coral Reef Habitat Policy (2016), further impacts on Great Barrier Reef coral reef habitats from yet more bleaching, and the recent impacts from Tropical Cyclone Debbie, the proponent no longer seeks assessment and approval to construct a safe harbour at Lindeman Island. Instead the proponent seeks assessment and approval for upgrades to the existing jetty and additional moorings in sheltered locations around the island to enable the resort's marine craft to obtain safe shelter under a range of wind and wave conditions. Accordingly, remaining references to, and images of, a safe harbour on various figures and maps in the EIS are no longer current.*

Chapter 1 of this EIS provides an overview of the function and role of the EIS, information on the project proponent and information on the environmental impact assessment process.

1.2 Why has the EIS been prepared?

1.2.1 Commonwealth Government Assessment Requirements

The proponent referred the project to the Commonwealth Minister for the Environment on 9 April 2015 in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). On 7 May 2015 the Commonwealth Minister for the Environment determined the Lindeman Island Great Barrier Reef Resort project was a 'controlled action' due to the potential impacts on matters of national environmental significance (MNES) (reference number EPBC2015/7461). The relevant controlling provisions under the EPBC Act are:

- (a) World Heritage properties (sections 12 and 15A);
- (b) National Heritage places (sections 15B and 15C);
- (c) Listed threatened species and communities (sections 18 and 18A);
- (d) Listed migratory species (sections 20 and 20A); and
- (e) Great Barrier Reef Marine Park (sections 24B and 24C).

As the project also involves infrastructure and activities within the Marine Park, permits will also be required under the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act) and *Great Barrier Reef Marine Park Regulations 1983* (Cwth) (GBRMP Regulations). Accordingly, the Great Barrier Reef Marine Park Authority (GBRMPA) will also assess the application in accordance with the following legislation:

- *Great Barrier Reef Marine Park Act 1975;*
- *Great Barrier Reef Marine Park Regulations 1983 (Regulation 88Q and 88R); and*
- *Great Barrier Reef Marine Park Zoning Plan 2003.*

GBRMPA will also provide advice to the Commonwealth's Department of the Environment and Energy (DEE) on matters of national environmental significance under the EPBC Act.

Referral under the EPBC Act has been taken to be an application under the GBRMP Regulations. If the Commonwealth Minister for the Environment makes a decision to approve the action in the referral under the EPBC Act, the Great Barrier Reef Marine Park Authority (GBRMPA) will make a decision in relation to the application.

The EIS provides a stand-alone section that addresses all issues relevant to MNES in **Chapter 26 – Matters of National Environmental Significance**.

1.2.2 State Government Assessment Requirements

Concurrent to the above process, the proponent lodged a coordinated project application with supporting Initial Advice Statement (IAS) with the Office of the Coordinator-General of Queensland (OCG) on 6 May 2015. On 19 May 2015 the Coordinator-General declared the Lindeman Great Barrier Reef Resort proposal to be a coordinated project for which an EIS is required under section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act). The declaration was made on the basis of the project having at least one of the following [section 27(2) (b)]:

- (i) *complex approval requirements imposed by a local government, the State or the Commonwealth;*
- (ii) *strategic significance to a locality, region or the State, including for the infrastructure, economic and social benefits, capital investment or employment opportunities it may provide;*
- (iii) *significant environmental effects;*
- (iv) *significant infrastructure requirements.*

State and Commonwealth requirements for preparing the EIS are included the project's Terms of Reference (TOR) for the Lindeman Great Barrier Reef Resort dated August 2015. The TOR were finalised following community consultation from 30 May 2015 – 3 July 2015 (refer to **Appendix A – Terms of Reference for the Lindeman Great Barrier Reef Resort Project Environmental Impact Statement**).

1.2.3 Commonwealth and State Assessment Bilateral Agreement

A Bilateral Agreement between the Commonwealth and Queensland Governments has been made under section 45 of the EPBC Act that accredits the Queensland Government's environmental assessment process (but not decision processes) conducted under the SDPWO Act. The Bilateral Agreement enables this EIS to meet the assessment requirements of both Commonwealth and Queensland legislation rather than preparing two separate EIS. Under the Bilateral Agreement, a controlled action may be considered for approval under section 133 of the EPBC Act once the Australian Government minister has been provided a copy of the OCG's report. As the project is a controlled action the project requires assessment and approval under Part 9 of the EPBC Act before it can proceed.

1.3 What does the EIS seek to achieve?

The EIS has been prepared in accordance with project's TOR and is the primary source of information on the project on which the public, Commonwealth and Queensland Governments will base their respective decisions as to whether the project is acceptable, whether it can proceed, and if so under what approval conditions.

Specific objectives of the EIS are to:

- (a) describe the environmental values that must be protected including economic and social values as specified in the *Environmental Protection Act 1994* (EP Act), the *Environmental Protection Regulation 2008* (EP Regulation), environmental protection policies (EPPs) and relevant guidelines;
- (b) undertake an assessment of potential impacts on MNES to determine all relevant impacts that the action is likely to have including direct, indirect facilitated and cumulative impacts;
- (c) assess the impacts on environmental values in both the short and long term and state whether any relevant impacts are likely to be irreversible;
- (d) provide all available baseline information including seasonal variation relevant to the assessment of the EIS;
- (e) provide detailed strategies on all critical matters for the protection, or enhancement of all relevant environmental values in terms of outcomes and possible conditions that can be measured and audited;
- (f) identify impact minimisation measures that identifies that impacts can be effectively treated to acceptable level. The preferred hierarchy for managing likely impacts adopted in the EIS is:
 - o avoidance;
 - o minimisation;
 - o mitigation; and
 - o offset any residual impacts.
- (g) present feasible alternatives for the project's configuration (including individual elements), location and tenure arrangements that may improve environmental outcomes;
- (h) assess the extent to which the construction and operation of the project meets all policy, statutory and regulatory requirements of Commonwealth, State and Local government;
- (i) assess the project against the principles of ecological sustainable development as specified in applicable legislation; and
- (j) provide information to assist with consulting stakeholders, Local, State and Commonwealth government agencies.

The preparation of the EIS has involved refinement to the masterplan layout to better respond to potential impacts that have been identified through the course of the investigations. This has allowed the project, as originally proposed in the IAS, to be modified and refined to respond to detailed studies and investigations, in order to avoid impacts, wherever possible, and to minimise and mitigate unavoidable impacts.

1.4 The environmental impact assessment process

1.4.1 Outline of the EIS Process

The project has been declared a coordinated project for which an EIS is required by the Office of the Coordinator-General (OCG) of Queensland. This declaration initiates the statutory environmental impact assessment procedure of Part 4 of the SDPWO Act, which requires a proponent to prepare an EIS for the project. The Commonwealth Minister for the Environment has also determined the project a controlled action under the EPBC Act, due to the potential impacts on MNES (reference number EPBC2015/7461). The EIS process is being led by the State Government pursuant to the bilateral agreement between the State and Commonwealth Governments. The Commonwealth Minister for the Environment will rely on the outcomes of the OCG's impact assessment process, including any public submissions, in making a decision.

A component of the project also involves an activity that requires a permission under the GBRMP Act and GBRMP Regulations. Referral under the EPBC Act is taken to be an application under the GBRMP Regulations. If the Commonwealth Minister makes a decision to approve the action, the GBRMPA will make a decision in relation to the deemed application. In deciding whether or not to grant a permission in relation to an application under the GBRMP Act, the Great Barrier Reef Marine Park Authority will consider regulation 88Q and 88R of the GBRMP Regulations (refer to **Chapter 26**).

Figure 1-1 provides an overview of the environmental impact assessment process applicable to the project to be assessed under the Bilateral Agreement with the Commonwealth.

Figure 1-1. Key Steps in Environment Impact Statement Process.

Step	Details	Project Timing
Referral to Commonwealth	Project referred to Commonwealth Minister for the Environment under the EPBC Act	9 April 2015
	Commonwealth Minister for the Environment decided project is a 'controlled action'	7 May 2015
Coordinated Project Request	IAS submitted to Coordinator-General	6 May 2015
	Gazettal of coordinated project declaration	19 May 2015
Terms of Reference	Draft TOR for EIS prepared and released for public consultation	30 May 2015 – 3 July 2015
	Final TOR issued to proponent	August 2015
Preparation of Preliminary Draft EIS	Proponent Prepares Preliminary Draft EIS	August 2015 – 30 June 2016
	Stakeholder Newsletter released for comment	March 2016
	Preliminary Draft EIS submitted to OCG, DEE and GBRMPA for comment	30 June 2016
	Project team reviews comments and updates Draft EIS to address agency comments	June 2016 – March 2017
Final Lodgement of Draft EIS	Proponent lodges Draft EIS and a final review is completed by OCG, DEE and GBRMPA	March 2017 – June 2017
	OCG, DEE and GBRMPA advise that the Draft EIS is suitable for public notification	10 Business Days
Public Notification of Draft EIS	Draft EIS publicly released	Mid 2017
Public notification under the SDPWO Act and GBRMP Regulations	Closing date for submissions: To be advised	30 Business Days
Draft EIS Evaluation	OCG, DEE and GBRMPA evaluate Draft EIS and public submissions	
	OCG, DEE and GBRMPA request a supplementary EIS if required	
	Revised draft EIS provided (if required)	
	OCG, DEE and GBRMPA decide whether to accept final EIS	
Coordinator-General's evaluation report	OCG releases evaluation report on EIS and provides a copy to the Commonwealth Minister for the Environment, in accordance with Part 13, section 36(2) of the <i>SDPWO Regulation 2010</i> (Qld).	
Commonwealth Government Assessment	Commonwealth Government assessment to consider whether the impacts of the proposal are acceptable or not and to decide whether to approve each controlling provision.	

Step	Details	Project Timing
Great Barrier Reef Marine Parks Permit Issued	In deciding whether or not to grant a permission in relation to an application under the GBRMP Act, the GBRMPA will consider regulation 88Q and 88R of the GBRMP Regulations.	Following EPBC Act Decision
Any other approvals under Commonwealth or State legislation	These are set out in Table 1-3 .	

1.4.2 Public Consultation on the Draft EIS

Public consultation of the project is required in accordance with the SDPWO Act, EPBC Act and the GBRMP Regulations (88D). While the SDPWO Act and EPBC Act requirements are covered by the Bilateral Agreement between the Commonwealth and the State, the GBRMP regulations have separate requirements for public notification. In order to streamline the notification requirements it is proposed to run the public consultation process in parallel for a period of 30 Business Days as required by the SDPWO Act.

Public consultation will be undertaken in the following manner:

- A community meeting will be held in Airlie Beach and Mackay respectively;
- The Office of the Coordinator General will host the EIS documentation on its website (including the Information Package); and
- Submissions will need to be lodged with the Coordinator-General, in accordance with the contact details provided in **Table 1-1**.

Table 1-1. EIS Submission details.

Office of Coordinator General (OCG)
Coordinator-General c/- EIS project manager Lindeman Great Barrier Reef Resort Project PO Box 15517 City East QLD 4002 Australia Email: lindeman@coordinatorgeneral.qld.gov.au

In order to be properly made, submissions should:

- be made to the Coordinator-General;
- be received on or before the last day of the submission period;
- be signed by each person who made the submission;

- be made so that it states the name and address of each person who made the submission; and
- state the grounds of the submission and the facts and circumstances relied on to support those grounds.

1.4.3 How are submissions taken into account?

At the end of the public notification period, the OCG and DEE will consider all 'properly made' submissions to determine whether the proponent is required to prepare additional information to address issues raised during the notification period. Public notification of any additional information provided is at the OCG's and DEE's discretion.

To the extent that the project involves a material change of use, or requires impact assessment, under the *Sustainable Planning Act 2009* (SP Act), a properly made submission for the purposes of the EIS is taken to be a properly made submission about the application under the Integrated Development Assessment System (IDAS) (SDPWO Act, s37).

1.5 What is the Structure of the Document?

The EIS has been structured to address the *Terms of Reference for the Lindeman Great Barrier Reef Resort Project* (August 2015) and addresses both critical and routine matters (refer to **Table 1-2**). A critical matter is an aspect of the proposal that is reasonably expected to have one or more of the following characteristics:

- a high or medium probability of causing serious or material environmental harm or a high probability of causing an environmental nuisance as defined by Part 3, sections 15, 16 and 17 of the EP Act;
- considered contentious in the public domain, for example, has been the subject of extensive media coverage and/or there is a public perception that an activity has the potential to cause serious or material environmental harm or an environmental nuisance (regardless of the likelihood of occurrence).

A routine matter is one where risks are manageable, or the magnitude of impacts are not significant.

A separate section addressing MNES has been prepared in accordance with the project's Terms of Reference and is included in **Chapter 26**.

Table 1-2. EIS structure.

Chapter	Title	Critical or Routine Matter
	Glossary of Terms and Abbreviations	-
	Executive Summary	-
1	Introduction	-
2	Project Proponent	-
3	Site Description	-
4	Project Description	-
5	Project Alternatives	-
6	Tenure	Critical
7	Land Use	Critical
8	Coastal Processes	Critical
9	Marine Environment	Critical
10	Flora and Fauna	Critical
11	Scenic Values	Routine
12	Cultural Heritage	Routine
13	Air Quality	Routine
14	Social	Routine
15	Economic	Routine
16	Noise and Vibration	Routine
17	Water Quality	Routine
18	Water Resources	Routine
19	Flooding	Routine
20	Biosecurity	Routine
21	Bushfire Assessment	Routine
22	Waste Management	Routine
23	Site Contamination	Routine
24	Infrastructure	Routine
25	Transport	Routine
26	Matters of National Environmental Significance	-
27	Hazards, Health and Safety	-
28	Environmental Management Plan	-
29	Conclusion	-
30	References	-

1.5.1 Appendices and Technical Reports

This EIS has been informed by a number of technical studies which contain the results of detailed investigations (refer to **Table 1-3**). These technical studies and their findings are included as appendices and are summarised in the EIS to address the requirements of the TOR.

Table 1-3. EIS Appendix structure.

Appendix		Author
Appendix A	Terms of Reference for the Lindeman Great Barrier Reef Resort Project Environmental Impact Statement	Commonwealth and State Government
Appendix B	Cross Reference Table for Terms of Reference	Cardno
Appendix C	Masterplan Concept	DBI Design Pty Ltd
Appendix D	Proponent Policies and Commitments	White Horse Australia Lindeman Pty Ltd
Appendix E	Protected Matters Search	Commonwealth Data Base
Appendix F	Geotechnical Assessment	Cardno
Appendix G	Planning Framework Assessment	Cardno
Appendix H	Coastal Process Investigations	Cardno
Appendix I	Terrestrial Flora and Fauna Technical Report	Northern Resource Consultants
Appendix J	Contaminated Land	Cardno
Appendix K	Air Quality	Air Noise Environment Pty Ltd
Appendix L	Social Impact Assessment	Cardno
Appendix M	Solar-Diesel Hybrid Feasibility Study	Cardno
Appendix N	Noise Impact Assessment	Cardno
Appendix O	Water Infrastructure Assessment	Cardno
Appendix P	Stormwater Management Plan and Water Balance Modelling	Cardno
Appendix Q	Flood Study	Cardno
Appendix R	Biosecurity	Cardno
Appendix S	Bushfire Hazard Assessment	Cardno
Appendix T	Waste Management	Cardno
Appendix U	Cultural Heritage Management Plan (under preparation)	Converge Heritage and Community
Appendix V	Non-Indigenous Cultural Heritage Report	Converge Heritage and Community
Appendix W	Road Impact Analysis	Cardno
Appendix X	Marine Ecology	BMT WBM
Appendix Y	Visual Amenity Literature Review	Cardno
Appendix Z	Marine Ecology Assessment	Cardno

1.6 Project approvals process

1.6.1 Other Approvals

The OCG's report on the EIS under the SDPWO Act will provide recommended conditions of approval that must be attached to the subsequent development approvals required under Queensland law. Other conditions that may be applied to these approvals through what is commonly known as the 'modified IDAS' must not be inconsistent with the conditions nominated in the OCG's report. To the extent the application is for a material change of use, or requires impact assessment, under the SP Act, or both—

- (a) *the information and referral stage and the notification stage of IDAS do not apply to the application; and*
- (b) *there are no referral agencies, under the Sustainable Planning Act, for the application; and*
- (c) *a properly made submission about the following is taken to be a properly made submission about the application under IDAS—*
 - (i) *a draft EIS or draft IAR for the project;*
 - (ii) *any additional information required for the project that was publicly notified under section 34C(3);*

Other Commonwealth and State statutory approvals relevant to the project are included in **Table 1-4**.

Table 1-4. Commonwealth and State Legislation Approvals Framework.

Legislation	Decision Maker	Assessment Scope	Approvals Required
<i>Commonwealth</i>			
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Attorney-General's Department	The purpose of the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> is to preserve and protect places, areas and objects in Australia and in Australian water that are of particular significance to Aboriginals in accordance with Aboriginal tradition from injury or desecration. This Act has been created to cover situations that may not be covered under State or Territory legislation.	Any aspect of the project that may impact on areas or objects of significance to Aboriginals.
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	The Commonwealth Minister for Department of Environment	The EPBC Act establishes a Commonwealth process for assessment of proposed actions that have the potential to have an impact on matters of national environmental significance or on Commonwealth land. The EPBC Act requires that actions, which have the potential to have an environmental impact on Commonwealth land, be assessed for the purpose of Commonwealth decision making.	The project is currently being assessed against the controlling provisions under this Act.
<i>Great Barrier Reef Marine Park Act 1975</i>	Great Barrier Reef Marine Park Authority	This Commonwealth Government legislation established the Marine Park and the GBRMPA, providing it with a framework for planning and management of the Marine Park through zoning plans, plans of management and permits. Referral of an action under the EPBC Act is deemed to be an application under the GBRMP Act (see section 37AB, GBRMP Act). In deciding whether or not to grant a permission in relation to an application under the GBRMP Act, the Great Barrier Reef Marine Park Authority will consider regulation 88Q and 88R of the GBRMP Regulations (refer to Chapter 26).	<p>The waters around the site lie within the Conservation Park Zone of the <i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i> (covering Queensland-controlled waters of the Great Barrier Reef). Aspects of the project require permission under the GBRMP Regulations. Referral of an action under the EPBC Act doubles as the required application and assessment under the GBRMP Regulations.</p> <p>Activities within the Great Barrier Reef Marine Park (GBRMP) and Queensland's Great Barrier Reef Coast Marine Park are regulated by permits. Marine Park Permits (Change of vessel/ aircraft/ ship/ equipment/ mooring/ facility; General activities; Tourism/structures/works) will be required for:</p> <ul style="list-style-type: none"> • Upgrades to jetty noting that the Lindeman Island Jetty is currently permitted to Transport and Main Roads on permit G11/34760.1.; • Installation and use of additional moorings; • Commercial tourist operations;

Legislation	Decision Maker	Assessment Scope	Approvals Required
			<ul style="list-style-type: none"> • Snorkel trails; • Recreational activities; • Groynes and revetments; • Stormwater discharge; • Navigational Markers; and • Arrivals lounge and Café; • Water intake pipe from the ocean for the foreshore lagoon.
<i>Native Title Act 1993</i>	Attorney-General's Department	<p>The <i>Native Title Act 1993</i> recognises the rights and interests over land and water by Indigenous people in Australia under their traditional laws and customs. The objects of the Act are to:</p> <ul style="list-style-type: none"> • Provide for the recognition and protection of native title; • Establish ways in which future dealings affecting native title may • proceed and to set standards for these dealings; • Establish a mechanism for determining claims to native title; and • Provide for, or permit, the validation of past acts and intermediate acts, invalidated because of the existence of native title. 	Advice from the State has indicated that Native Title will be assessed by the State through its assessment of land tenure changes.
<i>State</i>			
<i>Aboriginal Cultural Heritage Act 2003</i>	Department of Natural Resources and Mines (DNRM)	The <i>Aboriginal Cultural Heritage Act 2003</i> (ACH Act) established a 'cultural heritage duty of care', which requires that a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. The Act establishes a framework for the conduct of assessment of cultural heritage impact and processes to be undertaken in preparing a Cultural Heritage Management Plan (CHMP).	Any aspect of the project that may impact on areas or objects of significance to Aboriginals. A CHMP is being prepared.
<i>Biosecurity Act 2014</i>	Department of Agriculture and Fisheries	The Act provides a framework for an effective biosecurity system for Queensland that helps to minimise biosecurity risks and facilitates responding to impacts on a biosecurity consideration. It also seeks to ensure the safety and quality of animal feed,	The construction and operation of the resort will include measures to control and limit the introduction or spread of pests (including possible disease

Legislation	Decision Maker	Assessment Scope	Approvals Required
		fertilisers and other agricultural inputs and helps align responses to biosecurity risks in the State with national and international obligations.	vectors) and weeds on the project site and adjacent areas.
<i>Building Act 1975</i>	Mackay Regional Council or Private Certifiers	Regulation of Building Work.	All aspects of the masterplan that constitute Building Work.
<i>Coastal Protection and Management Act 1995</i>	Department of Environment and Heritage Protection (DEHP)	The object of the <i>Coastal Protection and Management Act 1995</i> (CPM Act) is the protection, conservation, rehabilitation and management of the state's coastal resources and biodiversity by the provision, in conjunction with other legislation, of a coordinated and integrated management and administrative framework for the ecologically sustainable development of the coastal zone.	<p>Certain types of development prescribed under the <i>Sustainable Planning Regulation 2009</i> (SP Regulation) will require referral to the State for assessment, including:</p> <ul style="list-style-type: none"> Tidal works, or work with in a coastal management district; Interfering with quarry material (as defined under the CPM Act) on State coastal land above high-water mark; and Removing or interfering with coastal dunes on land, other than State coastal land, that is in an erosion prone area. <p>Disposing of dredge spoil or other solid waste material in tidal water is not proposed as part of the development.</p>
<i>Environmental Protection Act 1994</i> and associated <i>Environmental Protection Policies (Air; Noise; Water; Waste Management)</i>	Department of Environment and Heritage Protection or Mackay Regional Council	<p>Environmental values are specified in the EP Act, the <i>Environmental Protection Regulation 2008</i> (EP Regulation), environmental protection policies (EPPs) and relevant guidelines. For all the relevant matters, the EIS must identify and describe the environmental values that must be protected including economic and social values.</p> <p>The project is likely to involve activities that are 'environmentally relevant activities' (ERAs) under the EP Regulation and will require an 'environmental authority' (EA) under the EP Act. Where a particular ERA is identified in the EP Regulation as a 'concurrence ERA' the ERA also becomes assessable development under the SP Regulation (i.e. also requires a development approval). Whether an EA is a concurrence ERA often depends on the scale or intensity of the activity, rather than solely the nature of the activity.</p>	<p>White Horse Australia holds existing approvals for:</p> <ul style="list-style-type: none"> ERA 63-(1b)(i) - Sewage treatment > 100 to 1500EP ERA 64-(1a) - Water treatment >0.5 but <5ML water per day seawater for Lot 2 CP858366. <p>The existing infrastructure will be decommissioned and new best practice treatment plants will be installed. As such it is proposed that the existing approvals be cancelled and that new applications be made for the proposed sewage treatment and water treatment plants.</p> <p>Construction and operation of the project will need to obtain approvals for 'environmentally relevant</p>

Legislation	Decision Maker	Assessment Scope	Approvals Required
			<p>activities' where certain infrastructure or activities are proposed. These may include:</p> <ul style="list-style-type: none"> • ERA 8 – Chemical storage; • ERA 14 – Electricity generation; • ERA 15 – Fuel burning; • ERA 16 – Extractive activities – dredging, extracting and screening materials; • ERA 33 – crushing, milling, grinding or screening; where processing of rock and fill is required on site where more than 5,000t of material in a year; • ERA 41 – Cement manufacturing; • ERA 43 – Concrete batching; • ERA 50 – Bulk material handling; • ERA 56 – Regulated waste storage; • ERA 57 – Regulated waste transport; • ERA 60 – Waste disposal; • ERA 62 – Waste transfer station; • ERA 63 – Sewage treatment; and • ERA 64 – Water treatment.
<i>Fisheries Act 1994</i>	Department of Agriculture and Fisheries (DAF)	The main purpose of the <i>Fisheries Act 1994</i> (Fisheries Act) is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats in a way that seeks to apply and balance the principles of ecologically sustainable development; and promote ecologically sustainable development.	The definition of marine plant contained in the <i>Fisheries Act 1994</i> broadly includes plants growing adjacent to the tidal zone, landward and seaward, including mangroves, seagrass, samphires, saltcouch and saltmarsh plants, algae and other tidal plants, including corals. Assessment of the impacts of development upon marine plants is typically undertaken in conjunction with the Coordinator-Generals report.
<i>Forestry Act 1959</i>	Department of Agriculture and Fisheries (DAF)	Authorisations (i.e. sales permits) under the <i>Forestry Act 1959</i> will be obtained and held with respect to the removal and/or use of any quarry material reserved to the State.	A sales permit under the Forestry Act 1959 will be required to remove State-owned quarry material including from the proposed construction 'cuts' on Lot

Legislation	Decision Maker	Assessment Scope	Approvals Required
			2 on Plan CP858366 or other parcels including but not limited to Lot D on Plan HR2029, Lot 3 on Plan CP858361 and dedicated roads.
<i>Land Act 1994</i>	Department of Natural Resources and Mines (DNRM)	The Lindeman Island land holding contains some parcels of State-owned land leased by various parties as well as unallocated land for the proposed safe harbour. The <i>Land Act 1994</i> deals with the allocation of unallocated State land, including through the granting of leases.	The proposal will require approval under the <i>Land Act 1994</i> to change the nature of the existing leases and to obtain new leases.
<i>Marine Parks Act 2004</i>	Department of National Parks, Sport and Racing (DNPSR)	<p>The main purpose of the <i>Marine Parks Act 2004</i> is to provide for the conservation of the marine environment by among other things establishing a comprehensive and integrated strategy that provides for the declaration of marine parks, establishment of zones, zoning plans and management plans. The Act is supported by the following:</p> <ul style="list-style-type: none"> • <i>Marine Parks (Declaration) Regulation 2006</i>; • <i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i>; and • <i>Marine Parks Regulation 2006</i>. 	<p>The proposal will require approval for all works, facilities and activities undertaken within the Great Barrier Reef Coast Marine Park (the State Marine Park) and in relation to any commercial activities undertaken within the State Marine Park (e.g. reef appreciation activities and boating), in accordance with the <i>Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004</i>.</p> <p>The proposed amendments to the jetty design and additional moorings would require a permit for conduct 'works' in a Conservation Park Zone of the State Marine Park.</p>
<i>Nature Conservation Act 1992</i>	Department of National Parks, Sport and Racing (DNPSR)	<p>The <i>Nature Conservation Act 1992</i> (NC Act) applies to the State's National Parks, Regional Parks, Nature Refuges and Coordinated Conservation Areas. The NC Act seeks to achieve the conservation of nature while allowing for the involvement of indigenous people in the management of protected areas. It also provides opportunities for ecotourism facilities that are consistent with the area's natural and cultural resources and values.</p> <p>A lease, agreement, licence, permit or other authority will be required for the proposed Ecotourism Facility. Such an approval may only be granted if it:</p> <ul style="list-style-type: none"> • Will be in the public interest; • Is ecologically sustainable; and 	<p>Approval for the following activities may be required:</p> <ul style="list-style-type: none"> • Clearing protected flora under the NC Act; • Commercial Activity Permit for commercial or recreational activities offered to resort guests such as guided tours, construction of tourism or operational infrastructure, where located within a National Park; and • Ecotourism Facility and associated activities on National Park land.

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		<ul style="list-style-type: none"> Will provide, to the greatest possible extent, for the preservation of the land's natural condition and the protection of the land's cultural resources and values. <p>Approval is required under the NC Act for removal of any threatened flora or fauna listed under the <i>Nature Conservation (Wildlife) Regulation 2006</i> (NCW Regulation).</p> <p>Clearing of any land on National Park is regulated under section 62 of the NC Act. A cultural or natural resource of a protected area must not be taken or interfered with without approval. Clearing approval is expected to be subject to conditions requiring a vegetation offset or offsets to be provided on other land.</p>	
<i>Queensland Heritage Act 1992</i>	Department of Environment and Heritage Protection (DEHP)	The <i>Queensland Heritage Act 1992</i> (QH Act) provides for the conservation of Queensland's non-aboriginal cultural heritage by protecting all places and areas on the Queensland Heritage Register.	No values identified.
<i>State Development and Public Works Organisation Act 1971</i>	Coordinator-General	The purpose of the SDPWO Act is to administer the proponent preparation and State Government assessment of the EIS.	This EIS forms part of the Part 4 process under the Act as a declared coordinated project.
<i>Sustainable Planning Act 2009</i>	Department of Infrastructure Local Government and Planning (DILGP)	<p>The SP Act provides the overall planning framework for Queensland. The purpose of the SP Act is to seek to achieve ecological sustainability by:</p> <ul style="list-style-type: none"> managing the process by which development takes place, including ensuring the process is accountable, effective and efficient and delivers sustainable outcomes; and managing the effects of development on the environment, including managing the use of premises. <p>The SP Act and SP Regulation set out the matters of interest to the State for development assessment where the chief executive for the SP Act is the assessment manager for development applications. The material provided in this EIS is considered to be sufficient to permit those assessments to be completed for that project component (refer to section 37 SDPWO Act).</p>	<p>The SP Regulation and Mackay Planning Scheme determines that the following are assessable development:</p> <ul style="list-style-type: none"> Material Change of Use; Operational Work - Tidal works; Removal of Vegetation; Marine Plants; Reconfiguring a Lot; and Environmentally Relevant Activities. <p>Aspects of the project that require Operational Works approvals under the <i>Water Act 2000</i>, <i>Fisheries Act</i>, <i>Vegetation Management Act 1999</i> (VM Act), EP Act and CPM Act will be administered under SP Act.</p> <p>A development application will be lodged with Mackay Regional Council, with copies of the EIS and the Coordinator-General's report included as</p>

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			supporting information, noting that the information and referral stage and the notification stage of IDAS will not apply to the application (section 37, SDPWO Act).
<i>Transport Infrastructure Act 1994</i> <i>Transport Operations (Marine Safety) Act 1994</i>	Department of Transport and Main Roads (DTMR): - Maritime Safety Queensland	The main objective of the <i>Transport Infrastructure Act 1994</i> is to allow the Government to have a strategic overview of the provision and operation of transport (air, land and water) infrastructure.	<p>The following issues may impact on Maritime Safety Queensland (DTMR) and will require prior consultation and/or approval of the Regional Harbour Master:</p> <ul style="list-style-type: none"> • Waterways Management, particularly relating to anchoring, dredging, traffic management, and closures; • Maritime Infrastructure, such as temporary or permanent jetties, pontoons, barge ramps, and fender piles; • Safety of navigation, particularly during the construction phase (temporary or permanent navigation aids, cable and pipe laying operations, Notices to Mariners etc); and • Any increases in barge operations out of Shute Harbour and possible impacts on commercial and recreational users, moorings etc.
<i>Vegetation Management Act 1999</i>	Department of Natural Resources and Mines (DNRM)	<p>The purpose of the VM Act is to protect endangered species and regulate the clearing of vegetation in a way that conserves remnant of concern regional ecosystems. Under the VM Act all remnant (including Endangered, Of Concern and Not of Concern Regional Ecosystems (RE)) and all native vegetation on State land regardless of conservation status is protected. Clearing of such vegetation requires a development permit under the SP ACT and if clearing of Endangered or Of Concern RE, the provision of vegetation offsets may also be required in line with Department and State policies.</p> <p>The clearing of native vegetation is regulated by the VM Act). Clearing remnant vegetation on a regulated vegetation management map, if not exempt, can only be done under a permit. Common exemptions include clearing for necessary fence lines, necessary road or vehicular tracks, fire management lines and fire</p>	A property map of assessable vegetation (PMAV) has been certified under the VM Act for some of the project area and therefore no clearing permit or notification is required for clearing in any areas marked as Category X on the PMAV. In other areas the clearing of native vegetation may require approval. These requirements are addressed in Chapter 10 – Flora and Fauna .

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		breaks. A development application that includes vegetation clearing will require assessment by the DNRM.	
<i>Water Act 2000</i>	Department of Natural Resources and Mines (DNRM)	The <i>Water Act 2000</i> was introduced to manage water resources within Queensland. This was undertaken by establishing a system for the planning, allocation and use of water and also details a regulatory framework for the water industry. Improving the physical integrity of watercourses is a main purpose of this Act. A permit is required for destroying vegetation excavating or placing fill in a watercourse, lake or spring.	<p>The following aspects of the project may trigger approval requirements under this Act:</p> <ul style="list-style-type: none"> Operational work that is 'taking or interfering with water from a watercourse, lake or spring (other than under the <i>Water Act 2000</i>, section 20(2), (3) or (5)); 'All aspects of development for removing quarry material from a watercourse or lake; and An allocation of quarry material under Section 280 of the <i>Water Act 2000</i>.
<i>Water Supply (Safety & Reliability) Act 2008</i>	Department of Natural Resources and Mines (DNRM)	This Act relevantly regulates the provision of water services by water authorities, local governments and the owners of water infrastructure.	Approval may be required where involving the taking of water from aquifers, watercourses and or waterbodies for the provision of water services.