



TOWNSVILLE PORT EXPANSION PROJECT

Additional Information to the
Environmental Impact Statement



TOWNSVILLE
PORT EXPANSION
PROJECT

APPENDIX C2

Changes to Legislation



Appendix C2 - Summary of Legislative and Policy Changes

Table 1 summarises the legislation and policy changes that may potentially affect the PEP either strategically, as part of the Terms of Reference / EIS Guidelines for the EIS, or during its detailed design, construction or operational phases. This table groups the changes according to Commonwealth, State and local jurisdictions and refers to the relevant legislation or policy change, the summarised changes and PEP context as well as the sections of the AEIS that the changes most readily apply to. Legislation may include Acts and Regulations. A reference to a 'Policy' can include a reference to any non-statutory Commonwealth, State or local government document, a statutory local planning scheme and any strategy, plan, guideline or the like.

Table 1 Summary of Legislative and Policy Changes

| Legislation/Policy | Summarised Change | Summarised PEP Context |
|---|---|---|
| Commonwealth | | |
| <i>Clean Energy Act 2011</i> (Repealed) | This Act was repealed on 17 July 2014 as a result of the Commonwealth government's aim to replace the previous government's carbon pricing mechanism with a Direct Action Plan including an Emissions Reduction Fund initiative. | The PEP and Port are unlikely to be directly affected by changes in indirect costs from a carbon price or other Direct Action Plan initiatives. |
| CS FP 001-1995 Fire emergency response(Standards Australia, 1995) | Withdrawn. 28 Aug 2013. | This Australian Standard is no longer relevant and will not apply to the PEP detailed design stage. The withdrawal of the Standard does not affect this stage of the PEP. |
| Department of Defence White Paper | The 2016 Australian Defence White Paper identifies investment in national defence infrastructure – including the Army, Navy and Air Force bases in northern Australia, including Townsville as a focus of the White Paper. | The Port of Townsville provides a fuel link (and other cargo) to Defence assets in Townsville, which include Lavarack Barracks, RAAF Base Townsville and the Townsville High Range Training Area. |
| White Paper on Developing Northern Australia | The White Paper acknowledges that the prohibition of sea based disposal of capital dredge material from the proposed port expansion means that significant additional funding will be required to allow the expansion to progress. | The PEP is identified in the Commonwealth government White Paper on Developing Northern Australia as projected infrastructure to accommodate forecast growth in trade and to address current capacity constraints. |
| Great Barrier Reef Marine Park Regulation 1983 | A new regulation under the Great Barrier Reef Marine Park Regulations 1983 (Cth) was introduced on 2 June 2015 which sets out to prevent the placement of capital dredge material in the Marine Park. Specifically, the regulation prevents the Great Barrier Reef Marine Park Authority (GBRMPA) from granting permission for placement of capital dredge material in the Marine Park. | No immediate effect on the PEP. The revised design no longer requires sea placement of dredged material. |
| Handbook 203:3006 Environmental risk management – principles and processes (HB203:2012) | Handbook 203:3006 Environmental risk management – principles and processes (HB203:2006) is superseded by HB 203:2012. | Detailed environmental risk management principles are to be applied at the design and operational stages for the PEP and will be considered accordingly. The Handbook details do not affect the current stage of the PEP. |
| Leading Practice: Port Master Planning – Approaches and Future Opportunities | Recommends best-practice port master planning principles and processes. Supports the National Ports Strategy which has identified the need for more effective long term port planning. | Does not directly affect this stage of the PEP but is likely to be significant in helping to guide other expected State legislation for master planning of Priority Port Development Areas which are expected to include the Port of Townsville. Port master plans represent a separate aspect of land use and other issues |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| | | management of port areas and do not affect the impact assessment process contained in the PEP EIS. The PEP has been informed by earlier non-statutory master planning undertaken by the Port which is expected to beneficially position the Port for the preparation of any new master plan. |
| <i>Maritime Transport and Offshore Facilities Security Act 2003</i> | Amendments to the Act affect operational matters relating to the appointment of Australian Maritime Safety Authority inspectors and surveyors and meanings that relate to overseas voyages. | There are no impacts on the PEP or need for further impact assessment. |
| National Counter-Terrorism Plan (NCTC, 2005), Revised Edition | The current edition is now the National Counter-Terrorism Plan (NCTC, 2012). A new edition has been released since the 2005 Edition refer to in the Chapter. 3 rd Edition 2012. The revised edition outlines the contemporary framework for the coordination of counter-terrorism threat measures amongst agencies, largely based on the previous edition. | The revised edition of the National Counter-Terrorism Plan does not affect this stage of the PEP or result in a need for any additional impact assessment. Any specific design consideration intended to help manage terrorism threats are matters that would be incorporated during the detailed design stage and would be consistent with the standards that apply at the time. The construction phase of the PEP is to be managed in accordance with relevant security protocols that apply at the time including any that may relate to the minimisation of terrorism threats. The revised Plan has no impact on the PEP at this stage and does not result in a need for any additional impact assessment. |
| <i>National Greenhouse and Energy Reporting Act 2007</i> | The repeal of the <i>Clean Energy Act 2011</i> had no effect on the obligations of corporations to report emissions to the Clean Energy Regulator. | The reporting obligation has no effect on this stage of the PEP. Emission reporting obligations associated with future operational stages of the PEP are likely to be more related to specific uses on reclaimed land and not the PEP itself. |
| National Infrastructure Plan | The plan details major infrastructure reforms over the next 50 years including providing greater certainty for ports and freight networks. | The PEP is consistent with the National Infrastructure Plan. No further impact assessment is required. |
| National Ports Strategy | The Strategy provides a coordinated planning strategy driving the development of efficient, sustainable ports and related freight logistics for Australia's growth. Implementation of the national action plan is expected through complementary State legislation and/or implementation plans. | There are no direct impacts on the PEP as implementation of the Strategy is expected through State legislation/implementation plans. The PEP is consistent with the objectives and proposed actions of the Strategy. |
| Regional Development Australia Townsville and North West Regional Road Map | The Regional Road map provides a strategic plan for the development of the region which includes port investment and access to markets. | The PEP is consistent with the scope of the Regional Road Map. No additional impact assessment is required. |
| EPBC Act Referral guidelines for the Outstanding Universal Value (OUV) of the Great Barrier Reef (GBR) World Heritage Area (WHA) | The Guidelines outline that OUV is the key reference point for the protection and management of world heritage properties and it the general idea of the World Heritage Convention. Attributes that contribute to the OUV of the GBRWHA are identified in the Statement of Outstanding Universal Value which was prepared retrospectively to capture the values of the property at the time of listing in 1981. | Since the EIS was released there has been substantial further guidance provided about the OUV of the GBR including finalisation of the EPBC Act referral guidelines published by the Commonwealth government Department of the Environment. The guidelines have been used in the re-assessment of the Project in the Outstanding Universal Values section. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| Joint Commonwealth/State of Queensland | | |
| Commonwealth Government Great Barrier Reef Region Strategic Assessment Report | Comprehensive assessment of MNES and OUV affecting the GBRWHA and Wet Tropics World Heritage Area. Includes protected flora and fauna likely to be within the area affected by the PEP. Has specific consideration for the impact of dredging within the GBRWHA. | The Strategic Assessment helps to clarify matters of OUV associated with the GBR and the associated assessment context. The Strategic Assessment recognises the strategic importance of priority port development areas along the Queensland coast and the need to limit any further dredging activity within the GBR to these locations. The Strategic Assessment does not change any MNES or OUV affecting the PEP. |
| Great Barrier Reef Region Strategic Assessment Program Report | Outlines the 25 year program for the protection and management of the GBR including relevant MNES. The Program addresses administrative management requirements for the Reef, largely as administered by GBRMPA as well as improvements to environmental regulation to make processes and requirements clearer. Greater emphasis on supporting recovery and managing for resilience as well as strengthening protection of heritage values. Greater focus on engagement, knowledge, innovation and integration, adaptive management and implementation, and more effective operation of the permission system. | The PEP and Port are compatible with the intent of the Strategic Assessment and its implementation documents including the Program Report and the Draft Reef 2050 Long-Term Sustainability Plan. The Plan provides recommendations for future changes to administrative processes and the introduction of additional guidelines and practices for users of the GBR to maximise the protection of MNES and the OUV of the GBRWHA. The implementation of the Plan is expected to primarily affect the further approval processes for the PEP in terms of clarifying assessment criteria, performance outcomes for development within the GBRWHA and procedures for ongoing operational requirements. |
| Reef 2050 Long-Term Sustainability Plan | Provides an outcomes framework for the implementation of findings of the Strategic Assessment. The outcomes framework of the draft Sustainability Plan is based on seven key themes - water quality, biodiversity, ecosystem health, economic benefits, heritage, community benefits and governance. Each theme has an outcome, objectives, targets and actions. | The Plan does not affect the PEP in terms of any required changes to the concept design for the purposes of the EIS or the impacts assessments that have been undertaken. |
| State of Queensland | | |
| Coastal Management Plan 2014 | The Coastal Management Plan is a non-statutory plan that provides policies and coastal management outcomes for non assessable development (i.e. coastal management issues for assessable development are considered under the State Planning Policy and State Development Assessment Provisions). The policies and outcomes are intended for use by all land managers who are or are planning to undertake activities within the coastal zone. | The PEP is consistent with the general coastal management outcomes affecting public accessible land. The Plan has removed the need to consider scenic amenity issues associated with coastal development, including for the PEP. Detailed outcomes are expected to be accounted for as part of the detailed design and construction phases of the PEP. No additional impact assessment is considered necessary resulting from the Coastal Management Plan. |
| <i>Coastal Protection and Management Act 1995</i> | The <i>Coastal Protection and Management Act 1995</i> , apart from regulating tidal and other works in terms of effects on and by coastal processes, also requires a resource entitlement for any large amounts of quarried material from within tidal areas. This includes dredge material that is likely to be used for reclamations such as the PEP. | The requirement for resource entitlement to access and use dredge material is an administrative process that is required prior to taking of the material and is usually obtained before lodgement of a development application for the works. The requirement does not affect the PEP or require any additional impact assessment at this stage of the Project. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| <i>Economic Development Act 2012</i> | This is a new act that was introduced to highlight the importance of economic development to Queensland's prosperity. The Act provides a new Ministerial role and powers to declare special Priority Development Areas (PDAs) that are intended to provide for expedited integrated planning of key economic areas. The Act specifies the preparation of separate development schemes for PDAs which determine development outside the provisions of the <i>Sustainable Planning Act 2009</i> (SPA). | The identification of the Townsville PDA has no direct effect on the PEP or requires any additional impact assessment as part of this AEIS. The PEP as an integral part of the Port is expected to be consistent with planned development for the PDA. |
| <i>Environmental Protection Regulation 2008</i> | <i>Environmental Protection (Waste Management) Regulation 2000</i> was repealed on 29 August 2014. A number of provisions from the regulation were retained to maintain an appropriate level of management proportionate to the risk associated with waste. Amendments were made to the <i>Environmental Protection Regulation 2008</i> to give effect to the transfer of retained provisions from the expiring regulation in relation to waste tracking. | The PEP will be consistent with the amendments regarding waste. |
| <i>Environmental Protection (Water) Policy 2009</i> | Schedule 1 of the <i>Environmental Protection (Water) Policy 2009</i> has been updated to include the <i>Ross River Basin and Magnetic Island Plan (Basin No. 118)</i> . | Implications from this document include zones of high ecological value around Magnetic Island and the eastern region of Cleveland Bay, which entails 'no change' to water quality. This document also includes more stringent turbidity and Water Quality Objections expressed as 20 th , 50 th and 80 th percentiles. The PEP impact assessment does not rely on assessment against WQOs, this change in WQOs for the study area does not affect the outcomes of the impact assessment in the EIS or the AEIS. |
| <i>Environmental Offsets Act 2014, Environmental Offsets Regulation 2014</i> and Queensland Environmental Offsets Policy 2014, Version 1.1 | The <i>Environmental Offsets Act 2014</i> coordinates the delivery of offsets across jurisdictions and provides a single point of truth for offsets in Queensland. The associated <i>Environmental Offset Regulation 2014</i> provides details of the prescribed activities regulated under existing legislation and prescribed environmental matter to which the Act applies. The Queensland Environmental Offsets Policy Version 1.1 replaced version 1.0 which provides a single, consistent, whole-of-government policy for the assessment of offset proposals to satisfy offset conditions. | The PEP will be consistent with the <i>Environmental Offsets Act 2014</i> and subsequent legislation. |
| <i>Forestry Act 1959</i> | The <i>Forestry Act 1959</i> has become of greater relevance to the PEP due to the need for quarry material from off-site sources. Such sources are required to have a Sales Permit for the extraction of material and its subsequent use. | Inclusion of the Sales Permit provisions of the Act do not affect the PEP or require any additional impact assessment at this stage of the Project. |
| Governing for Growth: Economic Strategy and Action Plan | Establishes pro-growth policies for business development in Queensland. Seeks to reduce red-tape barriers to business including streamlining major project approvals. Fosters economic growth and resilience as key principles. Recognises the importance of supply chains and the use of State Development Areas to promote development. | The Port is identified as being important as a key part of the Mount Isa to Townsville supply chain and in facilitating economic growth for Queensland. The Plan does not materially affect the PEP and does not result in a need for the PEP to be modified or for any additional impact assessment to be undertaken. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| Great Barrier Reef Coastal Zone Strategic Assessment | This forms the State's component towards the Joint Commonwealth and Queensland Strategic Assessment of the Great Barrier Reef World Heritage Area. The recommendations of the State have formed parts of the Commonwealth's Strategic Assessment Program and the draft 2050 – Long term Sustainability Plan. | The overall strategic assessment recognises the need for better regulation of port development along the coast and minimisation of dredging within the GBR other than for recognised strategic Priority Port Development Areas. The PEP is to form a part of one of the intended Priority Port Development Areas (i.e. the Port of Townsville). The need for dredging has been limited to the area for the berths and improvements to the existing channel to the Port to accommodate larger capacity shipping. The Coastal Zone Strategic Assessment does not result in the need for any further modification of the PEP or any additional impact assessment. |
| Infrastructure for Economic Development | This is the State government's statement outlining how it is to plan and prioritise major economic infrastructure projects including through increasing opportunities for private sector involvement allowing for redistribution of government funds to other priorities. | The statement has no direct effect on the PEP concept design or assessment of environmental impacts. Potential greater reliance on private sector funding is a matter which will first require appropriate government policy decisions to be made regarding the Port. In the absence of any such definitive policy framework, no further impact assessment of the economic implications of this aspect is considered practicable or necessary at this stage. |
| InfrastructureQ Directions Statement | The Statement foreshadows the preparation of a State-wide Infrastructure Plan including prioritised infrastructure for economic growth. InfrastructureQ is also expected to largely replace the repealed <i>Queensland Infrastructure Plan</i> that was referred to in the PEP EIS. | The Statement does not provide specific policy detail and does not indicate anything adverse regarding the Port's continued status as important strategic infrastructure for North Queensland. The Statement does not result in a need for the PEP to be modified or for any additional assessment to be undertaken. |
| Moving Freight Strategy | The Moving Freight Strategy details a 10 year strategy for the strengthen the State's transport network for freight, including a modal shift to rail and shipping for bulk goods handling and transport. The Strategy supersedes the previous directions of the <i>Northern Economic Triangle infrastructure Plan 2007-2012</i> . | The PEP is designed to be consistent with the prioritisation of the the Port of Townsville as a main shipping centre for Queensland which is directly linked to road and rail. The Policy does not result in a need to modify the PEP or require any additional impact assessment to be undertaken. |
| <i>Nature Conservation Act 1992</i> | The <i>Nature Conservation Act 1992</i> and its related legislation was amended to simplify permit requirements for protected flora and fauna. The <i>Nature Conservation (Wildlife) Regulation 2006</i> lists threatened species of Queensland and is revised regularly. | The legislative changes do not change the effect on the PEP or require any additional impact assessment at this stage of the Project. |
| Planning and Development Bill | This forms the consultation basis for the proposed new Planning and Development Act. Reforms include the simplification of levels of assessment and public notification requirements. | The Planning and Development Act, once enacted, is likely to have noticeable procedural impacts on PEP in terms of obtaining further development approvals. The proposed changes to the planning framework do not adversely affect the PEP or require any additional detailed impact assessment. |
| Queensland Agriculture Strategy: A 2040 Vision to Double Agricultural Production | The Plan sets out the 2040 vision for agriculture, fisheries and forestry. Ports are recognised as an important supply chain aspect for agricultural growth. | The PEP is consistent with the overall policy direction of the Strategy. The Strategy does not result in a need for the PEP to be modified or for any additional assessment to be undertaken. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| Queensland Counter-Terrorism Strategy 2013 | The Strategy outlines the State's vision for the safeguarding of the Queensland community through effective and collaborative arrangements to counter terrorism and its consequences. The Strategy is a high level commitment to ensure that appropriate plans and agency coordination is in place to provide an effective counter-terrorism framework. | The Strategy provides a commitment to ensure that an appropriate State counter-terrorism framework is in place. The Strategy does not directly affect specific PEP design, construction or operational aspects and does not require any modification to the PEP or any additional or revised impact assessment. |
| Queensland Department of Transport and Main Roads document <i>Road Traffic Noise Management Code of Practice 2008</i> | <i>Transport Noise Management Code of Practice Volume 1 – Road Traffic Noise 2013.</i> | The calculation methodology, noise goals and applicability are unchanged for the purposes of this AEIS. |
| Queensland Plan | The Queensland Plan provides an over-arching State vision for next 30 years. Establishes goals and targets for Queensland's economic development, its growth and future prosperity. | There are no required modifications to the PEP or need for additional impact assessment as a result of the introduction of the Queensland Plan. |
| Queensland Ports Strategy | The Strategy recognises the importance of Queensland shipping ports in the facilitation of economic development for the State and their significance in regional supply chains. The Strategy recognises the need for: <ul style="list-style-type: none"> ▪ concentration of port activity into five key Priority Port Development Areas (PPDAs) which includes the Port of Townsville ▪ integrated master planning for PPDAs ▪ assessment of cumulative impacts of development on MNES and OUV of Great Barrier Reef. | The PEP will form an integral part of the Port and is able to be incorporated within any future master plan. Cumulative impacts of the proposed PEP have been assessed in the PEP EIS and this AEIS. |
| Queensland Reformed Development Assessment Process | This represents the proposed replacement of the IDAS process under SPA. The process proposes to reduce the statutory timeframes and number of steps to enable quicker activation of appropriate development. Details of the process are not yet available to review and may be included within a Regulation. | This is an administrative process that will apply to the processing of development applications. It is not yet known how this process is expected to directly apply to port development. Any impending changes are unlikely to influence the PEP or require any additional impact assessment as part of this AEIS. |
| Queensland State Land Tenure Review | Policy level assessment for possible improvements to the State land tenure system through: <ul style="list-style-type: none"> ▪ investment certainty for leaseholders ▪ providing greater flexibility for local governments ▪ streamlined regulatory environment May lead to legislative changes and revised specific amended or new procedures. Changes are yet to be announced. | Changes are as yet unknown. No immediate effect on the progress of the PEP. The PEP is situated on State land. Any changes to the State land legislation are expected to apply to the PEP which will be required to proceed consistently with such changes. There are no new impacts that affect the PEP due to any proposed land tenure changes at this stage. |
| RegionsQ | The Policy recognises the importance of regional growth in Queensland in order to build economic resilience. This policy document has also largely replaced the repealed <i>Queensland Regionalisation Strategy</i> that was referred to in the original PEP EIS and the regional objectives for Townsville in the document 'A Second capital for Queensland - Townsville Futures Plan that was referred to in the PEP EIS. | The PEP is intended to help strengthen the Port's capacity as a general cargo port both in terms of the diversity and tonnage of products that it is able to handle as economic activity within the North Queensland Region grows. The Policy does not result in a need for any modification to the PEP or additional impact assessment. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| ResourcesQ | <p>The policy highlights mineral resources as a continuing priority for economic development in Queensland, including the North West Mineral province which is directly linked to the Port of Townsville to facilitate minerals exports.</p> <p>While being a state-wide plan, ResourcesQ effectively replaces the <i>Northern Economic Triangle Infrastructure Plan 2007-2012</i> in terms of strategic directions for the region's resource development.</p> | <p>The PEP is an integral part in helping to facilitate export growth of minerals, including from the North West Minerals Province.</p> <p>The PEP is consistent with the intent of ResourcesQ and does not require modification or any additional impact assessment as a result of the introduction of the policy.</p> |
| Sea Freight Action Plan | <p>The Plan is yet to be announced and is expected to examine whether there is a greater need for marine transport connection as an integral part of the State's transport network including the expanded use of containerisation for shipping.</p> | <p>The PEP is consistent with the intention to expand the Port's overall capacity to handle a range of general cargo including freeing up existing berths for general cargo shipping.</p> <p>The proposed plan is not expected to result in any need for the PEP to be modified or any additional impact assessment to be undertaken.</p> |
| <i>State Development and Public Works Organisation Act 1971</i> | <p>The SDPWO Act has been amended to redefine 'significant projects' as coordinated projects and to allow the Coordinator General to decide whether such projects require a formal EIS or a more simplified Impact Assessment Report.</p> <p>Changes also enable the Coordinator General to determine whether formal public consultation is required for those projects that do not require an EIS.</p> | <p>The changes do not directly affect the current PEP as the project's assessment is already defined by specific terms of reference from the Coordinator General and from the Commonwealth Department of Environment, both of which have required a formal EIS.</p> |
| State Development Assessment Provisions | <p>Introduces code assessment provisions for State assessable development, including referral matters under Schedule 7 of the SP Regulation. Code provisions are contained within specific modules which also constitute State interests.</p> | <p>No direct impact on the PEP at this stage of the Project.</p> <p>State Development Assessment Provisions (SDAP) matters are to be considered in detail as part of any future development applications under the current provisions of SPA.</p> <p>The PEP is generally consistent with the objectives and overall outcomes of the relevant SDAP Modules.</p> |
| State Disaster Management Plan 2013-2014, prepared in accordance with Disaster Management Act 2003 | <p>An update of the Plan was provided in 2013 prepared in accordance with the Disaster Management Act 2003. The changes reflect machinery of government changes due to the 2012 State Election, outcomes of the Queensland Floods Commission Inquiry and Police Safety Review outcomes.</p> | <p>The updated changes of the Plan do not affect the PEP or require any additional impact assessment.</p> |
| State Planning Policy | <p>Repeal of previous SPPs; replaced by a single new SPP which identifies relevant State interests</p> | <p>The SPP provides clarification and rationalisation of key State interests much of which has been based on the repealed SPPs which were assessed in detail in the PEP EIS.</p> <p>The SPP identifies specific performance outcomes and acceptable outcomes that did not previously exist for matters of State interest, many of which are based on earlier SPP objectives and outcomes which have been assessed in detail in the PEP EIS.</p> <p>The SPP does not require any modification to the PEP or require any additional impact assessment.</p> |
| State Planning Regulatory Provisions | <p>Repeal of Coastal Planning State Planning Regulatory Provisions.</p> | <p>There are no significant impacts on the PEP or a need for additional impact assessment.</p> |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| Statutory Port Master Planning Guidelines | Statutory master planning guidelines are proposed for integrated port planning of key Queensland ports under the Queensland Ports Strategy. | The PEP has been the result of earlier detailed port master planning for the Port of Townsville. Scope will exist for detailed PEP design planning to be incorporated into a statutory master plan when required. The proposed master planning provisions do not impact on this stage of the PEP or require any additional impact assessment. |
| Strengthening Queensland's Supply Chains 2013-2015 | This is an industry council led report which recognises the need to strengthen the operational integrity and efficiency of supply chains including ports by managing encroachments and more effective port planning. The recommendations have largely been incorporated into the Queensland Ports Strategy. | The PEP is designed to minimise the risk of encroachment from other incompatible development and is of a proposed form and functionality that is based on earlier detailed master planning investigations for the overall Port. The Report does not result in a need for modification to the PEP or any additional or revised impact assessment. |
| <i>Sustainable Ports Development Act 2015</i> | The <i>Sustainable Ports Development Act 2015</i> commenced on 20 November 2015. The purpose of the Act is to provide protection of the Great Barrier Reef World Heritage Area through managing port related development. | The Act prevents approval being granted for capital dredging areas that are in the Great Barrier Reef World Heritage Area but outside the Great Barrier Reef Marine Park, unless it is for a priority port and in accordance with that port's Master Plan, or if the development is the subject of an EIS process started before the act came into effect. The Port of Townsville is a priority port under the Act and the PEP is the subject of an eligible EIS process. |
| <i>Sustainable Planning Act 2009</i> | Changes to the Act related to administrative requirements regarding the relationship of the Act to other acts, relationship of other state statutory instruments and other revised administrative processes. There were no specific changes directed towards development that may be associated with ports or port-related activity. | SPA provides the over-arching legislative planning context for land use management associated with the Port's activity. This includes the proposed development of the PEP. There are no direct impacts on the PEP from the changes to SPA in terms of its concept design or the EIS that has been prepared and this AEIS. |
| Sustainable Planning Regulation 2009 | Changes to the SP Regulation formed a part of the State government's Planning Reform package intended to streamline planning processes within Queensland and are intended to act as a precursor to planned introduction of a new Planning and Development Act by 2015. Changes to the SP Regulation have included: <ul style="list-style-type: none"> ▪ introduction of single state referral agency (SARA) ▪ revised fewer state assessable development triggers ▪ revised fewer referral triggers ▪ new State assessment fees ▪ additional self-assessment provisions for some forms of State assessable development. | The changes to the Regulation do not require any changes to the PEP or any significant additional impact assessments. The changes since the PEP EIS was finalised primarily reduce the number of State assessable development and referral triggers that are likely to apply to the PEP when the Project is at the detailed design stage including any specific development approvals that may apply under the current planning legislation. It is noted that the changes that have been identified in the AEIS are expected to be superseded once the new Planning and Development Act is enacted by State parliament with detailed regulatory provisions which have as yet been unavailable for the AEIS assessment. |
| Townsville Priority Development Area | Townsville Prioty Port Development Area (PDA) is a PDA that has been declared under the provisions of the <i>Economic Development Act 2012</i> . The Townsville PDA covers much of the Ross Creek location and affects non-strategic port land held by the Port of Townsville. Declaration of PPDAs is likely to be included either within an expected Ports Act or an accompanying Regulation. | The Townsville PDA does not directly affect the Port of Townsville Strategic Port land or the PEP; however, it is likely that the PDA could impact Port operations, or future port activities related to non strategic port land. The full implications are currently unclear as the PDA is still under development. |

| Legislation/Policy | Summarised Change | Summarised PEP Context |
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| Townsville State Development Area Development Opportunities Strategy | The Strategy provides greater strategic context for the use of Townsville State Development Area land. The Strategy continues to recognise and facilitate complementary development between the Port and the State Development Area, particularly where there is a need for port dependent industrial land which cannot be facilitated on Strategic Port Land. | Changes to the Strategy do not affect the PEP or require any additional impact assessment to that which was provided in the PEP EIS. |
| Local | | |
| Townsville City Developer Contributions | Revised developer contributions have been resolved by the Council which include scope for State government contributions to strategic infrastructure provision. | The Port's existing arrangements for infrastructure contributions to Council to be negotiated through formal Infrastructure Agreements are not changed. The determination of detailed trunk infrastructure requirements is a matter for the detailed approval stages and does not require any modification to the PEP or additional impact assessment at this stage. |
| Townsville City Economic Development Plan 2013-2017 | The Plan highlights economic development priorities identified by the Townsville City Council which include growth in port operations. | The PEP is consistent with the Economic Development Plan and is also likely to leverage other opportunities for increased employment and business that are regarded as priorities for the area. The Plan does not require any change to the PEP or any additional impact assessment. |
| Townsville City Plan 2014 | The Townsville City Plan 2014 provides the locally based land use planning framework for Townsville, including the identification of a preferred Strategic Framework for future development, zones for preferred development, levels of development assessment and key social and environmental constraints. The City Plan supports high scenic amenity outcomes. | Land use planning approvals within the Port's strategic port land are not affected by the Planning Scheme. The Port is recognised as a strategic centre as part of the Planning Scheme and adjacent development is intended to be compatible with port activity. The PEP does not adversely affect the land use planning intent of the Planning Scheme and does not require any modification or additional impact assessment. |