

AQUIS RESORT AT THE GREAT BARRIER REEF PTY LTD
**ENVIRONMENTAL IMPACT
STATEMENT**

VOLUME 1

**CHAPTER 1
INTRODUCTION**

1. INTRODUCTION

1.1 CO-ORDINATED PROJECT DESIGNATION

On 1 August 2013 the Coordinator-General declared the Aquis Resort at The Great Barrier Reef project (Aquis Resort) to be a 'coordinated project' for which an environmental impact statement (EIS) is required under section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act). This declaration initiated 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 terms of reference (ToR) approved by the Coordinator-General under section 30 of the SDPWO Act were issued on 2 October 2013 (following community consultation on draft ToR in August to September 2013). The ToR set out the matters the proponent must address in an EIS for the project.

A referral to the Commonwealth Department of the Environment for determination of whether the proposal is a 'Controlled Action' under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was made on 2 April 2013. On 5 May 2014, the Federal Minister's delegate advised that the proposed action is a controlled action and that assessment would be via the processes under the SDPWO Act as an accredited process.

Revised ToR incorporating the 'controlling provisions' under the EPBC Act were issued by the Coordinator-General under section 30 of the SDPWO Act on 21 May 2014.

The Queensland Government has called for expressions of interest from proponents to put forward development concepts for up to three major Integrated Resort development proposals throughout Queensland. The proponent has submitted an expression of interest for one of the two possible regional casino licences.

On 27 May 2014 the Queensland Government announced that Aquis would be able to receive a gaming licence if the project proceeds and meets all the necessary environmental, planning, and gaming licencing approvals.

The proponent is also in the process of acquiring the Reef Casino in Cairns and is negotiating with the Queensland Government to amend the Reef Casino licence to permit satellite operations at the Aquis Resort site. Issues relating to the casino licence will be determined by the Queensland Government on advice from the Department of Justice and Attorney-General. The expressions of interest for the Integrated Resorts and casino licence arrangements are not part of the Coordinator-General's assessment process under the SDPWO Act for the project.

1.2 OBJECTIVES OF THE EIS

Schedule 1 of the SDPWO Act defines an EIS's components under a number of headings, as follows:

- general information
- description of the project
- relevant impacts
- safeguards and mitigation measures
- other approvals and conditions
- proponent's environmental record
- information sources.

An EIS's principal objective is to evaluate the project and its impacts to inform the Coordinator-General in deciding whether the project can proceed.

Its other purpose is to inform stakeholders (government agencies and the community) of the project, its likely impact on issues of interest to stakeholders, and the proposals and management practices that will apply in order to avoid, minimise, and/or mitigate impacts.

The preparation of the EIS enables the proponent to implement a process of 'project refinement' to avoid, minimise, and/or mitigate impacts. This allows the project, as originally proposed in the Initial Advice Statement (IAS), to be modified and refined in response to community and agency feedback, and the results of detailed studies and investigations, in order to avoid impacts or minimise and mitigate unavoidable impacts.

1.3 THE EIS STRUCTURE

1.3.1 Terms of Reference Requirements

Part B of the ToR—issued by the Coordinator-General in October 2013—sets out the mandatory and other requirements for the content of the EIS. By agreement with officers of the Office of the Coordinator-General, the format of this EIS differs slightly from that specified in the ToR in the interests of clarity. However, all matters required to be addressed by the ToR are included.

The agreed structure of the EIS is as follows:

EXECUTIVE SUMMARY	15	GEOLOGY AND SOILS
1 INTRODUCTION	16	AIR QUALITY
2 PROJECT PROPONENT	17	NOISE AND VIBRATION
3 SITE DESCRIPTION	18	WASTE MANAGEMENT
4 PROJECT DESCRIPTION	19	BIOSECURITY
5 LAND USE	20	HEALTH AND SAFETY
6 LANDSCAPE AND VISUAL	21	CULTURAL HERITAGE
7 FLORA AND FAUNA	22	MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE
8 COASTAL PROCESSES	23	ENVIRONMENTAL MANAGEMENT PLAN
9 FLOODING	24	TRANSPORT
10 WATER RESOURCES	25	INFRASTRUCTURE
11 WATER QUALITY	26	ASSESSMENT OF THE 'NO DEVELOPMENT' OPTION
12 HAZARDS	27	REFERENCES AND DATA SOURCES
13 ECONOMIC		
14 SOCIAL		

1.3.2 Critical and Routine Matters

The ToR distinguishes between *critical* and *routine* matters.

a) **Critical Matters**

A *critical matter* is an aspect of the proposal that is reasonably expected to have one or more of the following characteristics:

- It has high or medium probability of causing serious or material environmental harm, or a high probability of causing an environmental nuisance.
- It is considered contentious in the public domain. For example, it 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).

The critical matters as determined by the Coordinator-General following consultation with the community are:

- land use
- flora and fauna
- water quality
- water resources
- hazards
- social and economic.

The ToR require the EIS to deal with matters relevant to the project at a level of detail proportional to the scale of the impacts on environmental values. When determining the scale of an impact, the following issues are to be considered:

- intensity
- duration
- cumulative effect
- irreversibility
- the risk of environmental harm
- management strategies
- offsets provisions.

b) **Routine Matters**

Routine matters are defined as those matters where risks are manageable, or the magnitude of impacts are not significant.

The routine matters, as determined by the Coordinator-General following consultation with the community, are:

- air
- noise and vibration
- biosecurity
- waste management
- health and safety

- cultural heritage
- transport
- infrastructure requirements.

For each routine matter identified, the level of detail should be proportional to the risk or magnitude of impacts. As a minimum, the EIS is to provide sufficient information to confirm the risks and impacts are not significant, or can be readily managed.

1.3.3 Controlling Provision under the EPBC Act

The Federal Minister's delegate has advised that the relevant controlling provisions under the *EPBC Act* are:

- World Heritage properties (sections 12 & 15A)
- National Heritage places (sections 15B & 15C)
- Listed threatened species and communities (sections 18 & 18A)
- Listed migratory species (sections 20 & 20A)
- Great Barrier Reef marine Park (sections 24B & 24C).

1.3.4 Cross References

The final ToR is included in **Appendix A**, together with a detailed table of cross references provided to show where each of the ToR is addressed in this EIS.

1.3.5 Acronyms and Abbreviations

A glossary of terms and a list of acronyms and abbreviations used in the document is provided as **Appendix B**.

1.3.6 Figures and Maps

Reduced size versions of various figures and maps produced for the EIS or extracted from technical reports have been included in the body of this document to aid the flow of the discussion.

1.3.7 Technical Reports (Appendices)

This EIS has been informed by technical studies. Reports on these studies are included as appendices. **Table 1-1** lists these in the order in which they are referred to in the EIS. These appendices contain the results of detailed work on the relevant topics, and this work has been summarised throughout this EIS to meet the requirements of the ToR.

TABLE 1-1 TECHNICAL REPORTS (APPENDICES)

Appendix	Title	Author
E	Landscape and Visual	Cardno Chenoweth
F	Aquatic Biodiversity	frc environmental
G	Terrestrial Biodiversity	Biotropica Australia
H	Off-shore Lake Inlet Assessment	frc environmental
I	EPBC Act Protected Matters Search	Department of the Environment
J	Coastal Processes	BMT WBM
K	Hydrology and Hydraulics	BMT WBM
L	Groundwater	Golder Associates
M	Water Quality	BMT WBM
O	Public Consultation	Flanagan Consulting Group
P	Social Impact Assessment	Flanagan Consulting Group
Q	Soils and Contamination	Golder Associates
R	Air and Greenhouse	ASK Consulting Engineers
S	Noise and Vibration	ASK Consulting Engineers
T	Waste Management	Golder Associates
U	Indigenous Cultural Heritage	Converge
V	Non-Indigenous Cultural Heritage	Converge
W	Airport and Aircraft Issues	Environment North

1.4 THE EIS PROCESS

This EIS has been prepared to the satisfaction of the Coordinator-General and is released for agency and public comment.

A free digital (pdf) copy of this EIS on a USB stick or a printed copy is available for purchase by telephoning +61 7 40313199 or emailing AquisEIS@flanaganconsulting.com.au.

The minimum period for notification of the EIS is thirty (30) business days and during this time anyone can make a submission to the Coordinator-General regarding the EIS and the proposal. The public notification period is a statutory requirement under the SDPWO Act and ensures there is an open and transparent assessment process which allows the public to make submissions in relation to any aspect of the proposal.

Referral of the EIS to government agencies during the notification period also allows the government agencies (local and state) to undertake an assessment of the project against local and state agency interests and policies. The assessment by government agencies provides advice to the Coordinator-General in deciding whether the project can proceed, or in formulating the conditions that should be applied to any subsequent approvals required to implement the proposal.

Following the completion of public notification, the Coordinator-General will consider public submissions, and may ask the proponent for additional information or comment about the EIS. Additional information provided by the proponent may be subject to further public notification.

At the end of public notification and referral period, the Coordinator-General prepares an evaluation report. The evaluation report is a compilation and assessment of public submissions and advice from agencies. The purpose of the evaluation report is to outline the Coordinator-General's decision about the proposal, which may be a direction to refuse or include advice regarding the conditions that must be attached to any subsequent development approval.

A summary of the Aquis Resort coordinated project process is detailed in **Table 1-2**.

TABLE 1-2 FLOW CHART - COORDINATED PROJECT/ EIS PROCESS

STAGE	DETAILS	DATE/DURATION
Coordinated project request	Initial Advice Statement (IAS) prepared by proponent	26 July 2013
	Declared a coordinated project by the Coordinator-General	1 Aug 2013
Terms of Reference (ToR) for Environmental Impact Statement (EIS)	Draft ToR issued for public comment	12 Aug 2013
	Public notice and comment for ToR period ends	9 Sept 2013
	ToR issued to proponent	2 October 2013
EPBC Referral	proponent referred proposal to DOTE under EPBC	2 April 2014
Determination as Controlled Action	Determination by Minister's delegate that the proposal is a controlled action and advice of controlling provisions. To be assessed under accredited SDPWO Act process	5 May 2014
Revised Terms Of Reference (ToR)) including Controlling Provisions under EPBC	Revised ToR issued to proponent	21 May 2014
Draft EIS preparation	Draft EIS submitted to Coordinator-General	6 June 2014
	Coordinator-General's review of draft EIS and proponent revises draft to Coordinator-General's satisfaction that it is suitable for public notice	
Public notification	Public notification – notice in <i>Government Gazette</i> and DSDIP web page, and in <i>The Cairns Post</i> and <i>The Courier Mail</i> .	21 June 2014
Public submission period	Anyone can make a submission to the Coordinator-General.	30 business days
	Closing date for submissions	5 August 2014
Agency review of EIS	Agencies provide advice to Coordinator-General	Coincident with public notice
Coordinator-General review of EIS	Coordinator-General reviews community submissions and agency advice on EIS	TBA
	Coordinator-General may request proponent to provide additional information or comment.	

STAGE	DETAILS	DATE/DURATION
Additional information (if required)	proponent prepares additional information and submits to Coordinator-General	TBA
Public notification of additional information (if required)	Public notification – notice in <i>Government Gazette</i> and DSDIP web page, and in <i>The Cairns Post</i> and <i>The Courier Mail</i> .	TBA
Public submission period (if required)	Anyone can make a submission to the Coordinator-General.	20 business days (min)
Coordinator-General's evaluation report	Coordinator-General prepares an evaluation report on the proposal, which may direct refusal or advise of conditions that must be attached to any subsequent approvals.	TBA

(Note: times are indicative and based on the Coordinator-General's generic timeframes for EIS process steps).

The evaluation report prepared by the Coordinator-General at the end of the public notification period includes the Coordinator-General's assessment of the proposal including recommendations and conclusions about environmental impacts and mitigation strategies. In preparing the evaluation report, the Coordinator-General must consider the following:

- the EIS (including any additional information)
- all properly made submissions
- other submissions accepted by the Coordinator-General
- comments and advice from state government agencies and other entities
- technical reports
- legal advice.

1.5 MAKING SUBMISSIONS ON THE EIS

During the public notification period of this EIS, anyone may make a submission to the Coordinator-General about the EIS. Section 34 of the SDPWO Act identifies the requirements for making a submission. Section 35 of the SDPWO Act identifies the Coordinator-General's responsibilities in response to the submissions received and the evaluation of the EIS.

The Coordinator-General is required to accept all properly made submissions. A properly made submission for an EIS means a submission that:

- (a) is made to the Coordinator-General in writing
- (b) is received on or before the last day of the submission period
- (c) is signed by each person who made the submission
- (d) states the name and address of each person who made the submission
- (e) states the grounds of the submission and the facts and circumstances relied on to support those grounds.

Properly made submissions can be submitted by mail addressed to:

The Coordinator-General
 c/- EIS project manager
 Aquis Resort at the Great Barrier Reef project
 Coordinated Project Delivery
 PO Box 15517
 City East Qld 4002 Australia

Or by facsimile to (07) 3452 7486.

Submissions can be made electronically at the following email address:

<http://www.dsdip.qld.gov.au/aquis>

Electronic submissions are still required to meet the properly made requirements of the SDPWO Act.

Closing date for Submissions: 5 August 2014

At the end of the public notification period, the Coordinator-General considers 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 Coordinator-General's discretion.

Properly made submissions on the EIS (and additional information) are part of the material that must be given consideration in the Coordinator-General's assessment of the proposal, including recommendations and conclusions about environmental impacts and mitigation strategies.

Any submitter of a properly made submission in response to the EIS will have submitter appeal rights in relation to any subsequent 'impact assessable' development application under the *Sustainable Planning Act 2009*.