

PART 2

Final Scope Guidelines for the Integrated Impact Statement

**Final Scope Guidelines
for the Integrated Impact Statement
for the proposed
Lauderdale Quay development**

Final Scope Guidelines for the Integrated Impact Statement (IIS): Proposed Lauderdale Quay development by Walker Corporation Pty Ltd

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Final Scope Guidelines for the Integrated Impact Statement (IIS)

Foreword

The proposal by Walker Corporation Pty Ltd (the proponent) for the development of a mixed use waterfront housing and marina development located on approximately 52 hectares of land at Ralphs Bay has been declared a Project of State Significance. These guidelines have been prepared in accordance with the *State Policies and Projects Act 1993* to assist the proponent, government and non-government agencies and the public to understand what information is required to enable the Resource Planning and Development Commission (Commission) to undertake an integrated assessment of the project. In addition, the guidelines have been prepared to meet the requirements of the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* as set out in accordance with the agreement between the Commonwealth of Australia and the State of Tasmania.

The Act¹ states that 'integrated assessment' "means a consideration of environmental, social, economic and community issues relevant to that project and such other issues as may be prescribed." The guidelines set out in this document require the proponent to address all of these issues in its Integrated Impact Statement (IIS).

In the event new information comes to light, particularly in relation to environmental, social, economic and community issues relevant to the project during the preparation of the IIS, then this information should be addressed in the IIS.

Further information may be required of the proponent and others, by the Commission, during the assessment process.

¹ Section 16(2) of the *State Policies and Projects Act 1993* (Tas)

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The assessment process is the responsibility of the Commission, but the proponent's assistance is required by the provision of the Frontispiece / Project Information Bulletin as described below.

Frontispiece / Project Information Bulletin

This should briefly outline the assessment and approval process, and explain the function of the draft Integrated Impact Statement (IIS) in this process. It should note that the IIS will be a consolidated document that will meet the requirements of both the *State Policies and Projects Act 1993* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth).

The opportunity for the public to comment on the draft IIS should be made clear. Information should be provided on:

- how and where to access the draft IIS;
- how to lodge a submission on the draft IIS;
- the date by which submissions must be received; and
- how the Resource Planning and Development Commission (Commission) will regard submissions as being public documents unless an argument is put to the contrary by the person making the submission.

This section should be designed in an easily read manner and be useable as a public information bulletin to explain all opportunities for public participation.

Executive Summary

This should be designed to be easily read in conjunction with the frontispiece and therefore be suitable for wide distribution to communities and other interested parties. At the same time it should provide a summary of all of the important impacts of the project and its environmental, social, economic and community implications that is clearly understandable by the public. **Where practicable the draft IIS should contain headings that correspond to the main chapter headings and subheadings of these guidelines.**

The executive summary should be available in sufficient copies to meet broad community demand.

1. Introductory Matters

1.1 The Proposal

1.1.1 Background

This section should provide the following information:

- title and location of the proposed development, including any off-site facilities or infrastructure required to allow the project to proceed;
- names and addresses of the proponent(s), registered office(s) and relevant background information in terms of experience and environmental record;
- details of the corporate structure, ACN/ARBN numbers, corporate history, public or private nature of company and proposed project ownership structure (e.g. Australian subsidiary, joint venture, linkages with other Australian or overseas corporations), and environmental track record including details of any breaches of statutory requirements in Australia; and
- details of any new or altered corporate structure in relation to the management and operation of the proposed project.

1.1.2 Objectives of the proposal

This should comprise a broad statement of the objectives which have led to the proposal, including a summation of the rationale and need for the proposal.

1.1.3 Scope of the proposal

This should include:

- a history of the events leading up to the formulation of the proposal;
- the staging and timing of the proposal and proposed ancillary or off-site works, including expected dates for construction, completion and operation;
- likely markets for the proposal including both local and national; and
- a brief outline of the principal project elements.

Note: In the event new information comes to light, particularly in relation to environmental, social, economic and community issues relevant to the project during the preparation of the IIS, then this information should be addressed in the IIS.

1.2 The Assessment Process

1.2.1 Description of the assessment

This section should provide a description of the assessment and approvals process, including all approvals required and the legislative powers to enforce standards and environmental outcomes.

In particular, the proponent must identify and address:

- the matters to be considered in the environmental, economic, social and community impact assessment as required under the Tasmanian *State Policies and Projects Act 1993* and its requirement that the project demonstrates how it will further the objectives of the Tasmanian Resource Management and Planning System (RMPS, see Appendix I), including the definition of sustainable development;
- the matters to be dealt with by environmental impact statements as required under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) (Appendix II of these guidelines). The then Minister for the Environment and Heritage (now known as Environment and Water Resources) decided that his approval would be needed under the EPBC Act for the project to proceed and the proponent must therefore address the matters required under that Act in the IIS. The controlling provisions for this proposal under the EPBC Act are sections 16 and 17B (Wetlands of international importance), 18 and 18A (Listed threatened species and communities), and 20 and 20A (Listed migratory species);
- other relevant Australian Government legislation if applicable, for example, the *Environment Protection (Sea Dumping) Act 1981* and the *Sea Installations Act 1987*; and
- other relevant Tasmanian legislation and State Policies including, for example, the *Environmental Management and Pollution Control Act 1994*, the *Water Management Act 1999*, the *Tasmanian State Coastal Policy 1996* and the *State Policy on Water Quality Management 1997*, the *Threatened Species Protection Act 1995* and the *Nature Conservation Act 2002*.

Note: the references to the legislation in these guidelines are those that are current at the date of issue of these guidelines. The project proponent is to have regard to proposed legislative changes.

1.3 Statutory and Non-Statutory Framework

1.3.1 Statutory instruments

Outline the relevant provisions of various Australian Government and Tasmanian statutes under which approval or consideration is required, either for the whole proposal or specific aspects of the proposal, before it can proceed.

In particular, the proponent must comment on the following in relation to the project:

- the Tasmanian *State Policies and Projects Act 1993* requirement that the integrated assessment must seek to further the objectives of the Resource Management and Planning System (RMPS, Appendix I);
- all relevant elements of the proposal susceptible to the precautionary principle, as provided for in outcome 2.1.5 of the *Tasmanian State Coastal Policy 1996* and Part 16 of the EPBC Act. Identify measures to be taken, or issues to be considered, in respect of these elements in the light of the extent and onus of proof relevant to those measures.
- other relevant Australian Government and State legislation including the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the *Tasmanian Threatened Species Protection Act 1995*, the *Nature Conservation Act 2002*, the *Crown Lands Act 1976*, the *Marine and Safety Authority Act 1997* and the *Ralphs Bay Conservation Area (Clarification) Act 2006*;
- Tasmanian Sustainable Development Policies including the *Tasmanian State Coastal Policy 1996* and the *State Policy on Water Quality Management 1997*;
- all relevant local Government legislation including the Eastern Shore (Area 2) Planning Scheme 1986 and the extent to which the proposal complies or otherwise with this planning instrument. Where the need for a planning scheme amendment has been identified, a draft amendment must be prepared and included in the IIS (refer to relevant sections); and
- any pending local Government legislation, including the Draft Clarence Planning Scheme 2002 and the statement made by the Clarence City Council under section 26 of the *Land Use Planning and Approvals Act 1993* and the extent to which the proposal complies or otherwise with these planning instruments.

Note: the references to the legislation in these scope guidelines are those that are current at the date of issue of these scope guidelines. The project proponent is to have regard to proposed legislative changes.

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1.3.2 Government agreements, policies and strategies

Outline the relevant international agreements and Australian, Tasmanian and local Government policies and strategies with which a project of this nature would be expected to comply. Describe how the project complies with these agreements, policies and strategies. The following is an indicative (not exhaustive) list of the more important international agreements and Australian, national and State policies and strategies that provide the policy context for the Lauderdale Quay project:

International agreements

- Convention on Biological Diversity;
- United Nations Framework Convention on Climate Change;
- Convention on Wetlands of International Importance especially as waterfowl habitat (the Ramsar Convention);
- Migratory Birds Agreements with China, Japan and Korea (CAMBA, JAMBA and ROKAMBA);
- East Asian – Australasian Flyway Partnership 2002;
- Convention for the Prevention of Pollution from Ships (MARPOL); and
- International Maritime Organization's Convention for the Control and Management of Ships' Ballast Water and Sediments.

National

- National Strategy for Ecologically Sustainable Development;
- National Strategy for the Conservation of Australia's Biological Diversity;
- National Charter of Integrated Land Use and Transport Planning;
- National Strategy for the Management of Coastal Acid Sulfate Soils 2000;
- National Ocean Disposal Guidelines for Dredged Material;
- Intergovernmental Agreement on the Environment;
- National Greenhouse Strategy;
- Australia's Oceans Policy;
- Coasts and Clean Seas Initiative of the Natural Heritage Trust Program;
- Commonwealth Coastal Policy;
- AQIS Ballast Water Management Requirements for international vessels;
- Australian Water Quality Guidelines for Fresh and Marine Waters; and
- Australian Water Quality Monitoring and Reporting.

Tasmanian

- Tasmanian State Coastal Policy 1996;
- Indicative Mapping of Tasmanian Coastal Vulnerability to Climate Change and Sea-Level Rise: Explanatory Report 2006;
- Tasmanian State Policy on Water Quality Management 1997;
- Derwent Estuary: Water Quality Improvement Plan for Heavy Metals (2007);
- Derwent Estuary Program Environmental Management Plan (2001);
- Threatened Species Strategy 2000;
- Tasmania's Nature Conservation Strategy 2002-2006;

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- Tasmanian Code for Residential Development (TASCORD);
- A Wetlands Strategy for Tasmania (2004);
- National Pollutant Inventory (National Environment Protection Measure);
- Tasmanian Environment Protection Policy (Air Quality) 2004;
- Movement of Controlled Wastes (National Environment Protection Measure);
- Assessment of Site Contamination (National Environment Protection Measure);
and
- Diesel Vehicle Emissions (National Environment Protection Measure).

1.3.3 Environmental standards and guidelines

Briefly outline the environmental standards and guidelines that will be applicable.

1.4 Public Consultation and Participation

Details should be given on the areas where communities were consulted, methodologies employed, the form, level, nature and results of public consultation which took place in the proposal formulation, project planning and in the preparation of the draft IIS.

Details should also be provided on any envisaged ongoing community participation / liaison programs beyond project implementation. Consultation should include organisations representing interests which may be affected by the project as well as the general public. The consultation program for the IIS should be clearly explained.

2. Need for the Project

The proponent should address the need for the proposal including any need for additional urban density residential land within the municipality of Clarence and the greater Hobart area (based on Australian Bureau of Statistics divisions) and that the project is consistent with any relevant strategic planning completed for the region.

The proponent should consider the greater Hobart area and draw upon any available research to provide a substantive strategic basis for the project in the greater Hobart area. In demonstrating this need the following should be addressed:

- (1) analysis of the current gross and practical supply of undeveloped and vacant urban density residential land within the municipality of Clarence and greater Hobart;
- (2) analysis of practical residential dwelling yields (based on current planning controls) for identified residential land supply;
- (3) analysis of the consumption or 'take-up' of the identified residential land supply (i.e. dwellings approved or commenced) over various time frames;
- (4) analysis of the future demographic trends (including population structure, growth/decline, household size and composition) for Clarence and the greater Hobart area; and
- (5) analysis of future demand in Clarence and greater Hobart for urban density residential land.

In particular, the proponent should address the need for the reclamation of land as opposed to the use of existing urban density residential land.

Where there is an absence of relevant strategic planning or research, the proponent should address the issues which would otherwise be covered by such work. The absence of a regional plan or settlement strategy does not obviate the need to demonstrate that the proposal represents sound strategic planning.

Any other factors that the proponent considers relevant to the justification of the proposal from a demand / supply perspective should also be addressed.

3. The Site and Design Considerations

3.1 Site Choice

This section should provide details to demonstrate the appropriateness of the chosen location of the proposal. The proponent should provide details to demonstrate that sound strategic planning principles have been adopted in determining that Ralphs Bay is an appropriate site for the proposed project.

3.2 Site Suitability

Describe the methodology, reasoning and criteria used to select the project site. This should include discussion of the following:

3.2.1 Environmental site selection criteria, including but not limited to:

- (1) public health and community safety (risk) criteria;
- (2) proximity to land, water and marine uses, particularly aquaculture industries in nearby waters that may be influenced by River Derwent currents, which might be incompatible with the project and its associated infrastructure;
- (3) proximity to natural areas of conservation and ecological significance covering both terrestrial and marine environments;
- (4) proximity to areas, including marine, of cultural, historic significance or Aboriginal heritage;
- (5) proximity to listed threatened species under the *Tasmanian Threatened Species Protection Act 1995*;
- (6) proximity to listed threatened ecological communities under the *Tasmanian Nature Conservation Act 2002*;
- (7) proximity to listed threatened species and communities; wetlands of international importance; and listed migratory species which are the relevant controlling provisions under the EPBC Act;

Note: References to particular listed species do not exclude additional species. Any listed species that may be impacted by the proposal must be considered.

- (8) fatal flaws, compliance thresholds, consequences, and severity of impact;

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- (9) transport and access requirements;
 - (10) site and infrastructure security considerations;
 - (11) proximity to areas likely to be susceptible to sea level rise;
 - (12) proximity of floodplains (1:100 AEP level flood inundation); and
 - (13) exposure to meteorological conditions, including storm surges and prevailing winds.
- 3.2.2 The proponent's commercial criteria influencing site selection and the reasons for such influence.
- 3.2.3 Criteria associated with the location or availability of essential materials, facilities (including water) and infrastructure.
- 3.2.4 Social and amenity criteria including social and community interaction advantages and disadvantages.

3.3 General Description of Development Area

- 3.3.1 A general description of the existing development area and its surrounds should be provided, including, but not limited to, the following:
- title description of subject land (where applicable);
 - the ownership of the subject land and surrounding land;
 - locality of site;
 - area of subject land (in hectares);
 - plan demonstrating the location of the subject site in relation to Ralphs Bay;
 - chart of the bathymetry in the area of the proposed development;
 - the land use and planning history of the site, water and the canal use, and any site contamination (from refuelling, pumpout or waste disposal, or industries operating in the vicinity, including those upstream of the proposed development);
 - plan showing the subject land and its relationship to nearby land and marine use and development;
 - any rights-of-way, easements, covenants and other reservations affecting the land;
 - existing access to the site;
 - plan of the subject land showing location of buildings and significant structures, including seawalls;
 - plan showing the zoning of the subject land and surrounding land under the Eastern Shore (Area 2) Planning Scheme 1986; and
 - topography.

3.4 Strategic Planning Details

The following strategic planning details should be discussed and included in the explanation of site suitability:

- (1) any planning strategies or planning guidelines or proposed planning strategies for the area, including regional planning strategies;
- (2) any relevant local Government strategic plan and operational plan;
- (3) the provisions of the relevant planning scheme, including the effect of zoning and any special area controls and overlay controls on use and development and any rezoning required;
- (4) the effect of any Council by-law and Council policies;
- (5) consistency with the objectives of the planning process contained in Part 1 and Part 2 of Schedule 1 of the *Land Use Planning and Approvals Act 1993* (Appendices I and III); and
- (6) accordance with all State Policies.

3.5 Sustainable Outcomes

The layout of the site, including waterways, topography, and location of commercial and residential development, community facilities and infrastructure should be integrated with the proposed planning instruments to deliver sustainable housing outcomes. The IIS should review the project with respect to those matters identified above and demonstrate the rationale for each component, with particular reference to:

- (1) how the project as a whole is integrated to deliver a sustainable, safe and pleasant working, living and recreational environment;
- (2) how the project has addressed matters such as solar orientation, shading, security and privacy, water sensitive urban design, wind and wave action, and other microclimatic conditions;
- (3) how measures to minimise and reduce greenhouse gas emissions would be implemented through design and construction processes;
- (4) measures to minimise or reduce resource use during the construction and operational phases, including strategies to protect and preserve resources for future generations;

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- (5) how the proposed use and development controls integrate with the urban character and form of the Lauderdale township;
- (6) the relationship of building design and activities with any public spaces, including the shoreline and the Lauderdale commercial area;
- (7) the appropriateness of design, orientation, configuration and material use;
- (8) the number, style, placement and management structure for the affordable housing component; and
- (9) the relationship between occupiers' security and the extent of public access.

3.6 Design Scope

The architectural styles, building forms, height, bulk locations and interlinkages proposed for the site should be explained and the comprehensive rationale for the selection of the nominated building form, style, linkages, beneficial visual impact and any other relevant matters should be outlined. Further and specific attention should be given to the compatibility and acceptability of the proposed development from the following perspectives:

- (1) the natural and cultural heritage and conservation values of Ralphs Bay and surrounds;
- (2) the landscape and visual character of the area;
- (3) the maritime and functional character of the uses in the area;
- (4) the spatial typologies of the existing buildings in the Ralphs Bay locale relative to the urban design principles selected by the proponent; and
- (5) the mix of existing and proposed uses in the Ralphs Bay locale and their associated juxtaposition.

The analysis required to be undertaken in this section should be related to other relevant requirements of the scope guidelines.

4. Description of Proposal

4.1 Project Development

The proponent is required to provide sufficient information on all aspects of the project in an integrated manner in order to allow the Commission to complete the assessment. In particular this section should present an outline of the project, including:

- its key objectives;
- overall specifications and key infrastructure components;
- proposed method of development and operation;
- technical and performance requirements; and
- proposed post-construction maintenance and monitoring practices and techniques.

Further information may be sought on issues set out as the project description is finalised including the development and operation of any facility or infrastructure on or off the project site which is necessary or convenient for the implementation of the project. This includes but is not limited to any facility or infrastructure for:

- the reclamation of land in Ralphs Bay, to the north-west of the canal;
- on- and off-site treatment of excavated material from the site;
- the subdivision of the reclaimed land;
- the construction of dwellings and other buildings on the reclaimed land;
- the development of berthing facilities and the operation of a marina;
- the restoration of salt marshes and tidal flats to the south and south-west of the canal;
- off-site habitat creation or restoration works or both off-site habitat creation and restoration works;
- long term maintenance of the above salt marshes and tidal flats and other nearby coastal areas affected by the development;
- infrastructure upgrades, including re-alignment of the South Arm Highway; and
- any other use or development which is necessary or convenient for the implementation of the project.

4.1.1 Development control requirements

The project is to facilitate the development of land for future residential and commercial uses. The IIS must demonstrate how the future use and development of the site is to be integrated with the Tasmanian RMPS, particularly the *Land Use Planning and Approvals Act 1993* and any planning scheme that gives effect to that Act. This information must be provided for any off-site ancillary facilities. The following detail is to be provided:

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- (1) Identify all suitable planning mechanisms available that could be used to apply planning controls and describe how those mechanisms could be integrated with the present and draft planning schemes for Clarence;
- (2) Describe the preferred planning instrument to be used and justify the choice of instrument with reference to the objectives of the Tasmanian RMPS and the planning process established by the *Land Use Planning and Approvals Act 1993* (i.e. Schedule 1, Part 1 and Part 2); and
- (3) Provide details of the proposed planning provisions that would apply to the site including, but not limited to:
 - intent and objectives for use or development of the site;
 - provide a table of use including all permitted, discretionary and prohibited land uses for the site and use or development that would be exempted from planning approval;
 - criteria against which discretionary uses are to be considered (i.e. use standards);
 - development standards applying to the site, including:
 - subdivision and site design including the strata division of land;
 - lot sizes and development density;
 - streetscape and landscape;
 - building siting (i.e. building envelopes, setbacks);
 - privacy and security;
 - vehicular access and parking;
 - open space, facilities and access (both public and private);
 - building sustainability requirements;
 - building form, and appearance (i.e. common design elements, scale and materials); and
 - infrastructure provision.

4.1.2 Technical aspects

- (1) There should be a full description of the use and the types of activities envisaged in the proposed project development, including a staged development program together with a construction methodology and a capital cost estimate schedule of all the major component parts. Estimate the length of time all temporary infrastructure is expected to remain in place.

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- (2) This project description should be accompanied by:
- (a) detailed plans drawn to scale which show:
- the boundaries and dimensions of the site;
 - the building footprints and landscaping and purposes of proposed buildings on the site;
 - chart of the bathymetry of the proposed development footprint below high water mark;
 - proposed waterways, connecting channels and the water body to which connection is to be made at a level of detail that will allow depth and width of clear fairways and mooring areas below Chart Datum to be determined;
 - layout of subdivision and / or development for land within the canal estate;
 - the location, height and purpose of existing buildings and works on nearby land;
 - a site plan including a plan view of area proposed;
 - relevant ground levels using current Australian datum levels;
 - all points of existing and proposed public access;
 - all existing and proposed infrastructure services;
 - a plan of any existing easements;
 - proposed public open spaces and reservations;
 - adjoining roads; and
 - the proponent's proposed plan for the conservation area under the *Nature Conservation Act 2002*, with reference to the *Ralphs Bay Conservation Area (Clarification) Act 2006*.
- (b) indicative and notional plans which show:
- heights, general form and finishes of proposed building types;
 - any necessary temporary infrastructure required during construction including site yards, material storage areas, waste treatment, facilities for construction staff etc.;
 - layout of the mooring envelopes within the proposed waterways;
 - all driveway, car parking and loading areas; and
 - proposed development staging plans.
- (c) at least three cross section drawings of the proposed reclamations including any buildings. The position, nature, depth and engineering properties of any reclaimed land should be described.
- (d) indicative details of all drainage works, driveways, vehicle parking and loading areas.

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- (e) a conceptual landscape layout plan.
 - (f) current aerial photography or mosaic at an appropriate scale showing the project area, the adjacent land and its environs, including areas of land and water use that may be affected by the proposal.
 - (g) photo montages of the proposed development as viewed from at least six recognised viewing positions, including one from the water.
 - (h) a scale model (approximately 1:1000) of the proposed development and the immediate surrounding area.
- (3) Further to the drawings set out above, the site plans to be prepared should be provided of a scale sufficient to clearly show the boundaries of the site including individual lots and vehicle access in and around the site.
- (4) An indicative land plan showing proposed ownership and tenure of all project components including residential, public land and facilities, other open spaces, commercial spaces, waterways including marinas, and mooring structures and facilities.
- (5) The types, quantities, characteristics of protection systems and storage arrangements (including location) for any dangerous and environmentally hazardous materials including fuel storage on the site during the construction phase must be identified. Where such materials are not anticipated or cannot be quantified at this stage, outline the contingent principles and standards to be applied in their management.
- (6) All major sources of wastes (e.g. liquid, atmospheric, or solid) must be identified and the wastes characterised and quantified (flow rates, mass loads, concentrations etc as appropriate). Where such wastes cannot be quantified at this stage, outline the contingent principles and standards to be applied in their management.
- (7) The locations of all points at which wastes will be emitted or discharged must be shown.
- (8) Major sources of airborne and underwater noise must be identified and quantified.
- (9) Major sources of air and ground vibration must be identified and quantified, and the areas likely to be affected identified.

4.2 Use and Development of Infrastructure and Off-Site Ancillary Facilities

4.2.1 Any new infrastructure or off-site ancillary facilities required to allow the proposal to proceed must be described. In this context, the following issues should be addressed:

- (1) The method of, and routes for, the transport of goods and supplies, and solid waste to and from the site. Requirements for new transport infrastructure and specifically for upgraded or new road links should be identified. For road transport and traffic generation, the estimated frequency of vehicle movements and the times of day should be specified and the implications discussed.
- (2) Any foreseeable changes in the type, volume and pattern of use of transport infrastructure which might occur during the life of the project should also be identified.
- (3) Any foreseeable changes in the pattern and distribution of commuter and public parking in the area.
- (4) The extent to which short, medium and long term changes to the existing traffic management system in the area will take place and the extent to which the project requires immediate changes to such a system.
- (5) New or altered infrastructure required to supply power for the project.
- (6) New or altered infrastructure required to supply water for the project (including water storage facilities).
- (7) New or altered infrastructure required for the treatment and disposal of sewage.
- (8) New or altered berthing facilities which will be required as a consequence of the project (including any dredging) and any interlinked storage facilities.
- (9) Any need for approvals related to the use of public roads and public road transport must be identified.
- (10) Public access to and from the complex.
- (11) Any changes to road and water transport movements on existing and any planned operations such as public transport, tourist cruises, buses and cycle paths.
- (12) New or altered telecommunication infrastructure required for the project.

4.3 Construction

4.3.1 This section should provide a step by step description and an indicative timetable for major construction phase activities, with indicative timeframes for the completion of the major steps, for the development, including any facility, works or infrastructure on or off the site.

- (1) The site preparation works involved.
- (2) The timeframe and staging of construction and works within and off the site. This section is to include all relevant matters in Chapter 9 and identify the timing and completion of commitments at each construction stage.
- (3) Estimates of quantities of aggregate/fill and other materials, including sand for proposed beaches, etc. which will be required and their likely sources.
- (4) Estimates of quantities and quality of excavated material (landside and in Ralphs Bay) to be disposed of, and methods of extraction, treatment, disposal and disposal sites. Specific consideration of the potential impacts of disturbing sediments on the seabed and the impact of any heavy metal contamination and turbidity plumes on the health of the River Derwent, Ralphs Bay, Lauderdale Canal, Frederick Henry Bay, Pipeclay Lagoon, Pitt Water and Storm Bay.
- (5) Description of the methodology and rationale for:
 - reclamation and works associated with subdivision of land in Ralphs Bay to the north-west of the canal;
 - construction of canals and revetments;
 - construction of dwellings and other buildings on the reclaimed land;
 - the extent and effects of excavation and dredging requirements, especially sedimentation (including resuspension);
 - the ongoing maintenance of the adjacent coastline affected by such excavation and dredging and construction of revetments;
 - development of berthing facilities and the marina;
 - restoration and maintenance of salt marshes and tidal flats to the south and south-west of the canal; and
 - off-site habitat creation, maintenance or restoration works, or a combination of all three.

Note: An indicative timetable should be given regarding off-site restoration projects under dot points 7 and 8.

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- (6) The numbers of heavy vehicle movements and other traffic (including vessels) likely to be generated by construction activities, the timing and the routes on which increased traffic volumes will occur.
- (7) The number of construction workers required in the various stages of construction, and sources of labour, and support servicing requirements.
- (8) The proposed working hours per day and days per week of construction activities, likely construction noise levels, lighting, and effects on public access and parking.
- (9) Provision for parking of construction site workers' vehicles.
- (10) The nature, capacity and location of temporary construction equipment required on site (such as cranes, concrete batch plants, rock crushers, dredging equipment).

4.4 Operation and Maintenance

4.4.1 This section should provide a description of the proposed operation and maintenance activities for all aspects of the project including:

- (1) A description of the management instruments (Deed of Agreement, etc) proposed to be used for the long term ongoing maintenance of the project and identification of responsible parties and term of management.
- (2) A description of the management regimes that have been considered by the proponent for both construction and operation phases, and the rationale for selecting the proposed management regimes described in (3) and (4) below.
- (3) A description of the proposed management regime for the project both during and after construction and during operation should be provided and should detail:
 - interested parties;
 - day-to-day management of the development;
 - operation and maintenance activities, including waterways and adjacent areas;
 - operation and maintenance activities, for reclaimed land, revetments and proposed beaches; and
 - matters related to social and physical infrastructure including ownership of land and infrastructure.
- (4) A description of the proposed management regime for off-site habitat creation, restoration and other maintenance works, including, but not limited to,



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monitoring programs.

- (5) Detail any additional mechanisms to control and manage activities, particularly to ensure that the development is environmentally sustainable in the long term.
- (6) Without derogating from the generality of the above, particular attention should be given to the responsibility for maintaining navigable depths and systems of all waterways within, and giving access to, the development.

5. Potential Environmental Impacts and their Management

5.1 General Information

- 5.1.1 Environmental impacts predicted should, unless otherwise justified, be based upon scientifically supportable data. The methodologies used or relied on should be referenced, together with the relevant research and investigations supporting them. Assumptions and scientific judgements should be stated clearly, the nature and magnitude of uncertainties should be clearly defined. Where relevant, the choice of a particular risk assessment methodology or mitigation methodology over alternative methodologies should be explained. Assessment of impacts should include information on the size of the impact, the duration of impact and reversibility of any impacts. All information provided should be presented in a format clearly showing parameters and variables for each predictive modelling exercise. In addition, judgments or assumptions made by the proponent when describing best, worst, normal or abnormal scenarios should be presented. Any detailed technical information should be included in the appendices to the IIS.

Performance standards required by the Tasmanian and Australian Governments should be identified and evidence provided to demonstrate that these can be complied with. The proponent must demonstrate that the proposal is consistent with the objectives of the EPBC Act and the sustainable development objectives contained in Schedule 1 of the *State Policies and Projects Act 1993* (Appendix I); and compliance with any relevant provisions of the *Public Health Act 1997* or associated Guidelines issued by the Director of Public Health.

- 5.1.2 This section should provide a description of the existing environment to establish the baseline for the evaluation of environmental, social, economic and community impacts and the formulation of environment protection measures and monitoring programs. It should include details of the salient features of the existing environment and, where appropriate, provide maps, figures and diagrams.

The duration of baseline data collection should be based on likely patterns of variability over time and should aim to represent this variability to a reasonable and feasible extent. Limitations on the extent to which variability may be represented in baseline data, and implications of this on the conclusions of the impact assessment, should be described.

- 5.1.3 The impact of the proposal (both construction and operational phase and all ancillary infrastructure including construction facilities, energy supply, telecommunications, sewerage etc) should also be described (whether positive or negative) along with any mitigation measures and corrective actions to be employed.

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- 5.1.4 The measures which will be taken to avoid or reduce potential adverse environmental and health impacts associated with the project must be outlined. Unavoidable residual impacts, and net environmental impacts likely to result from the project, must be clearly identified.
- 5.1.5 The section should be structured so that each environmental issue is dealt with individually and, where possible, the assessment should be presented in the following order:
- Existing conditions - an outline of the existing conditions in the environment, current trends and regulation and standards relevant to that environmental issue including assessment of conservation significance;
 - Environmental impacts - an outline of the potential impacts of the development in the absence of control measures;
 - Mitigation measures - a description of the measures proposed to avoid, manage or mitigate impacts relevant to that environmental issue including responsibility for implementation and monitoring of these measures (cross referenced to relevant sections);
 - Ongoing maintenance measures – a description of maintenance programs required to maintain environmental conditions where reclamation, restoration, rehabilitation or other impacts have deliberately or indirectly altered the immediate or adjacent environment; and
 - Impact assessment - an assessment of the overall impact of the development taking into account implementation of proposed avoidance, management and mitigation measures for environmental issues and the consequence of failure of special control and management measures. It should clearly cover the construction, operational and maintenance phases of the proposal.
- 5.1.6 Assess any potential cumulative effects of the project (based on existing and other formally proposed developments in the region) and also any synergistic or indirect effects the project may have on natural values and, in particular, matters of national environmental significance under the EPBC Act. Where relevant, consideration must be given to the impacts on natural values of any combined potential effects of climate change and environmental effects of the project.
- 5.1.7 If adverse residual effects from the project are considered unavoidable despite the adoption of best practice environmental management avoidance and mitigation measures, then where feasible, proposals to offset such effects should be detailed. For example, if the loss of conservation values, community assets or amenities is considered unavoidable, measures to compensate for the conservation values to be lost, or the community assets or amenities to be affected should be proposed. Any

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offset actions proposed must be demonstrated to be ‘real’ actions. That is, the actions must have a measurable offset effect that can be related to the actual adverse effect of the project, and the actions should be ones that would otherwise not have occurred.

- 5.1.8 Impacts of the proposal on the controlling provisions for the action under the EPBC Act (listed threatened species and ecological communities, listed migratory species and wetlands of international importance), must be addressed, in accordance with Appendix II. Impacts on these species and communities must be discussed in the relevant sections and a summary of impacts and mitigation measures particular to the EPBC Act should be provided in a separate appendix to the IIS, as well as where otherwise required by these guidelines.

5.2 Environmental Issues

5.2.1 Biodiversity issues

Describe the extent, condition and significance of biodiversity and natural conservation values of the area² placing these into a local and regional and State and, if necessary, national and international context. Identify potential impacts on these values (in the context of their significance and distribution) including a calculation of the amount of ecological communities, habitats or significant species populations cleared or impacted by the proposal. Estimations of clearance or impacts should be ecologically meaningful and might include area, number or density depending on the issue.

Discussion of biodiversity impacts should include site clearing works and disturbance (including positioning of site yards, construction depots etc), movement of heavy equipment and any subsequent operational impacts. Potential environmental effects associated with subsequent sections on water quality (5.2.5), lighting (5.2.6), dust (5.2.7), noise (5.2.8), and excavation and dredging and associated vibration (5.2.9 and 5.2.10) should also be assessed in respect of biodiversity impacts as outlined below and appropriately cross referenced. For example, this section should include a discussion on the effects of development and proposed management measures in relation to existing heavy metal or other contamination of marine sediments on biodiversity in general, including assessment of impacts on the food chain. Issues that must be addressed include:

Terrestrial

- (1) Flora and fauna, with particular reference to threatened species, ecological vegetation communities and habitats, including those listed under the

² Area: that locale that may be affected by the proposal including, but not be limited to, the land and water, including Ralphs Bay, the River Derwent, Lauderdale Canal, Frederick Henry Bay, Pipeclay Lagoon, Pitt Water and Storm Bay.

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Tasmanian *Threatened Species Protection Act 1995* and the *Nature Conservation Act 2002*.

- (2) Listed threatened species and communities under the relevant Schedules of the EPBC Act, including:
 - (a) Listed migratory species under the EPBC Act including the Red-necked Stint, Bar-tailed Godwit, Eastern Curlew, Common Greenshank, Terek Sandpiper and Curlew Sandpiper.
 - (b) Listed threatened species and ecological communities under the relevant Schedules of the EPBC Act, including the Eastern Barred Bandicoot, the Tasmanian subspecies of Wedge-tailed Eagle, and the Swift Parrot.

Note: References to particular listed species do not exclude additional species. Any listed species that may be impacted by the proposal must be considered.

- (3) Identified areas or habitats of conservation significance, including designated reserve areas, areas relating to the requirements of international treaties or significant wetlands.
- (4) Describe the potential for habitat fragmentation or displacement particularly in relation to significant ecological communities, species or habitats of conservation significance.
- (5) Existing formal and informal reserves which may be affected by the project.
- (6) Pests (including feral animals and straying domestic pets), weeds and plant and animal diseases, particularly *Phytophthora cinnamomi* and the potential for migration and/or introduction of pests, weeds and diseases as a result of the project.
- (7) Rehabilitation of disturbed areas following the completion of construction activities, including the use of endemic plant species where appropriate.
- (8) Reference should be made to potential effects of vehicle movements on wildlife as a result of the project, and to proposed mitigation measures for any wildlife priority areas identified.

Marine

- (9) The marine environment (including water quality and sediment characteristics, environments and habitats) as a whole, including EPBC Act listed marine

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species and listed migratory species and Tasmanian *Threatened Species Protection Act 1995* listed marine species found in the area.

- (10) Listed threatened species and ecological communities under the relevant Schedules of the EPBC Act, including the Spotted Handfish, and listed marine species.

Note: References to particular listed species do not exclude additional species. Any listed species that may be impacted by the proposal must be considered.

- (11) Marine habitats³ and marine biota, defined to include 'fish' (as defined by *Living Marine Resources Management Act 1995*, see Appendix IV), marine mammals, shorebirds and seabirds.
- (12) Analyse the degree to which a reduction of sandy tidal flat habitat would affect the nutrient removal capacity of the estuary, and refuges and feeding areas for juvenile fish.
- (13) Describe water circulation patterns in the vicinity of the proposal, including Ralphs Bay, the River Derwent, Lauderdale Canal, Frederick Henry Bay, Pipeclay Lagoon, Pitt Water and Storm Bay.
- (14) Identify any potential hazards to the marine environment from construction activities and management measures proposed. This should be made in the context of the Tasmanian Marine Oil Pollution Contingency Plan.
- (15) Pests, particularly the North Pacific Seastar, weeds and plant and animal diseases, and their potential for migration, further colonisation and/or introduction of as a result of the project.
- (16) Detail infrastructure measures and contingencies to ensure that residential, recreational (especially boating) and commercial activities would be conducted in an environmentally sustainable manner, particularly to protect water quality, and flora and fauna habitat. Effects of anti-foulants on marine biota should also be discussed.

5.2.2 Geomorphology and coastal processes

The section should describe the existing geomorphological, particularly coastal processes and the estuarine dispersion characteristics including currents, tides, flushing ability, residence time, wave energy and temperature within the development site and surrounds. Reference should be made to the chart of the bathymetry of the proposed development footprint below high water mark as provided for under 3.3.1

³ Marine habitats include tidal flats.

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and 4.1.2. Impacts of the project on these processes should be described and management measures detailed. Issues to be addressed include:

- (1) Sites of geoconservation significance or natural processes (such as fluvial or coastal features), including sites of geoconservation significance listed on the Tasmanian Geoconservation Database.
- (2) Geology, geomorphology, hydrology, land stability and landslip potential, drainage lines and streamlines and natural water features such as wetlands, springs, water holes, of the development site and surrounds, and in the vicinity of any off-site infrastructure.
- (3) Changes to erosional and depositional processes and coastal landforms as a result of the construction of structures such as groynes, jetties channelised waterways and proposed beaches.
- (4) Procedures to be adopted to identify whether acid sulfate soils are present, their potential impact and management measures that would be required during construction and operation (see Ahern *et al.* 2004⁴).
- (5) Soils of the development site and surrounds including assessment of the potential for acid sulfate soils or existing heavy metal or other contamination within the development area, particularly marine sediments (see Ahern *et al.* 2004).

5.2.3 Groundwater and land (seabed) contamination

- (1) Describe the existing groundwater and related land (seabed) environmental conditions, including possible contamination sources. This should be supported by site specific investigations, including groundwater and soil testing.
- (2) Detail procedures to identify whether the land (seabed) is contaminated and management measures that would be required during construction and operation.
- (3) Describe the short and long term effects of constructing channels and waterways on land and/or groundwater quality and movement, especially salinity and in relation to heavy metal disturbance.

⁴ Ahern CR, McElnea AE, Sullivan LA. (2004). *Acid Sulfate Soils Laboratory Methods guidelines*. Queensland Department of Natural Resources, Mines and Energy, Indooroopilly, Queensland, Australia.

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- (4) Describe stormwater and wastewater management and the potential impact on land, groundwater and the marine environment.
- (5) Detail the measures to be taken to monitor and manage groundwater movement, quality and quantity, both on-site and off-site.

5.2.4 Stormwater control

- (1) Describe measures to avoid, manage and mitigate stormwater runoff and limit sediment and other pollutant loads in runoff, entering water courses and the marine environment, both during the construction and operational phases of the project and associated elements including pipelines, culverts, roads and bridges. Stormwater control should be considered in terms of existing infrastructure for the catchment. It must be demonstrated that appropriate environmental management measures for the control of erosion and stormwater runoff will be used to ensure water quality objectives, as provided for in the *State Policy on Water Quality Management 1997*, are achieved. Measures to be considered include collection of first flush and treatment measures such as sedimentation pits, gross pollution traps, grass swales, rock filters, and/or, biofilters.
- (2) Identify the discharge points for stormwater and likely residual impacts. Provide rationale for proposing discharge points as on or off-site.

5.2.5 Water quality

- (1) Outline measures to protect and maintain suitable water quality in accordance with the water quality objectives under the Tasmanian State Policy on Water Quality Management in Ralphs Bay, the River Derwent, Frederick Henry Bay (including Pipeclay Lagoon), Pitt Water and Storm Bay as a result of excavation and dredging (refer to 5.2.9).
- (2) Detail how adequate water turn-over rates, mixing, flushing and channel depth will be maintained for the waterways, especially through the use of modelling.
- (3) Describe the impact that any water discharged from the proposed development would have on water quality and the health of Ralphs Bay, the River Derwent, Frederick Henry Bay (including Pipeclay Lagoon), Pitt Water and Storm Bay.
- (4) Outline measures to protect and maintain suitable water quality in accordance with the water quality objectives under the Tasmanian State Policy on Water Quality Management in waterways, particularly the management of run-off and the control of pollutant and micro organism sources.

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- (5) Outline measures to prevent fertilisers, herbicides, pesticides and other pollutants derived from residential allotments and open space reserves from entering the waterways.
- (6) Describe water sensitive urban design measures and uses of wastewater that could be adopted.
- (7) Describe any likely long term or seasonal changes associated with increased boat traffic, in water quality (including water clarity) in the vicinity of the proposed development. Outline measures to minimise the impact on water quality in the area outlined under (1), including water clarity, of increased recreational boating movements and activities, including pollutant loads, the risk of spills and waste management. Pollutant loads include anti-foulants.

5.2.6 Lighting

Describe the effect of lighting from the development during both construction and operation, on native fauna and nearby residents, and outline control measures to mitigate any impacts.

5.2.7 Dust

Evaluate the potential for dust, including airborne heavy metals, to cause nuisance and health effects during the construction phase of the project and outline control measures to prevent dust emissions across the boundary of land owned or controlled by the proponent.

5.2.8 Noise

- (1) Provide information on the expected levels of noise associated with the construction and operation of the development, identifying all potential noise sources, and describe the extent to which these noise emissions could be reduced and contained to minimise the effects upon the environment, the canal estate community and the wider locality.
- (2) Identify potential variation in noise type and volume throughout the day both during construction and operational stages of the project.

5.2.9 Excavation and dredging

- (1) Describe the implications and impacts of excavation and dredging (including dewatering and disposal options) on the environment and community.

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- (2) Detail the measures to protect that part of the coast previously identified under earlier guidelines (see 5.2.2), during and after construction, including buffers.
- (3) Describe measures to minimise the potential degradation of sensitive aquatic flora and fauna species resulting from excavation and dredging activities.
- (4) Describe the impacts of excavation and dredging, and associated built structures in terms of effects on, and alterations to, currents and on subsequent accretion or erosion of adjacent coastal sites.
- (5) Evaluate the potential for sediment disturbance, sediment plumes, additional nutrient loads, heavy metal mobilisation and any other environmental impact in Ralphs Bay, the River Derwent, Frederick Henry Bay, Pipeclay Lagoon, Pitt Water and Storm Bay arising as a consequence of excavation and dredging.
- (6) Describe the proposed measures to maintain open channels and permanent groynes and other structures within the development.
- (7) Based on the likely sedimentation rates in dredged channels, describe the extent and effects of excavation and dredging requirements.
- (8) Evaluate the potential for the formation of acid sulfate soils as a result of the dredging disturbance and subsequent oxidation processes. Refer to 5.2.2 as necessary.
- (9) Describe measures to avoid, manage and mitigate these impacts to acceptable levels, as set out at the beginning of this chapter.

5.2.10 Vibration

Identify and quantify any sources of vibration during the construction phase and evaluate its effect on nearby structures, residents and wildlife (terrestrial and aquatic). Provide an outline of control measures to mitigate any impacts.

5.2.11 Disposal of excavated fill

- (1) Identify and quantify any materials excavated during construction which will not be able to be used on site.
- (2) Describe methods to be used to control and minimise sediment contamination of seawater during excavation, during dredging and any other associated works.

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- (3) Identify the anticipated extent of contamination of excavated material and means of treatment.
- (4) Where relevant, identify likely disposal sites and identify the transport requirements to ensure waste disposal.

5.2.12 Climate change

Outline the potential effects of climate change (especially reduced fresh water availability) and sea level rise implications from a risk management perspective, including adaptive management strategies. Include relevant modelling of sea level rise predictions and incorporate 'worst case' storm surge scenarios. This should include an outline of any compounding effects the proposed development may have on the surrounding area and infrastructure occurring as a result of sea level rise.

5.2.13 Lauderdale and surrounding environs

- (1) Outline the off-site impacts of greater 'people pressure' resulting from an increased number of residents, visitors and associated recreational activities on nearby wetlands and reserves (including the Pitt Water Nature Reserve, the Pittwater-Orielton Lagoon Ramsar site and the area identified in the *Ralphs Bay Conservation Area (Clarification) Act 2006*) and surrounding waterways, including Frederick Henry Bay.
- (2) Outline measures to be adopted to control nuisance insects, particularly mosquito populations and other potential disease vectors that could pose a risk to human health (refer to section 7.3).
- (3) Describe the general impact of increased recreational boating movements and activities, including pollutant loads, the risk of spills and waste management.
- (4) Describe how the development could lead to environmental improvements, both on-site and off-site.
- (5) Describe how public access to the coast would be managed.
- (6) Outline how existing and proposed embankments would be managed, including existing uses, erosion, accretion, litter and pest plants and animals.
- (7) Describe how the spread of terrestrial and aquatic pest plants and animals within and around the proposed development for the life of the project would be managed, including monitoring.

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- (8) Describe measures to reduce, mitigate and manage any impacts on the adjacent Ralphs Bay Conservation Area in compliance with the management objectives of Schedule 1 of the *National Parks and Reserves Management Act 2002* (Appendix V).

5.3 Visual and Urban Design Assessment

- 5.3.1 Further to the requirements of section 4.1 of these scope guidelines, this section should contain a comprehensive visual and urban design assessment of the Lauderdale Quay development within the Ralphs Bay area.

Note: The Commission proposes, so far as possible having regard to legal, safety and other relevant constraints, to undertake its assessment with the assistance of markers, which the proponent will be requested to place in Ralphs Bay prior to public release of the draft IIS. The markers would be placed at appropriate points to indicate the extent of the proposed reclamation, representative ground levels and heights of proposed built forms.

A comprehensive landscape and visual impact assessment of the Lauderdale Quay development within the Ralphs Bay area should be undertaken. The landscape and visual impact assessment should take account of the appearance and form of all elements of the project as detailed in Chapter 4 (including vessels berthed at the proposed marina). This assessment will consider a range of significant vantage points and address the following matters:

- (1) Analysis of the site and surrounding area (including the settlement of Lauderdale) in order to document baseline landscape character and values.
- (2) Analysis of the magnitude of landscape and visual impacts (both negative and positive) arising from the project, or likely to arise based on statutory development controls on future development, including:
 - the scale, shape and form of the project as a whole;
 - the bulk, mass and height of particular and individual structures;
 - colour, texture detailing;
 - degree of unity of scale, form and materials of new structures as compared to the present built environment;
 - external lighting; and
 - analysis of the cumulative impacts arising from existing development and the project.
- (3) Analysis of the capacity of the landscape to absorb change, including assessment of the sensitivity of the landscape to visual impact.
- (4) Analysis of the opportunities to mitigate negative impacts.

5.4 Construction and Operational Issues

5.4.1 General

This section aims to address issues related to construction and operation of the development that have not been addressed in the preceding sections.

- (1) Identify the source and origin of major construction materials, including for revetments and fill for land forming.
- (2) Identify measures for the control of stormwater run-off, groundwater discharges, dust, mud, vibration, noise, odour (including from rotting aquatic vegetation, algal blooms and organic soils) and other emissions during construction.
- (3) Outline measures to minimise turbidity, particularly from boating movements and wave action.
- (4) Outline management controls for housing and commercial construction activities to minimise social and environmental impacts, including building waste.

5.4.2 Traffic and transport issues

This section should describe the existing road and traffic conditions within the surrounding locality of the project. It should identify the roads to be used by vehicles required for each activity associated with the project (including construction and operation) and the likely volume, nature and timing of traffic. It should evaluate the potential for impacts from the project including noise, congestion, the effects on road pavements and safety. Network level changes should be considered. Measures to limit impacts to acceptable levels should also be described. Considerations should include, but not be limited to, the following:

- (1) Changes in heavy and light vehicle movements on roads in the vicinity of the site, including the times of the day when the changes will occur, should be identified. The need to limit hours of operation should also be addressed.
- (2) The potential environmental and health impacts which might arise from changes in the nature, volume and time of traffic movements as a result of the project should be reviewed and assessed where relevant. These should include noise, air pollution, safety, congestion, damage to roads, impacts on wildlife (particularly roadkill – refer to 5.2.1(8)), areas of heritage and conservation value and effect on tourism of vehicle movements associated with the project.

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Strategies, in relation to the development, designed to reduce noise, air pollution, road damage and adverse tourism impacts and improve safety (such as cycle and pedestrian protection measures), also should be outlined and assessed. Particular attention should be paid to the effects of traffic in the Lauderdale area, Acton, Rokeby, Sandford and South Arm.

- (3) Any new roading or reconstruction and widening or narrowing required and traffic management measures should be described, means of undertaking such work outlined, vehicle use estimated (refer to Chapter 4) and the impacts reviewed, including environmental effects on the coastline and particularly with reference to 5.1 and 5.2.1. The issues of noise and potential for nuisance impact should be canvassed in this context.
- (4) The potential for impacts from parking by site worker vehicles.
- (5) Provide information on the transport and storage of any construction materials to minimise negative effects on the local amenity.
- (6) Measures to limit any negative impacts to acceptable levels and the public consultation program to be followed.

5.4.3 Dangerous substances

- (1) Identify, name and estimate the approximate quantities of Dangerous substances as defined in section 5 of the *Dangerous Substances (Safe Handling) Act 2005* to be handled, stored or transported at the site.
- (2) Describe the means to achieve safe handling, storage and transport of dangerous substances, including compliance with relevant legislative provisions. Legislation may include the *Dangerous Goods Act 1998* (or the replacement *Dangerous Substances (Safe Handling) Act 2005* and Regulations, both of which are due to commence in late 2007), *Dangerous Goods (General) Regulations 1998*, *Dangerous Goods (Road & Rail Transport) Regulations 1998* and The Australian Code for the Transport of Dangerous Goods by Road and Rail.

5.4.4 Occupational health and safety issues

This should review any occupational health and safety issues which have not been addressed in the preceding sections. In particular, any occupational health and safety risks which are known to be specifically associated with the operation of waterfront housing and marina developments should be identified and measures to address these risks described.

5.4.5 Public health and safety

- (1) Identify any other potential hazards to public health and safety during the construction phase not identified previously.
- (2) Describe safety management systems to be used during construction.

5.5 Environmental Management

This section should provide an outline of a comprehensive Environmental Management System (EMS) which should be prepared (following project approvals) for the entire process of construction and operation of the Lauderdale Quay proposal, including the construction and operation of off-site infrastructure.

The EMS should be modelled on an internationally recognised standard specification for environmental management systems (such as ISO 14001). It should provide the direction and framework for all environmental management initiatives for the project, to ensure that all necessary environmental conditions are adequately addressed throughout its life cycle. As such, the EMS should have the following elements:

- adoption and implementation of an Environmental Management Policy;
- a systematic review of the environmental aspects of the business;
- a systemised Environment Management Program, arising from environmental reviews;
- identification of key personnel who manage, perform, and verify work affecting the environment;
- procedures to record all legislative, regulatory and other policy requirements pertaining to the environmental effects of the proponent's business activities;
- procedures for examining, assessing and recording the environmental effects of the proponent's business activities;
- the adoption of environmental performance measures, objectives and targets, and a process for monitoring and reporting environmental performance against these indicators;
- the drafting of an Environmental Management Manual and Environmental Procedures, which will be updated and augmented, as required;
- assignment of environmental responsibilities and accountabilities to managers and officers to ensure that environmental control, verification, measurement and testing are adequately coordinated and effectively performed;
- a system of records established and maintained in order to demonstrate compliance with the requirements of the EMS, and the extent to which environmental objectives and targets have been met;
- a program for regular independent environmental auditing;
- a process for audit and review of the EMS so as to ensure continuing suitability and effectiveness;



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- an ongoing formal interaction process with relevant authorities and the public, including publicly available environmental statements at regular, nominated intervals; and
- a complaints handling procedure.

6. Economic Impacts

6.1 General

The purpose of this chapter is to examine the economic significance of the project and the economic impacts and to break down these impacts at the local, regional and State levels. Provide the parameters, variables, judgements and assumptions for the economic modelling scenario in a suitable format.

6.2 Existing Economic Profile

This section should provide a summary of the existing economic profile of the State and regions directly affected by the proposed development. Source documents should be referenced for the summary of the existing economic profile.

6.3 Broad Economic Impacts

Critically analyse, quantify and assess the broad economic impacts on Tasmania of the project, distinguishing between the initial construction phase and subsequent operational phases, inclusive of where the capital expenditure will primarily be invested both direct and indirect, including the following:

- impact on consumption and investment expenditure;
- impact on employment, both full-time equivalents and total jobs;
- impact on business, investor and consumer confidence
- significance of the project in the local or regional context;
- costs for additional infrastructure provisions;
- demand for services;
- effects on other businesses in the marina industry or related areas;
- effects on other industries in the region; and
- possible effects on land values.

6.4 Impacts on Public Revenue and Expenditure

Critically analyse, quantify and assess both direct and indirect impacts of the project on public revenues and expenditure at local, State, and national levels, including the City of Clarence and any businesses owned by local, Tasmanian and Australian Governments, for the life of the project⁵. Examine any Government-supplied benefits

⁵ 'Life of the project' means for so long as the development is actively used for the purpose proposed, i.e. residential canal development.

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that have, or will be supplied, to the proponent to make the project viable or reduce its risk exposure (including direct Government financial or infrastructure contributions, or tax concessions). The proponent should take account of the timing of payments and costs, including the costs of additional monitoring to all levels of Government over the life of the project and anticipated contributions. Any anticipated forms of public subsidy, both direct and indirect, should be identified and described. Any costs to be borne by public expenditure for the management of social, environmental and economic impacts of the project should be individually detailed.

Distinguish between the construction phase and subsequent operational phases.

Such an analysis should include, amongst other things, consideration of the following:

- 6.4.1 Existing capacity and suitability of existing infrastructure and provision, maintenance and commercial arrangements with relevant infrastructure suppliers for the provision of (necessary additional) supporting infrastructure to specified standards that will serve the project site, including:
- transport including short term and long term costs;
 - power;
 - water supply;
 - dredging and other port associated works;
 - sewerage and liquid waste disposal; and
 - solid waste disposal.
- 6.4.2 Requirements for additional Government expenditure or enhanced community services and facilities and any impacts on current levels of Government health, education and housing expenditure.
- 6.4.3 Payments to Governments, including:
- taxes and charges;
 - rates;
 - tariffs;
 - stamp duties;
 - leases;
 - access to Crown land and mineral leases; and
 - water charges.
- 6.4.4 Impact on consumption and investment expenditure in Tasmania.
- 6.4.5 Impact on business, investor and consumer confidence.

6.5 Employment Impacts

Critically analyse, quantify (in gross/net terms) and assess the employment impacts which will arise as a result of the project both during the construction and operation phases. Both direct and indirect predicted impacts should be assessed and are expected to include the following:

- 6.5.1 The types of job classified (where possible) in accordance with the major and minor ASCO job classifications as used by the Australian Bureau of Statistics (Catalogue no. 1222.0) that will be generated and the number of jobs of each type.
- 6.5.2 The regional distribution of the employment impact during the construction phase of the project.
- 6.5.3 Impact on employment in all industry sectors.
- 6.5.4 The capacity of the Tasmanian workforce to meet the employment needs of the project and jobs created in other sectors as a result of the project.

6.6 Impacts on Business Activities

Critically analyse, quantify in gross/net terms and assess the likely social, economic and community impacts of the project on business activities. Positive and negative impacts are possible and particular attention should be paid to assessing proposed means by which any potential negative effects may be avoided, remedied or mitigated. Particular consideration should be given to the following:

- 6.6.1 The likely effects on business and tourist related activities in the vicinity of the proposed development, in the surrounding area, the eastern shore of Hobart and other locations within the region that may be affected.
- 6.6.2 The impact on the Tasmanian construction industry, and the capacity of the present industry, at both a regional and State level, to meet the needs of the project.

This analysis should include the construction (on-site or off-site) and supply components of the construction industry; the impact on the professional services required for the project; effects on the maintenance sector of the industry; and the extent to which project staging would benefit or otherwise the availability and use of such services.

- 6.6.3 The opportunities the proposed development may offer for the establishment of new business or expansion of existing business in Tasmania, i.e. synergistic or spin-off effects which may become possible because of the size and nature of the project.



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- 6.6.4 The extent to which construction materials and related services, and operational goods and services, should or could be sourced locally or regionally.
- 6.6.5 Any impacts on the aquaculture industry in the region.
- 6.6.6 Possible changes in the pattern of local land use, and consequent changes in land values and the viability of existing operations should be explored.
- 6.6.7 The impacts, positive and negative, on transport infrastructure and operators.

7. Social and Community Impacts

7.1 General

Critically analyse, quantify and assess social and community effects and issues for both the initial construction phase and the operational phase which are relevant to the evaluation of the project. These should include:

- 7.1.1 A summary of the social and demographic characteristics of the population living in the vicinity of the Lauderdale Quay site, within at least a 10 km radius of the proposed development site, including the whole of the peninsula to the south.
- 7.1.2 The likely direct or indirect impacts on communities in the vicinity of the development site and neighbouring and remote communities should be examined.

7.2 Social and Community Effects to be Addressed

- 7.2.1 Separate consideration should be given to the initial construction phase and the operational phase over the staged development of the project. The effects considered should include:
 - character and amenity of the surrounding marine, rural and urban area;
 - demand for land and housing;
 - property values;
 - town planning issues;
 - transport and transportation infrastructure;
 - sensitive facilities such as hospitals and nursing homes;
 - general practitioner and occupational health medical and nursing services;
 - tourism, recreational and social amenities;
 - emergency services and policing requirements;
 - advice in crime prevention through environmental design; and
 - development of security arrangements.
- 7.2.2 The way of life of the present residents of the region and the overall effect on their lifestyle, particularly with respect to ongoing participation in, and enjoyment of, Ralphs Bay, both visually and physically, and the potential effects on existing social structures and community groups in the region.
- 7.2.3 The impacts on the recreational and other uses of Ralphs Bay, including, but not limited to, windsurfing, boating, fishing and nature study.

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- 7.2.4 The impacts on schools in the region, particularly the Lauderdale Primary School, should be considered in terms of the projected changing demographics of the area affecting demand on schooling, school 'amenity', safety, security and other matters. Refer to other chapters as appropriate.
- 7.2.5 The need for ongoing consultation during the planning and construction stages with the community on matters such as hours of operation, noise and carparking, should be addressed. A plan for community consultation and engagement should be prepared which addresses the social impacts identified in section 7.2.1.
- 7.2.6 Any other issues of a social, environmental, economic or community nature which become evident as matters of public concern as a result of the public consultation program, and not dealt with elsewhere, should be analysed and assessed.
- 7.2.7 Analysis of the impacts of any restrictions on public access to the waterfront areas.

7.3 Health Impact Assessment

- 7.3.1 Throughout this guideline, refer to issues that potentially impact on or have relevance to human health. Wherever relevant, the IIS must include a review and evaluation of the potential effects of the project on human health. This must include assessment of the impact of mosquito-borne diseases and heavy metal contamination, including of seafood.

The proponent must:

- (1) Identify existing and potential health impacts;
- (2) Identify any increase in pollutants arising from the development and their effect on public health;
- (3) Identify mechanisms which will prevent negative health impacts, and promote positive health impacts of the development; and
- (4) Provide sufficient information to decision-making authorities and the public for them to make an accurate assessment of the health impacts of the development.

The enHealth Council documents: 'Health Impact Assessment Guidelines (September 2001)' and 'Environmental Health Risk Assessment – *Guidelines for assessing human health risks from environmental hazards* (June 2002)' provide an appropriate framework to assist the proponent. The Health Impact Assessment Guidelines provide a systematic approach for characterising the nature and magnitude of the risks associated with environmental health hazards.

- 7.3.2 Demonstrate that occupational health and safety issues have been taken account of in planning the proposal, including the analysis of alternatives, and that compliance with the *Workplace Health and Safety Act 1995* will be achieved.

7.4 Cultural Heritage

With respect to the proposal and its immediate environs:

- (1) Identify the following:
 - any places on the Tasmanian Aboriginal Site Index (maintained by the Aboriginal Heritage Office), including consideration of cultural landscapes;
 - any places listed on the National Heritage List and values under the EPBC Act;
 - any places listed on the Register of the National Estate and values;
 - any places listed on the Tasmanian Heritage Register (maintained by the Tasmanian Heritage Council), including consideration of cultural landscapes;
 - any places on the Tasmanian Historic Places Inventory (maintained by the Heritage Tasmania);
 - local government planning scheme heritage schedules;
 - landscapes of Aboriginal heritage or historic cultural heritage value; and
 - any other places of heritage significance.
- (2) Any cultural Aboriginal heritage surveys must, as a minimum, comply with the requirements of the *Aboriginal Heritage Survey and Recording Tasmania Draft Consultancy Brief* and the *Guidance for the Production of Aboriginal Survey Reports* prepared by the Aboriginal Heritage Office. Any approvals required under the *Aboriginal Relics Act 1975* must be identified.
- (3) Consultation with the Tasmanian Aboriginal Land and Sea Council, the Office of Aboriginal Affairs, the Aboriginal Heritage Office, as well as with Aboriginal communities, should occur before any survey of potential sites to establish regulatory requirements for heritage values, places and landscapes.
- (4) The requirements of the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* must also be considered where there is a threat of injury or desecration to an area which is significant as part of Aboriginal tradition, and potential impacts identified, assessed and managed in consultation with the traditional owners, Native Title claimants and any other indigenous people with rights and interests in the area.
- (5) Any approvals required under the *Historic Cultural Heritage Act 1995* must be identified.

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- (6) Describe the historic fabric and cultural heritage values in the context of the built environment of the Lauderdale area.
- (7) Describe and detail potential impact on the areas and values identified above and detail measures to avoid, manage and mitigate identified impacts.

7.5 Consistency with Government Policies

Analyse, quantify and assess in terms of social, economic and community impacts, how this project is consistent with relevant Government policies.

7.6 Impact of Project Not Proceeding

Critically analyse, quantify (in gross/net terms) and assess any social, economic, ecological or community effects of the project not proceeding which are not already evident from the analysis required above. Discuss the implications of partial or non-completion of major elements of the proposed development. Detail contingency alternative uses in the event of partial completion and/or, the economic failure of one or more major elements of the proposed development.

8. Monitoring

- 8.1 Monitoring programs to ascertain compliance with performance standards, quality assurance and project objectives should be described. An outline of an environmental management plan for the construction phase and for the operational phase should be prepared and attached as an appendix to the IIS.
- 8.2 The studies and monitoring programs should be designed to meet the following objectives:
- assessing the effectiveness of the environmental safeguards in achieving environmental performance standards and criteria, including water quality objectives;
 - assessing the effectiveness of measures implemented to meet the social, economic and community objectives of the project;
 - assessing the extent to which the predictions described in the IIS have eventuated; and
 - assessing the meeting of commitments as outlined in Chapter 9 and specifying procedures to address unmet commitments.
- 8.3 Based on sedimentation rates and other parameters, outline a water quality monitoring program, including baseline monitoring, for the proposed waterways that will be critical to identifying the need for dredging and other maintenance activities.
- 8.4 The IIS should outline an appropriate procedure for the periodic review and auditing of the environmental management of the project and the outputs from the monitoring program.
- 8.5 Indication should be given of provisions made in project planning for the tightening of initial environmental standards and further remedial action, should monitoring indicate that the project is causing unexpected environmental degradation. A process should be outlined for continuously improving operational performance.
- 8.6 Any plans to achieve ISO 14000 (the internationally recognised standard for how an organisation should structure and manage its environmental aspects) or equivalent certification should be outlined.

9. Commitments

9.1 Statement of Commitments

A Statement of Commitments is to be prepared listing all works and activities on and off the site intended to be carried out by the proponent. This is to include (but not limited to) the following:

9.1.1 On-site commitments

Provide a list of all major commitments including land uses, building form, structures and finishes, public facilities and access within the site and to waterfront areas, road building standards, marine structures and environmental management measures and the like, made in the IIS and means of ensuring compliance with standards set should be provided. This should include specific commitments required to promote sustainable development and to avoid, remedy, mitigate or manage undesirable social, environmental, economic or community impacts and to enhance the benefits which could flow from the project to Tasmania.

9.1.2 Off-site commitments

As above in respect of activities, works and the like intended to be implemented off the site, including (but not limited to) the following:

- the restoration of salt marshes and tidal flats to the south and south-west of the canal;
- off-site habitat creation, enhancement or restoration works (or both);
- long term maintenance of the above salt marshes, tidal flats and other nearby coastal areas affected by the development;
- infrastructure upgrades and relocation, including re-alignment of the South Arm Highway; and
- any other use or development which is necessary or convenient for the implementation of the project.

Note: Indicative timeframes for completion of the off-site commitments should be outlined.

9.2 Contingency Plans

Discuss the implications of partial or non-completion of major elements of the proposed development. Identify and detail how each construction stage will produce a viable development (including environmental, social, economic and community matters) in the event of partial completion, alteration or failure of one or more of the



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elements or stages of the proposal. Identify contingencies, alternative uses or solutions in respect of the above events.



10. Performance Bonds

Provide details of bonds or other mechanisms sufficient to ensure completion and/or rectification of any non-compliance with the commitments set out under Chapter 9.

11. Conclusion

This section must evaluate the extent to which the project furthers the objectives of Tasmania's Resource Management and Planning System. The conclusion must summarise the reasons why this proposal is an appropriate use of this site, with reference to all critical environmental, health, social, economic and community effects, both positive and negative, of the project. It must present a balanced overview of the net environmental impact of the project and the extent to which any adverse effects on the environment can be adequately avoided, remedied, mitigated or managed in the long-term. This summary must contain the proponent's commitments outlined in the IIS to mitigate and protect the environment, including the matters of national environmental significance identified under the EPBC Act. And lastly, the summary must clearly state a commitment to the preparation and application of appropriate Environmental Management Plans at both the construction and operating phases.



12. References

Details of authorities consulted, reference documents and a comprehensive annotated bibliography should be listed. Electronic versions of references should be provided to the Panel where practicable.



13. Appendices

As a means of improving readability, all detailed technical information which provides the basis of the IIS should be included in the appendices. The salient features of the appendices should be included in the main part of the text. In addition, a glossary of the principle terms used and their associated meanings should be included as an appendix.

Glossary

Term	
AQIS	Australian Quarantine and Inspection Service
CAMBA	China-Australia Migratory Bird Agreement
Commission	Resource Planning and Development Commission
EMS	Environmental Management System
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
IIS	Integrated Impact Statement
JAMBA	Japan-Australia Migratory Bird Agreement
MARPOL	Convention for the Prevention of Pollution from Ships (MARPOL)
Proponent	Walker Corporation Pty Ltd
Ramsar	The Convention on Wetlands of International Importance, signed in Ramsar, Iran, in 1971, is an intergovernmental treaty which provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.
RMPS	Resource Management and Planning System
ROKAMBA	Republic of Korea-Australia Migratory Bird Agreement

Appendix I

Objectives of the Resource Management and Planning System of Tasmania

Schedule 1, *State Policies and Projects Act 1993*

1. The objectives of the resource management and planning system of Tasmania are:
 - (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
 - (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
 - (c) to encourage public involvement in resource management and planning; and
 - (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and
 - (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

2. In item 1(a),

"sustainable development" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

 - (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
 - (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

Appendix II

Environment Protection and Biodiversity Conservation Regulations 2000 (Cwlth)

REGULATION 5.04, SCHEDULE 4

MATTERS TO BE ADDRESSED BY DRAFT PUBLIC ENVIRONMENT REPORT AND ENVIRONMENTAL IMPACT STATEMENT

- 1 General Information
 - 1.01 The background of the action including:
 - (a) the title of the action;
 - (b) the full name and postal address of the designated proponent;
 - (c) a clear outline of the objective of the action;
 - (d) the location of the action;
 - (e) the background to the development of the action;
 - (f) how the action relates to any other actions (of which the proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region affected by the action;
 - (g) the current status of the action;
 - (h) the consequences of not proceeding with the action.

- 2 Description
 - 2.01 A description of the action, including:
 - (a) all the components of the action;
 - (b) the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;
 - (c) how the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts;
 - (d) relevant impacts of the action;
 - (e) proposed safeguards and mitigation measures to deal with relevant impacts of the action;
 - (f) any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;
 - (g) to the extent reasonably practicable, any feasible alternatives to the action, including:
 - (i) if relevant, the alternative of taking no action;
 - (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action;
 - (iii) sufficient detail to make clear why any alternative is preferred to another;
 - (h) any consultation about the action, including:
 - (i) any consultation that has already taken place;
 - (ii) proposed consultation about relevant impacts of the action;

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- (iii) if there has been consultation about the proposed action – any documented response to, or result of, the consultation;
- (i) identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

3 Relevant Impacts

3.01 Information given under paragraph 2.01 (d) must include:

- (a) a description of the relevant impacts of the action;
- (b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;
- (c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- (d) analysis of the significance of the relevant impacts;
- (e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

4 Proposed Safeguards and Mitigation Measures

4.01 Information given under paragraph 2.01 (e) must include:

- (a) a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;
- (b) any statutory or policy basis for the mitigation measures;
- (c) the cost of the mitigation measures;
- (d) an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;
- (e) the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;
- (f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the proponent.

5 Other Approvals and Conditions

5.01 Information given under paragraph 2.01 (f) must include:

- (a) details of any local or State government planning scheme, or plan or policy under any local or State government planning system that deals with the proposed action, including:
 - (i) what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy;
 - (ii) how the scheme provides for the prevention, minimisation and management of any relevant impacts;
- (b) a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the Act), including any conditions that apply to the action;
- (c) a statement identifying any additional approval that is required;
- (d) a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

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- 6 Environmental Record of Person Proposing to Take the Action
 - 6.01 Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:
 - (a) the person proposing to take the action; and
 - (b) for an action for which a person has applied for a permit, the person making the application.
 - 6.02 If the person proposing to take the action is a corporation — details of the corporation’s environmental policy and planning framework.
- 7 Information Sources
 - 7.01 For information given in a draft public environment report or environmental impact statement, the draft must state:
 - (a) the source of the information; and
 - (b) how recent the information is; and
 - (c) how the reliability of the information was tested; and
 - (d) what uncertainties (if any) are in the information.

Appendix III

Land Use Planning and Approvals Act 1993 – Part 2, Schedule 1 –

Objectives of the Planning Process Established by this Act

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule:

- (a) to require sound strategic planning and co-ordinated action by State and local government; and
- (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and
- (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and
- (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and
- (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and
- (f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and
- (i) to provide a planning framework which fully considers land capability.

Appendix IV

Living Marine Resources Management Act 1995

Section 4. Meaning of fish

(1) Fish is any aquatic organism of any species, whether dead or alive, which, in the normal course of events, spends part or all of its life in the aquatic environment.

(2) Fish includes –

- (a) bony fishes of the class *Osteichthyes*; and
- (b) sharks, rays, lampreys and other cartilaginous fishes of the classes *Chondrichthyes* and *Agnatha*; and
- (c) aquatic reptiles; and
- (d) sea squirts and other aquatic chordates; and
- (e) sea-stars, sea-urchins, sea-cucumbers and other echinoderms; and
- (f) lobsters, crabs, prawns and other aquatic arthropods; and
- (g) bristle worms, fan worms, arrowworms and other aquatic annelids, chaetognaths, nematodes, nemerteans and platyhelminths; and
- (h) squid, oysters, abalone and other aquatic molluscs and brachiopods; and
- (i) seafans, sponges, corals, jelly-fish, salps and other bryozoans, poriferans, coelenterates and ctenophores; and
- (j) protozoans and bacteria; and
- (k) seagrass, seaweed and other aquatic vascular plants, algae, diatoms, euglenoids and any other marine plants.

(3) A reference to fish includes –

- (a) the eggs, spat, spawn, seeds, spores, larvae or other offspring of an aquatic organism; and
- (b) a shell containing fish or any other part derived from an aquatic organism; and
- (c) raw, cooked, dismembered, frozen, preserved, salted or otherwise processed fish; and
- (d) any other saltwater product declared by the regulations to be a fish for the purpose of any provision of this Act.

(4) Fish does not include –

- (a) a whale as defined in the *Whales Protection Act 1988*; or
- (b) any aquatic mammal or aquatic bird; or
- (c) freshwater fish within the meaning of the *Inland Fisheries Act 1995*.

Appendix V

National Parks and Reserves Management Act 2002

SCHEDULE 1 - Objectives for management of reserved land

5. Conservation area The following objectives:
- (a) to conserve natural biological diversity;
 - (b) to conserve geological diversity;
 - (c) to preserve the quality of water and protect catchments;
 - (d) to conserve sites or areas of cultural significance;
 - (e) to provide for the controlled use of natural resources, including as an adjunct to utilisation of marine resources;
 - (f) to provide for exploration activities and utilisation of mineral resources;
 - (g) to provide for the taking, on an ecologically sustainable basis, of designated game species for commercial or private purposes, or both;
 - (h) to provide for other commercial or industrial uses of coastal areas;
 - (i) to encourage education based on the purposes of reservation and the natural or cultural values of the conservation area, or both;
 - (j) to encourage research, particularly that which furthers the purposes of reservation;
 - (k) to protect the conservation area against, and rehabilitate the conservation area following, adverse impacts such as those of fire, introduced species, diseases and soil erosion on the conservation area's natural and cultural values and on assets within and adjacent to the conservation area;
 - (l) to encourage appropriate tourism, recreational use and enjoyment (including private uses) consistent with the conservation of the conservation area's natural and cultural values;