



Anscape Pty Ltd
c/o Brian Clarke
PO Box 1052
BROADBEACH Qld 4218

Dear Mr Clarke

**Further information required for preliminary documentation
Turtle Cove Retirement Village 3, River Heads, Queensland**

I am writing to you in relation to your proposed action, to construct and operate a retirement village, associated infrastructure and facilities at River Heads, Queensland.

On 23 November 2021, a delegate of the Minister for the Environment decided that the proposed action is a controlled action due to likely significant impacts on:

- Ramsar wetlands (sections 16 and 17B);
- Listed threatened species and communities (sections 18 and 18A); and
- Listed migratory species (sections 20 and 20A).

On the same date it was determined that the proposed action would be assessed by preliminary documentation.

Further information will be required to be able to assess the relevant impacts of the proposed action. In accordance with section 95A(2) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), details outlining the further information required are at [Attachment A](#).

Details on the assessment process and the responsibilities of the proponent are set out in our fact sheet EPBC Act — Environment Assessment process (see attached). Further information is available from the department's website at <http://www.environment.gov.au/epbc>.

If you have any questions about the assessment process or the further information required, please contact the project manager, Damien O'Connor, by email to damien.o'connor@environment.gov.au and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Rod Dann
Director
Queensland North Assessments Section
20 December 2021

Turtle Cove Retirement Village 3, River Heads, Queensland (EPBC 2021/9054)

Further information required for assessment by preliminary documentation

Preliminary documentation for the proposal will include:

- The information contained in the referral;
- The further information you provide on the impacts of the action and the strategies you propose to avoid, mitigate and offset those impacts (as described below); and
- Any other relevant information on the matters protected by the EPBC Act.

The preliminary documentation should be sufficient to allow the Minister (or delegate) to make an informed decision on whether to approve, under Part 9 of the EPBC Act, the taking of the action for the purposes of each controlling provision.

The preliminary documentation must address the matters set out below and follow the content, style and formatting requirements set out in [Appendix A](#).

1 DESCRIPTION OF THE ACTION

Information required

All construction and operational components of the proposed action must be described in detail. This should include the precise location of all works to be undertaken and structures to be built. The information must include:

- a detailed discussion of each component of the proposed action, including, but not limited to:
 - the maximum number of independent living units (ILUs), including building density;
 - the size/capacity and location of the sewerage treatment plant, including whether any ancillary infrastructure will be required;
 - the proposed fauna exclusion fencing (including dimensions);
 - the anticipated timing and duration (including start and completion dates) of construction works for each component;
 - a description of the operational requirements of the proposed action, including any anticipated maintenance works;
 - if any components were included in the referral, but are no longer part of the proposed action, clarification as to the revised scope of the proposed action;
- the total size (in hectares) of the project site and the total size (in hectares) of the development area;
- setbacks at the boundary of the development area;
- location and extent of all waterways and drainage paths, detailing water runoff and management;
- a discussion of any potential future changes to the development that are likely to change the nature or scale of environmental impacts; and
- detailed and appropriately scaled map(s) and shape files (.shp) of the project area that include:
 - project area boundaries;

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- the layout plan with development area boundaries and each component of the proposed action clearly marked;
- any adjoining areas that may be indirectly impacted by the proposed action, including any principal features of the immediate area (e.g. riverbanks, sandbanks);
- coordinates;
- the highest astronomical tide (HAT) line; and
- the proposed 250 m buffer from the HAT.

2 IMPACT ASSESSMENT

Background

The preliminary documentation must include an assessment of potential impacts (including direct, indirect, facilitated and cumulative impacts) that may occur as a result of all components and phases of the proposed action (e.g. construction and operation) on the protected matters below. Impacts must be assessed in accordance with relevant departmental policies and guidelines, and the information available in the Species Profile and Threats (SPRAT) Database.

Consideration of impacts must not be confined to the immediate area of the proposed action but must also consider the potential of the proposed action to impact on adjacent areas that are likely to contain populations of, or habitat for, protected matters.

Based on the information provided in your referral, and other available information, the department considers that the following protected matters may be significantly impacted by the proposed action.

Migratory shorebirds:

- Eastern Curlew (*Numenius madagascariensis*) – migratory, critically endangered; and
- Bar-tailed Godwit (*Limosa lapponica*) – migratory.

Marine species:

- Dugong (*Dugong dugon*) – migratory;
- Australian Humpback Dolphin (*Sousa sahalensis*) – migratory;
- Flatback Turtle (*Natator depressus*) – migratory, vulnerable;
- Green Turtle (*Chelonia mydas*) – migratory, vulnerable;
- Hawksbill Turtle (*Eretmochelys imbricata*) – migratory, vulnerable; and
- Loggerhead Turtle (*Caretta caretta*) – migratory, endangered.

Wetlands of international importance:

- Great Sandy Strait (GSS) Ramsar wetlands.

General requirements

All potential impacts must be identified and assessed in detail. This information must include, but not be limited to:

- an assessment of the likely impacts associated with the construction, operation and maintenance of the proposed action;

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- an assessment of the likely duration of impacts to protected matters as a result of the proposed action;
- a discussion of whether the impacts are likely to be repeated, for example as part of maintenance;
- an analysis of the significance of the relevant impacts; and
- a statement of whether any impacts are likely to be unknown, unpredictable or irreversible.

Specific requirements

Address the following construction and operation impacts to the above protected matters, which have been identified by the department based on the referral and other available information:

- visual, noise and light disturbances;
- disturbance from increased human traffic during operation, including, but not limited to:
 - increased anthropogenic activities such as bird watching, boating and fishing;
 - an increased presence of dogs and other animals;
 - illegal rubbish dumping and litter;
 - increased risk of boat strike;
- an increase in the volume, frequency and duration of water flowing from the project site (e.g. as a result of increased impervious surfaces and any altered drainage flows) into the GSS Ramsar site, likely to carry sediment, nutrients and other pollutants/contaminants that may reduce water quality;
- impacts to the GSS Ramsar site associated with the disturbance of acid sulphate soils in the project area;
- changes to water quality or hydrology; and
- impacts associated with sewerage treatment, including the treatment and disposal (or reuse) of effluent.

3 AVOIDANCE, MITIGATION AND MANAGEMENT MEASURES

Background

Avoidance and mitigation measures are the primary methods of eliminating and reducing significant impacts on MNES. Where possible and practicable, it is best to avoid impacts. If impacts cannot be avoided, then they should be minimised or mitigated as much as possible. Avoidance and mitigation measures must be investigated thoroughly as part of the assessment and be supported by evidence to demonstrate likely success.

Management commitments by the person proposing to take the action must be clearly distinguished from recommendations or statements of best practice made by the document author or other technical expert.

The SPRAT Database and relevant departmental documentation may provide relevant mitigation measures regarding protected matters.

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General requirements

Provide further detailed information on the mitigation and management measures that will be implemented to address the impacts identified, including, but not limited to, the following:

- A detailed summary of the measures proposed to be undertaken to avoid, mitigate and manage relevant impacts of the proposed action on relevant protected matters, including those required by other Commonwealth, state and local government approvals.
- The proposed measures must be based on best available practices, appropriate standards, evidence of success for other similar actions and supported by published scientific evidence.
- All proposed measures must be drafted to meet the 'S.M.A.R.T.' principle:
 - S – Specific (what and how)
 - M – Measurable (baseline information, number/value, auditable)
 - A – Achievable (timeframe, money, personnel)
 - R – Relevant (conservation advices, recovery plans, threat abatement plans)
 - T – Time-bound (specific timeframe to complete)
- Details of specific and measurable environmental outcomes to be achieved for relevant protected matters. All commitments must be drafted using committal language (e.g. 'will' and 'must') when describing the proposed measures.
- An assessment of the expected or predicted effectiveness of the proposed measures.
- Any statutory or policy basis for the proposed measures, including reference to the SPRAT Database, the *National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds* and any relevant approved conservation advices, relevant recovery plans and threat abatement plans.
- Details of ongoing management, including monitoring programs to support an adaptive management approach, validate the effectiveness of the proposed measures and overall demonstrate that the environmental outcomes will be achieved.
- Details of tangible, on-ground corrective actions that will be implemented in the event the monitoring programs indicate that the environmental outcomes have not or will not be achieved.
- Information on the timing, frequency and duration of the proposed avoidance, mitigation, management and monitoring measures, and corrective actions to be implemented.

Specific requirements

With consideration of the revised project footprint, provide further detailed information of:

- stormwater quality controls and management proposed to treat runoff from the development, including details and location of any proposed rain and stormwater retention and storage;
- anticipated solid and hazardous waste generation and proposed management approach, including the proposed sewerage management plan;
- proposed wastewater management measures, including treatment and disposal processes;
- the proposed fauna exclusion fence, including the anticipated effectiveness in mitigating visual and noise disturbance to protected matters;

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- any proposed mitigation and management measures to address the potential increase in human and animal traffic in the area;
- any proposed management measures for the keeping of domestic pets, with a focus on dogs and cats;
- any proposed biting midge management measures, including consideration of any associated impacts to protected matters from insecticide use;
- proposed avoidance, mitigation and management measures of potential or actual acid sulphate soils in the project area;
- the proposed avoidance area, including evidence of how the HAT line and proposed 250 m has been determined;
- any intended use of the proposed buffer area and the intention and responsibility placed on managing the area both above and below the HAT; and
- any proposed 'reconfiguration of a lot' or other such mechanism proposed for the avoidance area. Include a detailed and appropriately scaled map(s) that clearly illustrates the boundaries of any such reconfiguration, including the proposed demarcation between freehold land (including any proposed development free buffer), unallocated state land and reserve land, etc.

The draft preliminary documentation must include an assessment of the likelihood of residual significant impacts occurring on the relevant protected matters, after avoidance, mitigation and management measures have been applied.

4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The preliminary documentation must provide a description of how the proposed action meets the principles of ESD, as defined in section 3A of the EPBC Act.

More information on ESD is available at www.environment.gov.au/about-us/esd/publications/national-esd-strategy.

5 ECONOMIC AND SOCIAL MATTERS

Information required

The economic and social impacts of the proposed action, both positive and negative, must be analysed and provided, including:

- details of any public consultation activities undertaken and their outcomes;
- identification of affected parties, including a statement mentioning any communities that may be affected and describing their views;
- details of any consultation with Indigenous stakeholders;
- projected economic costs and benefits of the proposed action, including the basis for their estimate through cost/benefit analysis or similar studies; and
- employment opportunities expected to be generated by the project (including construction and operational phases).

6 ENVIRONMENTAL RECORD OF THE PERSON PROPOSING TO TAKE THE ACTION

Information required

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Include details of any past or present proceedings under a Commonwealth, state or territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- the person proposing to take the action;
- for an action for which a person has applied for a permit, the person making the application;
- if the person is a body corporate—the history of its executive officers in relation to environmental matters; and
- if the person is a body corporate that is a subsidiary of another body or company (the parent body)—the history in relation to environmental matters of the parent body and its executive officers.

7 OTHER APPROVALS AND CONDITIONS

Information required

Include information on any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action. This must include:

- 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:
 - what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy; and
 - how the scheme provides for the prevention, minimisation and management of any relevant impacts.
- a description of any approval that has been obtained from a state, territory or Commonwealth agency or authority (other than an approval under the EPBC Act), including any conditions that apply to the action;
- a statement identifying any additional approval that is required; and
- a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

APPENDIX A: Preliminary documentation content, style and formatting requirements

1. Content requirements

The preliminary documentation must:

- Be a stand-alone document containing sufficient information to avoid the need to search out previous or supplementary reports.
- Enable interested stakeholders and the Minister to easily understand the consequences of the project on matters of national environmental significance (MNES).
- Be written so that any conclusions reached can be independently assessed. Include all key claims, findings, proposals and undertakings in the main document.
- Refer to all relevant standards, policies and other guidance material published by the department. Any instances where published guidance is not followed must be justified. Where no Commonwealth standards exist, state government and industry standards may be useful.
- Include the names, roles and qualifications (where relevant) of all persons involved in preparing the preliminary documentation.
- Include a copy of this request for information and a cross-reference table indicating where the information fulfilling this request is included in the preliminary documentation (e.g. Section 4.2.2 and Appendix A, Chapter 2.1).
- State the following for all information provided:
 - The source and date of the information.
 - How the reliability of the information was tested.
 - The uncertainties (if any) in the information.
 - The guidelines, plans, and/or policies considered.

2. Format and style requirements

The preliminary documentation must:

- Be in a suitable format to be published in hardcopy (A4 or A3 size, with maps and diagrams in A4 or A3 size and in colour) and published in electronic format (e.g. MSWord or PDF) on the internet.
- Include detailed technical information, studies or investigations necessary to support the information in the stand-alone document as appendices.
- Be objective, clear, succinct, avoid technical jargon and, where appropriate, be supported by maps, plans, diagrams, data or other descriptive detail.
- Reference all sources and ensure that other supporting documents (e.g. academic studies, regulatory standards) are publicly accessible, with electronic links provided where possible.
- Redact the contact details of departmental officers.
- Not contain any commercial in confidence markings. If the preliminary documentation contains sensitive information, please discuss this with the assessment officer.