



# **GUIDELINES**

## **For the preparation of an**

### **ENVIRONMENTAL**

### **IMPACT STATEMENT**

### **For the Ceduna Keys Marina and Community Centre Proposal**

by the Ceduna Marina Development Company







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## **ENVIRONMENTAL IMPACT STATEMENT**

**For the Ceduna Keys Marina and  
Community Centre Proposal**

by the Ceduna Marina Development Company

**Major Developments Panel  
South Australia**

[www.planning.sa.gov.au/md\\_panel](http://www.planning.sa.gov.au/md_panel)

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### **Appendix A SA Development Act, Section 46B, EIS Process**



# 1 INTRODUCTION

- 1.1 On 23 October 2003, the Minister for Urban Development & Planning ('the Minister') made a declaration in the Government Gazette for the proposed Ceduna Keys Marina and Community Centre proposal, to be assessed as a Major Development under the provisions of Section 46 of the *Development Act 1993*.
- 1.2 The proposed development is a multi-component commercial/recreational marina facility, associated waterfront residential development and community centre, on land located immediately north of the Ceduna township.
- 1.3 The Major Developments Panel (the Panel) is an independent statutory authority that has the task of determining the appropriate form of assessment for a Major Development, and setting Guidelines for the requisite documentation. To assist in this process, the Panel produced an Issues Paper on the proposal and invited public and Government Agency comment. The date by which the public could make a submission on the Issues Paper has closed, but the Issues Paper can still be accessed free of charge to obtain further information about the proposal at Planning SA, and the District Council of Ceduna. It can also be viewed at Planning SA's 'Major Developments Panel' website: [http://www.planning.sa.gov.au/md\\_panel/index.html](http://www.planning.sa.gov.au/md_panel/index.html)
- 1.4 Following consideration of all public and government submissions, the Panel has determined that the proposal will be subject to the processes and procedures of an Environmental Impact Statement (EIS), as set out in Section 46B of the *Development Act 1993*, for the following reasons:
  - 1.4.1 The magnitude of the development and the range of activities proposed (including residential, tourism, recreational, commercial and semi-industrial uses)
  - 1.4.2 The general sensitivity of the coastal location
  - 1.4.3 The potential impacts on coastal processes, the marine environment (including offshore islands) and the community
  - 1.4.4 Significant infrastructure requirements, especially the provision of an adequate water supply
  - 1.4.5 The economic implications and sustainability of the proposal
- 1.5 The Panel has now prepared Guidelines for the proposed Ceduna Keys Marina and Community Centre based on the significant issues relating to the proposed development and taking into consideration the issues raised in the submissions. The EIS should be prepared in accordance with these Guidelines and should describe what the proponent wants to do, what the environmental effects will be and how the proponent plans to manage the project.
- 1.6 A further opportunity for public comment will occur when the completed EIS is released for public exhibition. At that time, an advertisement will be placed in *The Advertiser* and the relevant local newspaper to indicate where the EIS is available,

and the length of the public exhibition period. During the exhibition period, written submissions on the proposal can be made to the Minister for Urban Development & Planning, the Hon. Trish White, MP.

- 1.7 The Panel's role in the assessment process is now fulfilled. The Minister will continue with the assessment process under Section 46 of the *Development Act 1993* from this point. The object of Section 46 is to ensure that matters affecting the environment, the community or the economy to a significant extent, are fully examined and taken into account in the assessment of this proposal.
- 1.8 The documentation and the analyses from the assessment process will then be used by the Governor in the decision-making process, under Section 48 of the *Development Act 1993*, to decide whether the proposal can be approved, and the conditions that will apply.

## **2 BACKGROUND**

- 2.1 The proponent of the proposed Ceduna Keys Marina and Community Centre is the Ceduna Marina Development Company.
- 2.2 The Ceduna Marina Development Company now proposes to establish a combined 'working harbour' for the commercial fishing/aquaculture industry and waterfront residential sub-division, with associated commercial/semi-industrial, tourist and public recreational facilities. The proposal would progressively be developed in 12 stages over a 10 - 15 year period.
- 2.3 On 23 October 2003, the Minister for Urban Development & Planning made a declaration in the Government Gazette for the proposed development to be assessed as a Major Development under the provisions of Section 46 of the *Development Act 1993*.
- 2.4 The Panel has determined that the proposal will be subject to the processes and procedures of an Environmental Impact Statement (EIS), as set out in Section 46B of the *Development Act 1993*.
- 2.5 The proponent has been advised by the Minister for Urban Development & Planning that an Environmental Impact Statement is required to assist the Government in assessing the environmental, social and economic impacts of the proposal. An EIS is to be prepared by the proponent, which will describe what the proponent wants to do, what the impacts will be and how the proponent plans to manage the impacts of the project.
- 2.6 The Panel has prepared these Guidelines for the proponent based on the significant issues relating to the proposed development. These Guidelines identify the issues associated with the proposal that must be addressed in the EIS. To assist in determining the significant issues, an Issues Paper was released for public and agency comment. This period for comment closed on 20 May 2004. In preparing the Guidelines, the Panel has considered the issues raised in the submissions.
- 2.7 A further opportunity for public comment will occur when the completed EIS is released for comment. At that time, an advertisement will be placed in *The Advertiser* and the relevant local newspaper to indicate where the EIS document is available and the length of the public exhibition period, during which time written submissions can be made to the Minister for Urban Development & Planning. A public meeting will also be held during the exhibition period and this will also be advertised in *The Advertiser* and the relevant local newspaper.



### **3 THE ENVIRONMENTAL IMPACT STATEMENT PROCESS**

- 3.1 An EIS, as defined in Section 46B of the *Development Act 1993*, includes a description and analysis of issues relevant to the development and the means by which those issues can be addressed.
- 3.2 The EIS should detail the expected environmental, social and economic effects of the development. The EIS must consider the extent to which the expected effects of the development are consistent with the provisions of any Development Plan, the Planning Strategy and any matter prescribed by the Regulations under the *Development Act 1993*. The EIS should also state the proponent's commitments to meet conditions (if any) placed on any approval that may be given to avoid, mitigate or satisfactorily control and manage any potential adverse impacts of the development on the environment. Further to this, any other information required by the Minister must be considered.
- 3.3 In preparing the EIS, the proponent should bear in mind the following aims of the EIS and public review process:
  - 3.3.1 To provide a source of information from which interested individuals and groups may gain an understanding of the proposal, the need for the proposal, the alternatives, the environment which would be affected, the impacts that may occur and the measures to be taken to minimise these impacts.
  - 3.3.2 To provide a forum for public consultation and informed comment on the proposal.
  - 3.3.3 To provide a framework within which decision-makers may consider the environmental aspects of the proposal in parallel with social, economic, technical and other factors.
- 3.4 Following the release of the Guidelines adopted by the Panel:**
  - 3.4.1 An EIS must be prepared by the proponent in accordance with these Guidelines.
  - 3.4.2 An EIS is then referred to any prescribed authority or body, and to other relevant authorities or bodies for comment.
  - 3.4.3 Public exhibition of the EIS document by advertisement is undertaken for a least 30 business days. Written submissions are invited.
  - 3.4.4 A public meeting is held in the locality by Planning SA during the period for making submissions to provide information on the development or project, to explain the EIS document and processes, and to assist interested persons to make submissions under the *Development Act 1993*.
  - 3.4.5 Copies of the submissions from the public and other relevant agencies will be given to the Ceduna Marina Development Company (the proponent) soon after closing of the public comment period.

- 3.4.6 The proponent must then prepare a written response in a ‘Response Document’ to the matters raised by the Minister or any prescribed or specified authority or body and the public.
- 3.4.7 The Minister then prepares an Assessment Report taking into account any submissions and the proponent’s response to them. Comments from any other authority or body may be considered as the Minister thinks fit.
- 3.4.8 The Assessment Report and the Response Document are to be kept available for inspection and purchase at a place and period determined by the Minister. Availability of each of these documents will be notified by advertisements in *The Advertiser* newspaper and local press.
- 3.4.9 A copy of the EIS, the Response Document prepared by the proponent and the Assessment Report will be given to the District Council of Ceduna for distribution purposes.
- 3.4.10 The Governor is the relevant decision maker under Section 48 of the *Development Act 1993*, when a development application is subject to the EIS process.
- 3.4.11 In arriving at a decision, the Governor must have regard to:
- Provisions of the appropriate Development Plan and regulations
  - If relevant, the Building Rules
  - The Planning Strategy
  - EIS and Assessment Report
  - If relevant, the *Environment Protection Act 1993*.

## **4 THE ENVIRONMENTAL IMPACT STATEMENT DOCUMENT**

- 4.1 The Guidelines set out the major issues associated with the proposal and their degree of significance as determined by the Panel. It describes each issue and then outlines the way that these issues should be dealt with in the Environmental Impact Statement.
- 4.2 In these Guidelines the terms “description” and other similar terminology should be taken to include both quantitative and qualitative materials as practicable and meaningful. Similarly, adverse and beneficial effects should be presented in a quantitative and/or qualitative terms as appropriate.
- 4.3 The main text of the EIS should be clear and precise and presented in terms that are readily understood by the general reader. Technical details should be included in the appendices so that the EIS forms a self-contained entity.
- 4.4 The document should give priority to the major issues associated with the proposal. Matters of lesser concern should be dealt with only to the extent required to demonstrate that they have been considered to assist in focussing on the major issues.

### **4.5 The following should be included in the EIS:**

#### **4.5.1 SUMMARY**

- 4.5.2 The EIS should include a concise summary of the matters set out in section 46B of the *Development Act 1993* and include all aspects covered under the headings set out in the Guidelines below, in order for the reader to obtain a quick but thorough understanding of the proposal and the resulting environmental impact.

#### **4.5.3 INTRODUCTION**

The introduction to the EIS should briefly cover the following:

- Background to, and objectives of, the proposed development.
- Details of the proponent.
- Staging and timing of the proposal, including expected dates for construction and operation.
- Relevant legislative requirements and approval processes.
- Purpose and description of the EIS process.

#### **4.5.4 NEED FOR THE PROPOSAL**

The Introduction to the EIS should briefly cover the following:

- The specific objectives that the proposal is intended to meet, including market requirements.
- Expected local, regional and state benefits and costs, including those that cannot be adequately described in monetary or physical terms (eg. effects on aesthetic amenity), and

- A summary of environmental, economic and social arguments to support the proposal, including the consequences of not proceeding with the proposal.

#### 4.5.5 DESCRIPTION OF THE PROPOSAL

The description of the proposal should cover a description of the existing environment, the nature of the proposal and the location, construction and commissioning timeframes, and a description of construction, operation, maintenance and monitoring practices and techniques. This should include reference to the location, layout, elevation and appearance of structures (and buildings where relevant), an indicative land division plan, a description of easements and infrastructure requirements and availability. A discussion of management arrangements for the construction and operational stages should be provided.

### 4.6 The EIS must include the following:

#### 4.6.1 ASSESSMENT OF EXPECTED ENVIRONMENTAL, SOCIAL AND ECONOMIC EFFECTS

The assessment of effects should include all issues identified in Section 5 of these Guidelines.

#### 4.6.2 CONSISTENCY WITH GOVERNMENT POLICY

The *Development Act 1993* requires the EIS to state its consistency with the relevant Development Plan and Planning Strategy.

#### 4.6.3 AVOIDANCE, MITIGATION, MANAGEMENT AND CONTROL OF ADVERSE EFFECTS

The proponent's commitments to meet conditions to avoid, mitigate, satisfactorily manage and/or control any potentially adverse impacts of the development on the physical, social or economic environment must be clearly stated as part of the EIS.

The design of the proposal should be flexible enough to incorporate changes to minimise any impacts highlighted by this evaluation or by post-operation monitoring programs.

### 4.7 The EIS should provide the following additional information:

#### 4.7.1 SOURCES OF INFORMATION

The sources of information (eg reference documents, literature services, research projects, authorities consulted) should be fully referenced, and reference should be made to any uncertainties in knowledge. Where judgments are made, or opinions given, these will need to be clearly identified as such, and the basis on which these judgments or opinions are made will need to be justified. The expertise of those

making the judgments including the qualifications of consultants and authorities should also be provided.

#### 4.7.2 APPENDICES

Technical and additional information relevant to the EIS that is not included in the text should be included in the appendices (maps, graphs, tables, photographs, reports etc). A glossary may also be appropriate.

The design of the proposal should be flexible enough to incorporate changes to minimise any impacts highlighted by this evaluation or by post-operation monitoring programs.

#### 4.7.3 OTHER

Appropriate drawings, including plans and elevations, are needed for a decision to be made. As much information as possible is required of the design and layout of the proposal.



## **5 THE MAIN ISSUES**

### **5.1 THE PROPOSAL**

- 5.1.1 Describe the need for the proposed development, including the reasons for its proposed location and staging.
- 5.1.2 Assess the “do nothing” option.

### **5.2 ENVIRONMENTAL ISSUES**

#### ***Coastal***

- 5.2.1 Outline the visual effects on the coast of the development in this locality generally.
- 5.2.2 Describe the effect of land reclamation and construction of the breakwaters and entrance channel on seagrass and sand movement on the coast.
- 5.2.3 Outline management and rehabilitation measures for impacts on the coast.
- 5.2.4 Describe the effect of the development on terrestrial and marine native flora and fauna.
- 5.2.5 Identify measures to minimise vegetation clearance, including incorporating remnant stands in the layout design, and to compensate for the loss of native vegetation and habitat.
- 5.2.6 Detail the measures to protect dunes, tidal flats and beach during and after construction, including buffers.
- 5.2.7 Describe the general impact of increased recreational and commercial boating.

#### ***Water***

- 5.2.8 Outline measures to protect and maintain suitable water quality in waterways, particularly the management of run-off and the control of pollutant and micro-organism sources.
- 5.2.9 Detail how sufficient water turn-over rates and flushing will be achieved for the marina basin and waterways.
- 5.2.10 Describe the impact that water discharged from the development would have on the health of fish and other marine species.
- 5.2.11 Outline measures to protect and monitor water quality in the marine environment from commercial fishing/aquaculture activities, including maintenance and repair.

- 5.2.12 Describe the approach to water sustainability, including ways in which mains water supply use can be minimised or supplemented and opportunities for reducing and recycling water, particularly stormwater.
- 5.2.13 Describe water sensitive urban design measures and uses of wastewater that could be adopted.
- 5.2.14 Outline measures to protect and maintain suitable water quality in the constructed wetlands.

#### ***Groundwater and Land Contamination***

- 5.2.15 Describe the known existing groundwater and land related environmental conditions, including possible contamination sources.
- 5.2.16 Describe the short and long term effects of constructing channels and basins on land and/or groundwater quality and movement.
- 5.2.17 Describe stormwater and wastewater management and the potential impact on land and/or groundwater.
- 5.2.18 Detail the measures to be taken to manage and monitor groundwater resources.

#### ***Management***

- 5.2.19 Describe the sewage disposal and rubbish collection systems for commercial and recreational boats and the potential for incorporating recycling and resource recovery.
- 5.2.20 Outline waste management strategies for households and tourist facilities and the potential for incorporating recycling and resource recovery.
- 5.2.21 Detail arrangements for managing solid waste, black water and grey water.
- 5.2.22 Describe the use of amenity/landscape plantings and broad scale revegetation, including the opportunities for the use of locally endemic species.
- 5.2.23 Describe how the spread of pest plants and animals within and around the development would be managed.
- 5.2.24 Describe the risk of causing or exacerbating any environmental problems in the locality, and describe mitigation measures and their expected effectiveness.
- 5.2.25 Outline the effects of boating traffic and additional people on the surrounding environment and how impacts would be managed, particularly for environmentally sensitive offshore islands.
- 5.2.26 Describe the design and management requirements for the constructed wetlands to maintain suitable water quality and healthy ecosystems and to control pests and vectors of human disease (especially mosquitoes).

- 5.2.27 Identify the implications for maintenance dredging, including disposal options and impacts on the environment and community.

***General***

- 5.2.28 Detail the scope of investigations required to include in an environmental management plan.
- 5.2.29 Describe how all potential sources of air pollution (especially dust) would be controlled and monitored, including measures for the reduction or elimination of dust.
- 5.2.30 Provide information on the expected levels of environmental noise associated with the operation of the facility, 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 wider locality.
- 5.2.31 Describe the benefits of the proposal to the local environment.
- 5.2.32 Detail measures for rehabilitating the coastal estuary into a waterbody that would function for both recreational/commercial uses and as a natural ecosystem, particularly the establishment of a suitable hydrological regime.
- 5.2.33 Detail measures to ensure that residential, recreational and commercial activities would be conducted in an environmentally sustainable manner, particularly to protect water quality.
- 5.2.34 Identify opportunities for energy conservation.

**5.3 EFFECTS ON COMMUNITIES**

- 5.3.1 Outline the size and source of the construction workforce and identify how accommodation requirements would be met.
- 5.3.2 Detail opportunities for Aboriginal employment.
- 5.3.3 Describe the effect on visual amenity and landscape quality, especially the effects of the built form of structures (including the breakwater, earthworks and power lines) and impact on the coastal environment, particularly as viewed from the Ceduna township.
- 5.3.4 Identify impacts on local amenity, including the potential build up of seagrass on adjoining beaches.
- 5.3.5 Outline the expected character of the residential development, including the likely demographics of the marina community, provision of affordable housing, accessibility (especially for people with disabilities), opportunities for passive recreation and crime prevention initiatives.

- 5.3.6 Describe how the proposal would be integrated with the Ceduna township.
- 5.3.7 Identify the effects on the existing character and lifestyle of Ceduna, including existing cultural and heritage values of the area.
- 5.3.8 Outline the traffic generation and truck movements to and from the site and their hours of operation during the construction period, particularly the impact on the Eyre Highway.
- 5.3.9 Outline the impact of rerouting the Eyre Highway and Denial Bay Road, particularly the effect on adjoining landowners and existing businesses and the relocation of the Quarantine inspection station.
- 5.3.10 Describe the implications for the full range of public and private service providers including health, aged care, education, transport and recreation to support the development in the short, medium and longer term.
- 5.3.11 Detail the consequences of establishing a safe haven for the recreational and commercial boating fraternities.
- 5.3.12 Outline the impact on existing tourism and recreation activities and infrastructure, including integration with the existing golf course.
- 5.3.13 Describe the impact on local and regional land uses, such as shellfish aquaculture.
- 5.3.14 Describe the potential impact of adjoining land uses on the development.
- 5.3.15 Describe the impact on the nearby Aboriginal homeland settlement, particularly access to the Ceduna township and school bus routes.
- 5.3.16 Describe the land tenure arrangements for the marina and the opportunities for commercial, private recreational or public access to berths, launching facilities or other associated facilities.
- 5.3.17 Outline the location and availability of public facilities including telephones, toilets, showers and the lighting of public areas.
- 5.3.18 Describe the benefit and amenity improvements due to infrastructure changes.
- 5.3.19 Describe how access to the public foreshore would be maintained, enhanced and managed.
- 5.3.20 Detail attenuation measures to minimise the noise emission impacts of potentially incompatible uses within the development.
- 5.3.21 Identify the impact of the rerouted Eyre Highway and railway line on the amenity of residents and visitors of the development, particularly noise.

- 5.3.22 Identify opportunities for recreational activities, particularly walking, cycling and water sports.
- 5.3.23 Describe the nature of the medium density housing in regard to urban form and amenity, including provision for car parking.

## **5.4 ECONOMIC ISSUES**

- 5.4.1 Outline the opportunity for tourism and investment in the area arising from the proposal.
- 5.4.2 Identify employment and investment opportunities, including the “multiplier effect”.
- 5.4.3 Identify the economic effect the construction and on-going workforce would have locally and regionally.
- 5.4.4 Outline the potential for the proposal to attract and enhance the business operations of other allied industries and commercial ventures.
- 5.4.5 Outline the potential for the proposal to impact upon the business centre of Ceduna and other local businesses through competition and possible duplication of services.
- 5.4.6 Describe any potential costs or savings to the Government of infrastructure expansion with regard to transport networks, electricity supply, water supply, sewerage, dredging or coastal management.
- 5.4.7 Describe the sustainability of long-term management of the development, including potential costs and benefits to council and rate payers of long-term management and maintenance of the marina facilities, waterways, entrance channel, breakwaters, residential development and constructed wetlands.
- 5.4.8 Describe the impact on existing activities and infrastructure at the Port of Thevenard.
- 5.4.9 Describe the opportunities for the aquaculture and fishing industries and their support services.
- 5.4.10 Identify the impact of increased fishing pressure and aquaculture on recreational and commercial fish stocks, including implications for fisheries compliance.
- 5.4.11 Outline the financial strategies to be employed to ensure the relevant infrastructure is in place for each stage in the project.
- 5.4.12 Describe the land tenure arrangements during and after construction of each stage.

## **5.5 NATIVE TITLE AND ABORIGINAL HERITAGE**

- 5.5.1 Identify the effect on any Aboriginal sites of archaeological, anthropological or other significance under the *Aboriginal Heritage Act 1988*, including any sites listed in the Register of the National Estate and the SA Register of Aboriginal Sites and Objects, or identified after consultation with Aboriginal councils or groups.
- 5.5.2 Identify any native title issues in respect of the requirements of the *Native Title Act 1993 (Cth.)* and the *Native Title (South Australia) Act 1994*.
- 5.5.3 Describe the impact on any Native Title Claimants and the consequent impact on the potential ongoing enjoyment of native title rights, if any, by native title holders.

## **5.6 RISK/HAZARD MANAGEMENT**

- 5.6.1 Describe strategies for ensuring public safety during construction.
- 5.6.2 Detail procedures to be adopted to confirm whether acid sulphate soils are present and management measures that would be required during construction and operation.
- 5.6.3 Detail procedures to be adopted to confirm whether the land is contaminated and management measures that would be required during construction and operation.
- 5.6.4 Describe procedures and strategies to prevent, manage and mitigate pollution spills or sewage leaks.
- 5.6.5 Describe how the introduction of pest or nuisance marine organisms would be dealt with.
- 5.6.6 Describe procedures and strategies to manage and monitor invasive weed species to protect coastal vegetation.
- 5.6.7 Detail measures and strategies for the management of hazardous, flammable or explosive materials in the commercial areas or on boats, including risk contours.
- 5.6.8 Detail the dry-dock management for careening (access to hull) and interception of pollutants such as hull scrapings, paints and anti-foulants.
- 5.6.9 Detail the relevant requirements of the sea level rise policies in the Development Plan and how compliance would be achieved for this development.
- 5.6.10 Detail the design of the breakwaters and their accessibility and safety, including design requirements for coastal hazards, such as tidal and wave action.
- 5.6.11 Detail flood mitigation strategies including prevention of flooding and operation of waterways.

- 5.6.12 Describe strategies to ensure public safety on and around waterways, breakwaters and the entrance channel and the permitted recreational use of water bodies, including boating navigation.
- 5.6.13 Identify the seismic risk to infrastructure and reclaimed land, especially the potential for liquefaction.
- 5.6.14 Identify any risk to the operation of the Ceduna Airport, especially from bird strike.

## **5.7 CONSTRUCTION AND OPERATIONAL EFFECTS**

- 5.7.1 Provide a site construction plan and outline strategies to minimise effects on the local environment, particularly the ecological impact on mangrove, seagrass and reef communities.
- 5.7.2 Describe the proposed methodology for dredging and earthworks drainage, dredging frequency, disposal of excavated material and impacts on water quality and the environment, including maintenance activities.
- 5.7.3 Identify the source and origin of any construction materials, including fill for the breakwaters, revetments and land forming.
- 5.7.4 Describe the transport and storage of any construction materials to minimise effects on the local amenity.
- 5.7.5 Identify measures for the control of stormwater run-off, groundwater discharges, dust, mud, vibration, noise, odour (including from rotting seagrass and organic soils) and other emissions during construction.
- 5.7.6 Describe the implementation of environmentally acceptable work practices and monitoring programs, particularly through management plans.
- 5.7.7 Describe the impact on road networks (including freight corridors) during construction and operation of the development.
- 5.7.8 Describe the design and operational measures to prevent stormwater and other run-off from the residential, commercial, community centre and other built areas from entering waterways and the marine environment.
- 5.7.9 Identify measures to protect any sites of non-indigenous heritage and historic shipwrecks within the declared area during construction, in accordance with the *Heritage Act 1993* and the *Historic Shipwrecks Act 1981*.
- 5.7.10 Outline the impact of dredging and channel maintenance on boat access.
- 5.7.11 Describe the compatibility of land uses, particularly measures to avoid conflict between commercial fishing/aquaculture and residents/tourists.

- 5.7.12 Outline management controls for housing and commercial construction activities to minimise social and environmental impacts.
- 5.7.13 Describe the management agreements between the District Council of Ceduna and the proponent during and after construction.
- 5.7.14 Detail long-term management agreements for operation of the development, including the ownership of land and infrastructure.
- 5.7.15 Identify the need for any additional by-laws and encumbrances to control and manage operational activities of the marina community.
- 5.7.16 Detail the proposed monitoring of impacts during and after construction.

## **5.8 EFFECTS ON INFRASTRUCTURE REQUIREMENTS**

- 5.8.1 Outline the requirements for an adequate supply and the likely location of distribution networks for gas, electricity, water, sewerage, stormwater management, communications systems and local roads.
- 5.8.2 Describe the impact the development will have on the existing Ceduna township effluent treatment system, including the need for infrastructure upgrading, or alternative systems to which the development will connect.
- 5.8.3 Describe the connection to water supply for the development proposal and include information on the quantity of potable water required and the impact on local and regional users.
- 5.8.4 Outline the changes to be made to the Eyre Highway and Denial Bay Road and associated traffic management requirements, including the need for a heavy vehicle bypass around the development.
- 5.8.5 Outline the potential for adopting water sensitive urban design measures for managing stormwater.
- 5.8.6 Outline the feasibility of using constructed wetlands and the golf course for managing stormwater run-off.
- 5.8.7 Describe the feasibility of using the golf course for the disposal of treated effluent, such as wastewater.
- 5.8.8 Describe the facilities to be provided for waste disposal from recreational and commercial vessels, especially black water, grey water and solid waste (including seafood waste and offal).
- 5.8.9 Detail emergency services arrangements.
- 5.8.10 Outline opportunities to incorporate best practice measures of infrastructure design.

## **5.9 PLANNING AND ENVIRONMENTAL LEGISLATION AND POLICIES**

- 5.9.1 Describe the proposal's consistency with the relevant Development Plans and the Planning Strategy for Regional South Australia.
- 5.9.2 Describe the required changes that would need to be made to the zoning of the site.
- 5.9.3 Describe the consistency of the development with State and Commonwealth legislation and initiatives relating to conservation or protection of the biological environment and heritage items.
- 5.9.4 Detail any commercial fishing or aquaculture policies and any recreational boating and facilities policies relevant to the proposal.
- 5.9.5 Detail any other relevant plans or studies that relate to the area.
- 5.9.6 Identify legislative requirements and the range of approvals needed to complete the proposed development.



***Development Act 1993, Section 46B:***

**EIS process - Specific provisions**

**46B.** (1) This section applies if an EIS must be prepared for a proposed development or project.

(2) The Minister will, after consultation with the proponent -

- (a) require the proponent to prepare the EIS; or
- (b) determine that the Minister will arrange for the preparation of the EIS.

(3) The EIS must be prepared in accordance with guidelines determined by the Major Developments Panel under this subdivision.

(4) The EIS must include a statement of -

- (a) the expected environmental, social and economic effects of the development or project;
- (b) the extent to which the expected effects of the development or project are consistent with the provisions of -
  - (i) any relevant Development Plan; and
  - (ii) the Planning Strategy; and
  - (iii) any matters prescribed by the regulations;
- (c) if the development or project involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the *Environment Protection Act 1993*, the extent to which the expected effects of the development or project are consistent with -
  - (i) the objects of the *Environment Protection Act 1993*; and
  - (ii) the general environmental duty under that Act; and
  - (iii) relevant environment protection policies under that Act;
- (d) the proponent's commitments to meet conditions (if any) that should be observed in order to avoid, mitigate or satisfactorily manage and control any potentially adverse effects of the development or project on the environment;
- (e) other particulars in relation to the development or project required -

- (i) by the regulations; or
- (ii) by the Minister.

(5) After the EIS has been prepared, the Minister -

(a) -

- (i) must, if the EIS relates to a development or project that involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the *Environment Protection Act 1993*, refer the EIS to the Environment Protection Authority; and
- (ii) must refer the EIS to the relevant council (or councils), and to any prescribed authority or body; and
- (iii) may refer the EIS to such other authorities or bodies as the Minister thinks fit,

for comment and report within the time prescribed by the regulations; and

(b) must ensure that copies of the EIS are available for public inspection and purchase (during normal office hours) for at least 30 business days at a place or places determined by the Minister and, by public advertisement, give notice of the availability of copies of the EIS and invite interested persons to make written submissions to the Minister on the EIS within the time determined by the Minister for the purposes of this paragraph.

(6) The Minister must appoint a suitable person to conduct a public meeting during the period that applies under subsection (5)(b) in accordance with the requirements of the regulations.

(7) The Minister must, after the expiration of the time period that applies under subsection (5)(b), give to the proponent copies of all submissions made within time under that subsection.

(8) The proponent must then prepare a written response to -

- (a) matters raised by the Minister, the Environment Protection Authority, any council or any prescribed or specified authority or body, for consideration by the proponent; and
- (b) all submissions referred to the proponent under subsection (7),

and provide a copy of that response to the Minister.

(9) The Minister must then prepare a report (an "Assessment Report") that sets out or includes -

- (a) the Minister's assessment of the development or project; and
- (b) the Minister's comments (if any) on -

- (i) the EIS; and
  - (ii) any submissions made under subsection (5); and
  - (iii) the proponent's response under subsection (8); and
- (c) comments provided by the Environment Protection Authority, a council or other authority or body for inclusion in the report; and
- (d) other comments or matter as the Minister thinks fit.

(10) The Minister must -

- (a) notify a person who made a written submission under subsection (5) of the availability of the Assessment Report in the manner prescribed by the regulations; and
- (b) by public advertisement, give notice of the place or places at which copies of the Assessment Report are available for inspection and purchase.

(11) Copies of the EIS, the proponent's response under subsection (8), and the Assessment Report must be kept available for inspection and purchase at a place determined by the Minister for a period determined by the Minister.

(12) If a proposed development or project to which an EIS relates will, if the development or project proceeds, be situated wholly or partly within the area of a council, the Minister must give a copy of the EIS, the proponent's response under subsection (8), and the Assessment Report to the council.