

Guidelines

for the preparation of a
Public Environmental Report

Kangaroo Island Golf Course Resort

Proposal by Programmed Turnpoint Pty Ltd

July 2014



*Development
Assessment
Commission*

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1 INTRODUCTION

- 1.1 On 19 February 2014, the Minister for Planning ('the Minister') made a declaration in the *South Australian Government Gazette* for a proposed Golf Course Resort development on Kangaroo Island to be assessed as a Major Development under the provisions of Section 46 of the *Development Act 1993*.
- 1.2 The proposed development comprises an 18 hole golf course, clubhouse (with function facilities), tourist accommodation, residential development and associated infrastructure. The site is located on the Dudley Peninsula, between Pelican Lagoon and Pennington Bay, at the eastern end Kangaroo Island. The subject land is a 200 hectare site that comprises a mix of cleared farmland and natural coastal ecosystems.
- 1.3 On 2 June 2014, a delegate of the Commonwealth Minister for the Environment determined that the proposed development was a 'controlled action' requiring assessment and a decision on approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) before it can proceed. The delegate also decided that the proposed development would be assessed through the State government assessment process under the current bilateral agreement between the Commonwealth of Australia and the State of South Australia relating to environmental impact assessment (the bilateral agreement).
- 1.4 The Development Assessment Commission (DAC) is an independent statutory authority that has the task of determining the appropriate level of assessment for a Major Development, namely an Environmental Impact Statement (EIS); Public Environmental Report (PER) or a Development Report (DR), and setting Guidelines.
- 1.5 Following consideration of the implications of the proposal, the DAC has determined that the proposal will be subject to the processes and procedures of a Public Environmental Report (PER), as set out in Section 46C of the *Development Act 1993*. A PER was considered appropriate due to a range of issues to be investigated, including:
 - The extent of departure from existing zone policies within the relevant Development Plan.
 - The sensitivity of the coastal location and the potential for visual impact on the landscape values of the coast.
 - Potential impacts on the surrounding coastal environment (especially from human disturbance and habitation).
 - The economic implications and sustainability of the proposal, particularly the economic impact of the development with respect to the local tourism industry and the broader community on Kangaroo Island.

- Construction impacts, including native vegetation clearance, disturbance to native fauna (especially threatened species), substantial earthworks, noise, dust, odour and vibration.
 - Operational impacts, including human disturbance to fauna, effects of golf course irrigation and management (such as the use of fertilisers, herbicides and pesticides), ‘edge effects’ between the golf course and the natural environment, stormwater and wastewater management (including reuse).
 - Traffic generation and implications for the local road network.
 - Infrastructure requirements (especially the provision of power and water).
 - Bushfire protection requirements.
- 1.6 It should be noted the *Development Act 1993* requires a PER to be publicly exhibited for a period of at least 30 business days, and for a public meeting to be held during this period.
- 1.7 The DAC has now prepared Guidelines for the proposed Kangaroo Island Golf Course Resort, based on the significant issues relating to the proposed development. The PER 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.
- 1.8 The PER should be prepared to cover both the construction and ongoing operation of the development and, where possible, should outline opportunities to incorporate best practice design and management.
- 1.9 For the purposes of environmental impact assessment under the *Development Act 1993*, the meaning of ‘environment’ is taken to include an assessment of environmental (biological and physical), social and economic effects associated with the development and the means by which those effects can be managed.
- 1.10 An opportunity for public comment will occur when the completed PER is released for public exhibition. At that time, an advertisement will be placed in *The Advertiser* and *The Islander* newspapers to indicate where the PER 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 Planning.
- 1.11 The DAC’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.
- 1.12 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 would apply.

- 1.13 In accordance with the requirements of the bilateral agreement, the State of South Australia will also provide an assessment report to the Commonwealth Environment Minister for the purposes of Part 9 of the EPBC Act.
- 1.14 The key stages in the assessment process under the Major Developments or Projects provisions of the *Development Act 1993* are shown in Figure 1.

MAJOR DEVELOPMENTS - ASSESSMENT PROCESSES AND DECISION-MAKING

Minister for Planning makes declaration that the development is of major environmental, social or economic importance.

Minister's declaration in *South Australian Government Gazette*.

Proponent lodges development application (with relevant fees) to give enough information for the Development Assessment Commission to identify issues.

Proponent's application/proposal.

Department of Planning, Transport and Infrastructure prepares a preliminary description of significant issues; and may invite written submissions from agencies.

Department of Planning, Transport and Infrastructure SA invites written submissions from agencies (inc. Australian Government Department of the Environment) on Draft Guidelines.

Commission considers criteria in Regulations, consults with relevant authorities and reports to Minister on decisions regarding level of assessment – Environmental Impact Statement (EIS) or Public Environmental Report (PER) or Development Report (DR) and the content of Guidelines.

Commission decides PER level of assessment, main issues to be addressed in Guidelines and reports to Minister.

Proponent prepares PER.

PER prepared using Guidelines.

←
Next Step

PER released for comment and public meeting held.

PER exhibited and public meeting held.

Proponent responds to submissions and matters raised by public and relevant bodies.

Written response from proponent.

Minister prepares Assessment Report; copies of all reports available to council/s and public.

Assessment Report prepared by the Minister and made publicly available.

Application (usually revised) forwarded for decision-making by Governor.

Decision making.

2 BACKGROUND

- 2.1 The proponent of the proposed Kangaroo Island Golf Course Resort is Programmed Turnpoint Pty Ltd, a provider of construction and maintenance services to the golf, horse racing, landscape and sports turf industries in the Australia and Pacific region.
- 2.2 Programmed Turnpoint P/L proposes to develop a world class, links style golf course resort on the southern coastline of Kangaroo Island. The proposal comprises the following components:
- 18 hole golf championship length golf course and associated international standard practice facilities.
 - Clubhouse and dining/function facilities, with associated parking. The clubhouse facility also includes 20 accommodation suites (i.e. tourist accommodation).
 - Accommodation Lodges, comprising 20 twin bedroom suites with self-contained facilities.
 - Staff accommodation (i.e. for up to 10 staff), including a separate dwelling for the golf superintendant.
 - Discreetly located maintenance compound (including a 1200m² maintenance shed) to accommodate golfing equipment, wash down bays, green keeping machinery and general back of house storage requirements.
 - Five freehold residential allotments, which could be used for limited unit/villa development and leased back to the golf course when not in use by the private owners. The residential component would be developed during stage 1, to be sold to assist the financing of later stages of the development.
 - New entry road from Hog Bay Road, incorporating road widening/slip lanes (as required) to provide access to all elements of the proposal.
 - Power and water supply to the site, including a water storage dam (and potentially including wind and solar technology to augment existing power supplies).
 - Storm water and sewage infrastructure for the capture, treatment, storage and re-use of recycled water throughout the development (where possible).
 - Coastal walking trail.
- It should be noted the Major Development declaration included a desalination plant, which is no longer part of the proposal.
- 2.3 Refer to Appendix B for a copy of the relevant plans of the proposal.
- 2.4 The DAC has determined that the proposal will be subject to the processes and procedures of a Public Environmental Report (PER), as set out in Section 46C of the *Development Act 1993*.
- 2.5 The proponent has been advised by the Minister for Planning that a Public

Environmental Report is required to assist the Government in assessing the environmental, social and economic impacts of the proposal.

- 2.6 The DAC 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 PER.

3 THE PUBLIC ENVIRONMENTAL REPORT PROCESS

- 3.1 A PER, as defined in Section 46C 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 PER should detail the expected environmental, social and economic effects of the development. The PER 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 Act. The PER 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 PER, the proponent should bear in mind the following aims of the PER 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 that 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 in 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 DAC:
 - 3.4.1 The PER must be prepared by the proponent in accordance with these Guidelines.
 - 3.4.2 The PER is referred to the Kangaroo Island Council and to any prescribed authority or body, and to other relevant authorities or bodies for comment.
 - 3.4.3 Public exhibition of the PER 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 the Department of Planning, Transport and Infrastructure (Planning Division) during the period for making submissions, in order to provide information on the development or project, to explain the PER document and processes, and to assist interested persons to

make submissions under the Act.

- 3.4.5 Copies of the submissions from the public, Council, relevant government agencies and other interested parties will be given to 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 in all submissions. The proponent is nominally given two months to provide this to the Minister.
- 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 Copies of the PER, the Response Document and the Assessment Report will be given to the Kangaroo Island Council for distribution purposes.
- 3.4.10 The Governor is the relevant decision maker under Section 48 of the Act, when a development application is subject to the PER process.
- 3.4.11 In arriving at a decision, the Governor must have regard to:
- The provisions of the appropriate Development Plan and Regulations.
 - If relevant, the Building Rules.
 - The Planning Strategy.
 - The PER, Response Document and Assessment Report.
 - If relevant, the *Environment Protection Act 1993*.
 - If relevant, the objects of the *River Murray Act 2003* and any obligations under the Murray-Darling Basin Agreement.
 - If relevant, the objects of the *Adelaide Dolphin Sanctuary Act 2005*.
 - If relevant, the objects of the *Marine Parks Act 2007*.
- 3.5 The Governor can at any time, and prior to completion of the assessment process, determine that the development will not be granted authorisation. This may occur if it is clear that the development is inappropriate or cannot be managed properly. This is commonly referred to as an "early no".

Australian Government Involvement in the Assessment Process

On 8 May 2014, the proponent submitted a Referral Notice for the proposal (i.e. proposed action) to the Australian Government Department of the Environment, in accordance with the Commonwealth EPBC Act.

On 2 June 2014, a delegate of the Commonwealth Minister for the Environment made a decision that the Kangaroo Island Golf Course proposal requires assessment and approval under the EPBC Act (referral no. 2014/7201). This was because the proposed action is considered likely to have a significant impact on the following matters protected by the EPBC Act:

- Listed threatened species and communities (sections 18 and 18A)
- Listed migratory species (sections 20 and 20A).

The Commonwealth of Australia has a Bilateral Agreement with the State of South Australia, under Section 45 of the EPBC Act, to accredit the South Australian environmental assessment processes. A delegate of the Commonwealth Minister for the Environment has decided that the proposal will need to be assessed through the State assessment under the Bilateral Agreement. The agreement makes it possible to undertake a single assessment, following the South Australian environmental impact assessment processes, and minimise duplication between State and Australian governments. Following assessment, the State of South Australia will provide an assessment report to the Commonwealth Minister for the Environment, who will then make a decision whether or not to approve the proposed action under Part 9 of the EPBC Act.

In accordance with the Bilateral Agreement (*Development Act 1993* provisions), the proposal will undergo a streamlined assessment process in co-ordination with Australian Government Department of the Environment. This means there will only be one PER document prepared, one period of public consultation undertaken and one Response/Supplementary PER document (and possibly one Assessment Report) prepared to satisfy the legislative requirements of each jurisdiction.

The Australian Government Department of the Environment has had input into the preparation of these Guidelines in regard to issues related to the EPBC Act.

4 THE PUBLIC ENVIRONMENTAL REPORT DOCUMENT

- 4.1 The Guidelines set out the major issues associated with the proposal and their degree of significance, as determined by the Development Assessment Commission. It describes each issue and then outlines the way that these issues should be dealt with in the Public Environmental Report (PER).
- 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 quantitative and/or qualitative terms as appropriate.
- 4.3 The main text of the PER 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 PER 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 PER:

SUMMARY

The PER should include a concise summary of the matters set out in section 46C 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 impacts.

INTRODUCTION

The introduction to the PER 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 PER process.

NEED FOR THE PROPOSAL

- The specific objectives that the proposal is intended to meet, including market demand and environmental standards.
- 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).

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

DESCRIPTION OF THE PROPOSAL

The description of the proposal should include the following information:

- The nature of the proposal and location (including a description of the principal components and any off-site infrastructure requirements).
- Land tenure and ownership details (or leasing arrangements) for all land parcels likely to be affected by the proposal (including off-site infrastructure).
- A project plan to outline objectives, constraints, key activity schedule and quality assurance.
- Site layout plans (including an indicative land division plan, if relevant).
- The construction and commissioning timeframes (including staging).
- A description of the existing environment (including the immediate and broader location).
- Details of all buildings and structures associated with the proposed development (including plant and infrastructure).
- Any other infrastructure requirements and availability.
- Details on the operation of the proposed development.
- The relevant Development Plan zones.
- Management arrangements for the construction and operational phases (including Environmental Management and Monitoring Plans).

4.6 The PER must include the following:

ASSESSMENT OF EXPECTED ENVIRONMENTAL, SOCIAL AND ECONOMIC EFFECTS

The assessment of effects should include all issues identified in Section 5 of these Guidelines and cross referenced to supporting technical references.

CONSISTENCY WITH GOVERNMENT POLICY

The *Development Act 1993* requires the PER to state the consistency of the expected effects of the proposed development with the relevant Development Plan and Planning Strategy (i.e. Region Plan).

The PER should also demonstrate that the proposed action is consistent with any relevant EPBC Act guidelines or plans that may be relevant to the proposed action.

7

AVOIDANCE, MITIGATION, MANAGEMENT AND CONTROL OF ADVERSE EFFECTS

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

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

- 4.7 The PER should also provide the following additional information:

SOURCES OF INFORMATION

The sources of information (e.g. reference documents, literature searches, 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.

APPENDICES

Technical and additional information relevant to the PER 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.

OTHER

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

5 THE MAIN ISSUES

5.1 PLANNING AND ENVIRONMENTAL LEGISLATION AND POLICIES

- 5.1.1 Describe the proposal's consistency with and/or variance from the Kangaroo Island Development Plan and Planning Strategy (including the Kangaroo Island Structure Plan).
- 5.1.2 Describe the proposal's consistency with the 'National Landscapes Experience Development Strategy for Kangaroo Island'(2014) and the 'Brand for Kangaroo Island'(especially to demonstrate that the proposal would deliver an 'extraordinary' tourism development and describe how the proposal is consistent with the principles of ecologically sustainable development.
- 5.1.3 Describe the proposal's consistency with the Kangaroo Island Natural Resources Management Plan.
- 5.1.4 Describe the proposal's consistency with the South Australian Tourism Commission 'Design Guidelines for Sustainable Tourism Development' (2007).
- 5.1.5 Describe the relevant requirements of the *Environment Protection Act 1993* and associated policies and guidelines, and how these would be complied with.
- 5.1.6 Describe any relevant EPBC Act policies, guidelines or plans, and how these would be complied with and/or demonstrate that the implementation of the proposal will not be inconsistent with any relevant EPBC Act policies, guidelines or plans.
- 5.1.7 Consider relevant protocols, agreements and strategies including: 'Tackling Climate Change, SA's Greenhouse Strategy 2007 – 2020', the *Climate Change and Greenhouse Emissions Reduction Act 2007* and the *National Greenhouse and Energy Reporting Act 2007*.
- 5.1.8 Describe the proposal's consistency with State and Commonwealth legislation and initiatives relating to conservation or protection of the biological environment and heritage items.
- 5.1.9 Consider any other relevant plans or studies that relate to the area.
- 5.1.10 Identify legislative requirements and the range of approvals needed to complete the proposed development.

- 5.1.11 Describe any changes that may need to be made to the Development Plan policies for the site (especially for the residential component).

5.2 NEED FOR THE PROPOSAL

- 5.2.1 Justify the rationale for the proposal from an environmental, economic (especially market demand), social and sustainability perspective, including the reasons for its proposed location, scale and staging.
- 5.2.2 Justify the selection of the proposed location from an environmental and economic perspective in comparison with alternative sites on Kangaroo Island.
- 5.2.3 Outline current and predicted demand for the facility.
- 5.2.4 Outline the expected local, regional and state benefits and costs, including those that cannot be adequately described in monetary or physical terms (such as effects on aesthetic amenity).
- 5.2.5 Assess the “do nothing” option (i.e. the consequences of not proceeding with the proposal).

5.3 ENVIRONMENTAL ISSUES

- 5.3.1 Describe the impact of past and current land management practices on the environmental values of the site, especially any environmental problems or degrading factors that may need to be addressed.

Native Vegetation

- 5.3.2 Quantify and detail the extent, condition and significance of native vegetation (individual species and communities) that currently exist on site (or affected by off-site infrastructure requirements) and would be preserved and, if appropriate, rehabilitated.
- 5.3.3 Quantify and detail the extent, condition and significance of native vegetation (individual species and communities) that may need to be cleared or disturbed (directly or indirectly) during construction (including ancillary clearing for the proposed development of residential allotments, walking trails, areas required for bushfire safety and all infrastructure, such as the water supply pipeline and power transmission line).
- 5.3.4 Describe the ability of communities or individual species (especially those listed as uncommon or threatened under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and the South Australian *National*

Parks and Wildlife Act 1972) to recover, regenerate or be rehabilitated.

- 5.3.5 Identify measures to minimise and mitigate vegetation clearance (including incorporating remnant stands in the layout design) and to compensate for the loss of native vegetation and habitat.
- 5.3.6 Outline proposed revegetation works (including the location, densities and types of locally indigenous species to be planted) and how this relates to existing native vegetation.
- 5.3.7 Describe the effect of introduced weed species and increased human habitation on native vegetation, before and after construction, including species that may originate from the golf course, landscaped areas or gardens.
- 5.3.8 Describe measures to deliver significant environmental benefit to the existing native vegetation, whether intact stratum or scattered patches/trees, as required by the *Native Vegetation Act 1991*.

Native Fauna

- 5.3.9 Quantify and detail the abundance, condition and significance of native fauna populations that currently exist or may depend on habitat on site or along the routes of infrastructure for the proposal. Any fauna surveys conducted must meet the requirements of any relevant EPBC Act survey guidelines.
- 5.3.10 Describe direct and indirect impacts to fauna associated with the proposal, the extent of expected fauna and/or habitat loss or disturbance during the construction and operation phases (both on and around site) and the ability of communities and individual species to recover, especially for resident or migratory birds and threatened or significant species (including those listed under the EPBC Act and the South Australian *National Parks and Wildlife Act 1972*).
- 5.3.11 Detail appropriate buffer distances that would be required for the construction and operational phases between the proposed development (including coastal access points) and threatened species, especially feeding areas, nesting sites and roosting sites.
- 5.3.12 Outline the effect of light and noise pollution on nocturnal animals.
- 5.3.13 Outline the risk of road-related fauna death and injury (including from construction vehicles) and the risk of bird strike associated with any large glass windows.

- 5.3.14 Provide information on the expected levels of noise (and where relevant vibration) associated with the construction and operation of the facility, identifying all potential sources, and describe the extent to which emissions can be reduced and contained to acceptable levels to minimise effects upon the wider locality (especially native fauna populations that occur on and around the site).
- 5.3.15 Outline how native fauna that is likely to interact with the golf course development (such as kangaroos, wallabies and possums) and how this would be managed.
- 5.3.16 If wind turbines are to be used, describe the potential impacts on native fauna.
- 5.3.17 Identify impact avoidance, minimisation and mitigation measures and their effectiveness, including measures to minimise access roads and subsidiary tracks acting as fauna barriers or as a corridor for feral animals.
- 5.3.18 Describe how the proposal will not be inconsistent with any relevant EPBC Act Threat Abatement Plans and/or Recovery Plans.

Coastal Environment

- 5.3.19 Describe the effect of the proposed development on coastal dunes, limestone and calcrete formations of the site (and associated heathland shrubland communities) and outline management and rehabilitation measures for these areas.
- 5.3.20 Describe measures to be adopted for the remediation of sand drift, should it occur within the dune system as a direct result of the development.
- 5.3.21 Identify the impact of coastal erosion due to expected sea level rise of 0.3 metre to 2050 and 1.0 metre to 2100.
- 5.3.22 Detail how the proposed coastal walking trail would avoid impacts on sensitive coastal landforms of the area and associated flora, fauna and habitat (especially for the Eastern Osprey, listed as Endangered under the *National Parks and Wildlife Act 1972*, and the Hooded Plover, listed as Vulnerable under the Act).
- 5.3.23 Describe the ongoing management requirements of the coastal walk.

Marine Environment

- 5.3.24 Describe the existing marine and aquatic communities (especially invasive species and species listed under the EPBC

Act) potentially impacted by the project, including those associated with Pelican Lagoon.

- 5.3.25 Describe the direct and indirect impacts (including potential discharges from the development, such as contaminated groundwater or surface water resulting from golf course irrigation) on marine/aquatic communities and the proposed measures to mitigate impacts.

Geology and Soils

- 5.3.26 Describe the hydrogeology of the site in relation to soil types, geology and surface drainage patterns, including any drainage to Pelican Lagoon and the marine environment.
- 5.3.27 Outline the interaction between erosion processes and the proposed development (especially sand drift and ‘blow-outs’).
- 5.3.28 Describe how any calcrete outcrops would be impacted by construction of the golf course layout.

Groundwater and Site Contamination

- 5.3.29 Describe the known existing groundwater and land related environmental conditions, including possible site contamination.
- 5.3.30 Undertake a preliminary site investigation, conducted by a site contamination consultant in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure 1999*, to identify whether a potentially contaminating land use has occurred on the proposed site. If the existence of potential site contamination is identified, appropriate assessment and remediation strategies must be undertaken to ensure the land is suitable for the proposed uses.
- 5.3.31 Detail the measures to be taken to manage and monitor any groundwater resources.
- 5.3.32 Detail the potential impacts on the underlying groundwater from nutrients and chemicals leaching from the golf course.
- 5.3.33 Identify impact avoidance, minimisation and mitigation measures and their effectiveness.

Sustainability and Climate Change

- 5.3.34 Outline the principles to be followed to demonstrate that the development would be environmentally sustainable.
- 5.3.35 Describe the measures associated with orientating all of the built components for the best possible energy efficiency,

having regard to alternative or renewable energy sources, sustainable design and low emission design measures.

- 5.3.36 Outline waste management strategies for residential uses and commercial facilities (including measures to deter scavenging by native or feral species) and the potential for incorporating recycling and resource recovery.
- 5.3.37 Outline measures to minimise or reduce materials and resources used during the construction and operational phases, including the use of on-site (or local) and recycled materials.
- 5.3.38 Describe the arrangements to control and manage activities, particularly to ensure that the proposed development is environmentally sustainable in the long-term.
- 5.3.39 Describe implications of climate change with respect to the proposal and measures to minimise, reduce and ameliorate greenhouse gas emissions, particularly the use of alternative or renewable energy sources and off-sets.

5.4 **ECONOMIC ISSUES**

- 5.4.1 Provide a full economic analysis of the proposal, including the long term economic viability of the project.
- 5.4.2 Detail the potential economic benefits and costs of the development to the Kangaroo Island economy and the State economy (such as employment and investment opportunities), including the “multiplier effect”.
- 5.4.3 Outline the opportunity for tourism and investment on Kangaroo Island to be enhanced as a result of the proposal.
- 5.4.4 Outline the potential for the project to attract and enhance the business operations of other allied industries and commercial ventures.
- 5.4.5 Describe strategies to manage the site, should the project fail during the period between the commencement of earthworks and final completion of the golf course.

5.5 **SOCIAL ISSUES**

- 5.5.1 Detail the likely size and composition of the construction workforce and employees required during operation, particularly information on employment opportunities for the local community.
- 5.5.2 Outline the impact on existing tourism and recreation services and facilities (including opportunities).

- 5.5.3 Describe any potential conflict with adjoining primary production activities, including measures to ameliorate any such conflict.
- 5.5.4 Describe the proximity and relationship with the proposed land division and likely future dwellings on those sites. Detail any interface issues (such as noise) likely to arise between the land division and the surrounding land (including the golf course) and proposed mitigation strategies.
- 5.5.5 Describe the impact of noise emissions and vibration on existing sensitive receivers (if any) or sensitive receivers to be introduced as part of the proposed development (especially potential new residents) during construction and operation. Detail strategies to minimise any potential impacts to an acceptable level.
- 5.5.6 Identify the impact on the heritage significance of any known heritage places on or adjacent the site, including National, State or local heritage places entered on the South Australian Heritage Register, or identified after consultation with the Heritage Branch of the Department for Environment, Water and Natural Resources.

5.6 DESIGN MATTERS

Built Form

- 5.6.1 Describe the rationale and design intent for the major elements of the proposed development (including reference to the *Principles of Good Design* (2014), prepared by the Office for Design + Architecture SA) and measures to mitigate their visual impact.
- 5.6.2 Provide design guidelines for the proposed residential component.
- 5.6.3 Provide conceptual plans for all components of the proposal (including building envelopes, cross-sections and three dimensional representations) that show the scale, style, context and overall form of the development.
- 5.6.4 Provide details of construction materials to be used for all buildings and structures (including colours and finishes).
- 5.6.5 Detail the extent of any landscaping or screen plantings, especially the use of locally indigenous plant species suited to local conditions.

Visual Effects

- 5.6.6 Describe the visual effect of the proposed development on

scenic quality in this locality when viewed from important viewing points, including from surrounding land (especially from Mount Thisby and the Hog Bay Road) and the sea.

- 5.6.7 Describe the effect on visual amenity and landscape quality, especially the effects of the built form of buildings and structures (including the access road, earthworks, water and power supply infrastructure) and the impact on the coastal environment.

5.7 INFRASTRUCTURE

- 5.7.1 Outline the requirements for and likely location of infrastructure for gas, electricity, sewerage, stormwater management, waste management and communications systems.
- 5.7.2 Detail the extent to which the facility would generate the need for upgraded infrastructure beyond the site boundaries, especially any broader impacts for the Kangaroo Island community (including strategic implications for Council and/or utility providers).
- 5.7.3 Detail emergency services arrangements to be implemented during the operation of the development.
- 5.7.4 Outline opportunities to incorporate best practice infrastructure design and construction, especially potential flow-on benefits for the Kangaroo Island community.

Water

- 5.7.5 Describe the provision of an adequate water supply for the proposed development (both potable and non-potable), including information on the quality of water required, treatment, storage and use.
- 5.7.6 Describe any proposal to extract groundwater at the site.
- 5.7.7 Describe the impacts of developing a wastewater treatment system, especially the expected volume to be treated, disposal method and how it would be managed to maximise reuse/recycling (including storage requirements). Outline how the treatment system elements would be installed, if it is a phased development. If the disposal method involves irrigation to the golf course or any other areas of land, a draft Irrigation Management Plan should be prepared.
- 5.7.8 Describe stormwater and grey water management strategies to maximise recycling (including recycled water storage requirements) and the potential impact on groundwater resources, surface water resources and the marine and coastal environment (including Pelican Lagoon). In particular, with

regard to golf course, runoff and the transport of nutrients and chemicals used in the day to day maintenance of the course.

- 5.7.9 Outline the strategies for wastewater and stormwater management for the residential component of the proposed development (including treatment, storage and reuse).
- 5.7.10 Describe the impact of the development on existing water resources, including the need for a water supply pipeline to the site. Details regarding the proposed location of infrastructure (including storage on site), distance from the supply source and procedural/administrative requirements for establishing infrastructure outside of the site.
- 5.7.11 Describe the impact of the development on current users of water resources in the district, including irrigated primary production.
- 5.7.12 Describe the integrated water management strategy, especially Water Sensitive Urban Design (WSUD) measures (including ways in which water use would be minimised), and the use and management of alternative water sources (i.e. wastewater, grey water and stormwater).
- 5.7.13 Outline the measures proposed to manage and treat stormwater runoff from hard surfaces which are not being used for harvesting water supply, especially access roads and carparks.

Power

- 5.7.14 Describe the provision of an adequate power supply for the development, including potential impacts associated with a transmission line corridor to the site.
- 5.7.15 Outline the implications of connecting to the power grid for the existing infrastructure and current users.
- 5.7.16 Identify ways in which power use can be minimised or supplemented, especially using alternative energy sources (such as wind turbines) and energy efficiency measures.

Access

- 5.7.17 Outline the level of traffic generation and vehicle movements to and from the site, especially details of vehicle types and distribution (including the hours that vehicles would access the site) during the construction period and operational phase.
- 5.7.18 Outline and analyse the impacts on local and other roads (including their junctions), especially the safety and adequacy of the Hog Bay Road / Davies Road junction.

- 5.7.19 Outline the need for and the implications of any upgrading of road infrastructure.
- 5.7.20 Identify alternative access arrangements for emergency services.
- 5.7.21 Detail the proposed access and on-site car parking arrangements, including information about road width and associated drainage measures and maintenance requirements.
- 5.7.22 Describe any proposed coastal access (including the maintenance of current public access and the potential future enhancement of access) and the measures to avoid or minimise impacts.
- 5.7.23 Describe what plans would be put in place to control public access from the Crown leasehold land.

Land Tenure

- 5.7.24 Describe what processes and approvals would be undertaken to reconcile encroachments on the Crown leasehold land dedicated for conservation purposes.
- 5.7.25 Detail the measures to be taken to define the golf course from the Crown leasehold land.

5.8 CONSTRUCTION AND OPERATION

- 5.8.1 For each component, provide a site construction plan and outline strategies to minimise effects on the local environment.
- 5.8.2 Outline the staging and timing of construction (including the time of year works are likely to occur).
- 5.8.3 Describe the level of cut and fill required (including for access and infrastructure requirements) and the effect on the natural topography of the site.
- 5.8.4 Where possible, identify the source and origin of construction materials for buildings and infrastructure (such as road making) and the opportunity for the use of on-site (or local) and recycled materials.
- 5.8.5 Describe the measures proposed for the disposal of excavated material and construction waste.
- 5.8.6 Provide information about the transport and storage of any construction materials to minimise effects on the local environment.
- 5.8.7 Identify measures to stabilise disturbed areas and areas

susceptible to soil erosion.

- 5.8.8 Detail measures for the implementation of environmentally acceptable work practices.
- 5.8.9 Provide information about the potential accommodation arrangements for the construction workers and employees.
- 5.8.10 Detail the proposed monitoring of impacts during and after construction, including reporting and auditing measures.
- 5.8.11 Detail what will be included in an environmental management and monitoring plan, for both construction and operational activities for all components of the development.
- 5.8.12 Detail the encumbrances or similar mechanisms to control and manage activities on adjoining land.
- 5.8.13 Detail long-term management agreements for operation of the development, including the ownership of land and infrastructure.

5.9 RISK AND HAZARD MANAGEMENT

- 5.9.1 Describe strategies for ensuring public safety during construction and operation.
- 5.9.2 Detail fire management processes and measures to reduce bushfire risk, especially those which minimise vegetation clearance and land disturbance.
- 5.9.3 Detail the availability of water for fire-fighting purposes.
- 5.9.4 Describe strategies for emergency evacuation during medical emergencies and/or bushfire risk.
- 5.9.5 Describe procedures to prevent, minimise and manage pollution spills or sewage leaks (especially given the porous substrate and proximity to the coast and Pelican Lagoon). Outline measures for the bunding of hazardous materials storage areas
- 5.9.6 Describe management strategies to prevent the introduction of weed species and pathogens during construction and operation (especially *Phytophthora cinnamomi*), including strategies to manage or avoid creating mosquito breeding habitats.
- 5.9.7 Describe strategies for the control of wind and water erosion during construction and operation.

5.10 ABORIGINAL HERITAGE AND NATIVE TITLE

Aboriginal Heritage

- 5.10.1 Describe the measures taken to identify and record any Aboriginal sites, objects or remains, including consultation details with relevant Aboriginal parties.
- 5.10.2 Detail plans for the possible discovery of Aboriginal ancestral remains and any Aboriginal sites or objects of archaeological, anthropological or historical significance under the *Aboriginal Heritage Act 1988*.
- 5.10.3 Detail any other measures to ensure compliance with the *Aboriginal Heritage Act 1988*.
- 5.10.4 Detail consultation undertaken with the Aboriginal people during the preparation and development of the assessment document.

Native Title

- 5.10.5 Identify any Native Title issues in respect of the requirements of the *Native Title Act 1993* (Commonwealth) and the *Native Title Act 1994* (South Australia).
- 5.10.6 Describe the impact on the appropriate Native Title Claimants and the consequent impact on the potential ongoing enjoyment of native title rights (if any) by native title holders.

6 AVAILABILITY OF GUIDELINES

Copies of the Guidelines will be made available at the following locations:

Department of Planning, Transport and Infrastructure
5th Floor Public Counter
136 North Terrace
Adelaide SA 5000

Kangaroo Island Council
Corner of Dauncey and Murray Streets
Kingscote SA 5223

Electronic copies can also be downloaded from the following web sites:

www.dac.sa.gov.au

www.sa.gov.au

APPENDIX A

Development Act 1993, Section 46C—PER process—Specific provisions

- (1) This section applies if a PER 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 PER; or
 - (b) determine that the Minister will arrange for the preparation of the PER.
- (3) The PER must be prepared in accordance with guidelines determined by the Development Assessment Commission under this subdivision.
- (4) The PER 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;
 - (ca) if the development or project is to be undertaken within the Murray-Darling Basin, the extent to which the expected effects of the development or project are consistent with—
 - (i) the objects of the *River Murray Act 2003*; and
 - (ii) the *Objectives for a Healthy River Murray* under that Act; and
 - (iii) the general duty of care under that Act;
 - (cb) if the development or project is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, the extent to which the expected effects of the development or project are consistent with—
 - (i) the objects and objectives of the *Adelaide Dolphin Sanctuary Act 2005*; and
 - (ii) the general duty of care under that Act;

- (cc) if the development or project is to be undertaken within, or is likely to have a direct impact on, a marine park, the extent to which the expected effects of the development or project are consistent with—
 - (i) the prohibitions and restrictions applying within the marine park under the *Marine Parks Act 2007*; and
 - (ii) the general duty of care 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 PER has been prepared, the Minister—
- (a) —
 - (i) must, if the PER 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 PER to the Environment Protection Authority; and
 - (ia) must, if the PER relates to a development or project that is to be undertaken within the Murray-Darling Basin, refer the PER to the Minister for the River Murray; and
 - (ib) must, if the PER relates to a development or project that is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, refer the PER to the Minister for the Adelaide Dolphin Sanctuary; and
 - (ib) must, if the PER relates to a development or project that is to be undertaken within, or is likely to have a direct impact on, a marine park, refer the PER to the Minister for Marine Parks; and
 - (ii) must refer the PER to the relevant council (or councils), and to any prescribed authority or body; and
 - (iii) may refer the PER 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 PER 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 PER and invite interested persons to make written submissions to the Minister on the PER 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 a 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 within the time prescribed by the regulations.
- (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 PER; 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, 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 PER, 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 a PER 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 PER, the proponent's response under subsection (8), and the Assessment Report to the council.

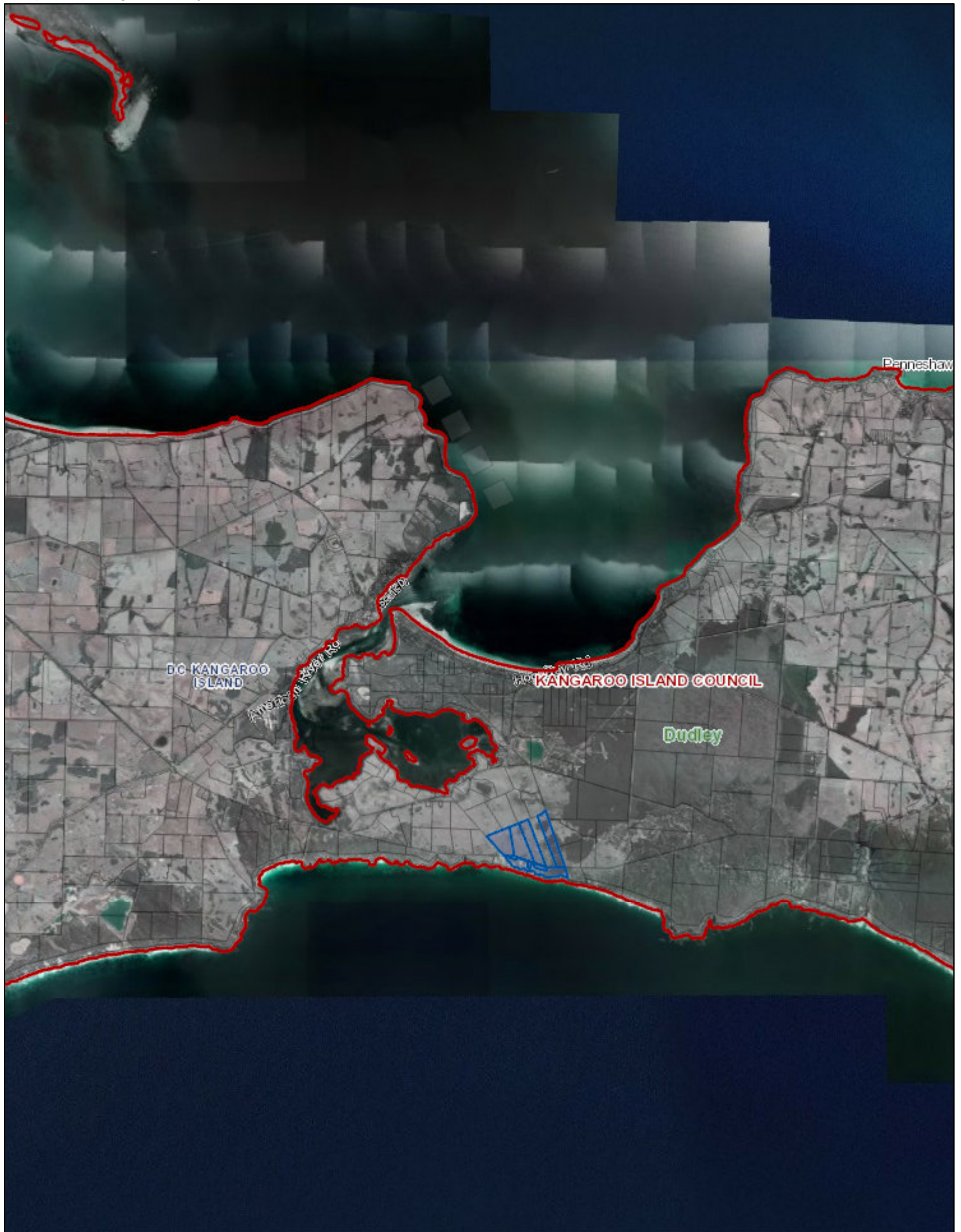
APPENDIX B

Relevant Plans of the Proposal

Kangaroo Island Golf Course Resort Proposal

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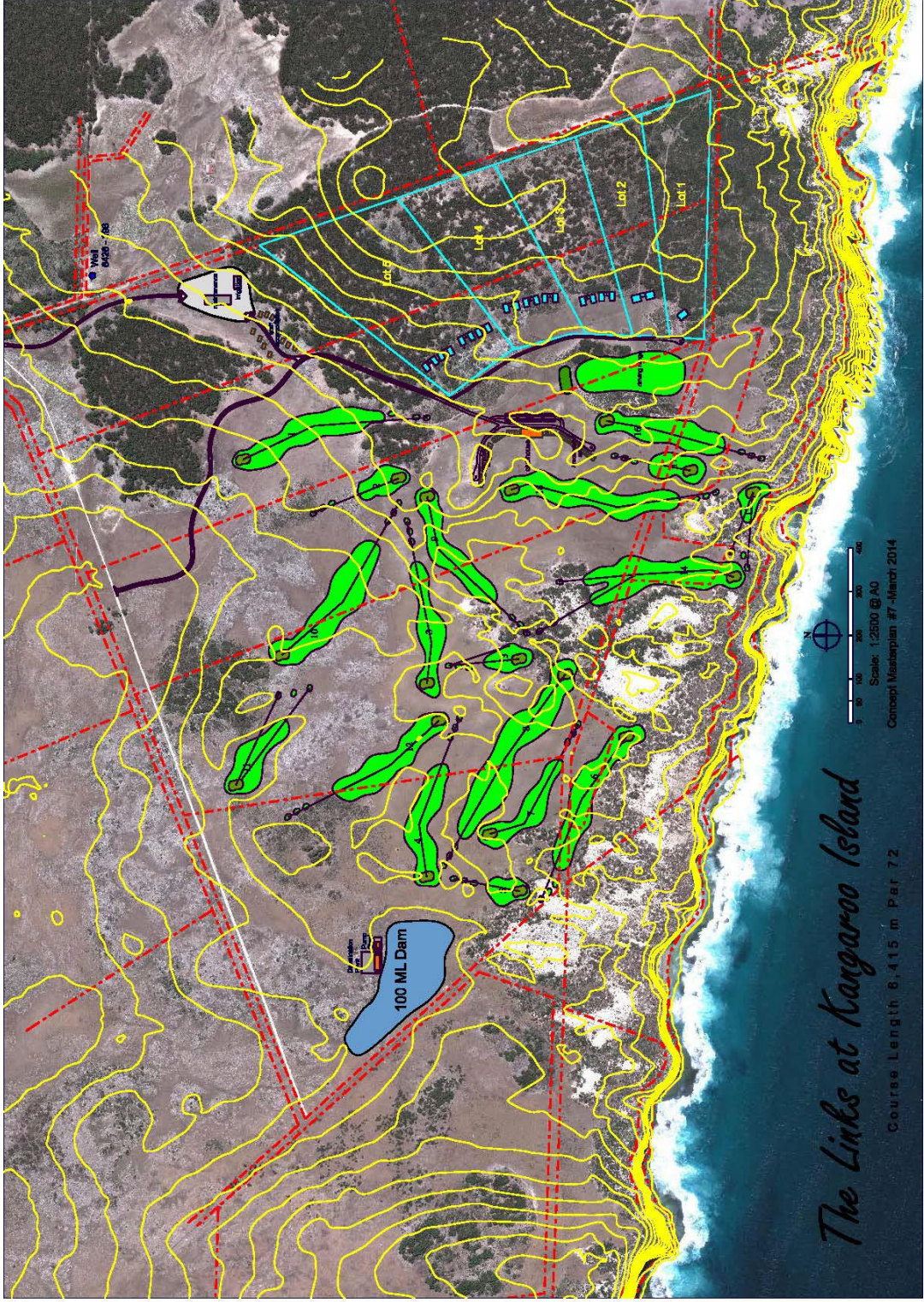
Kangaroo Island Golf Course Resort Proposal

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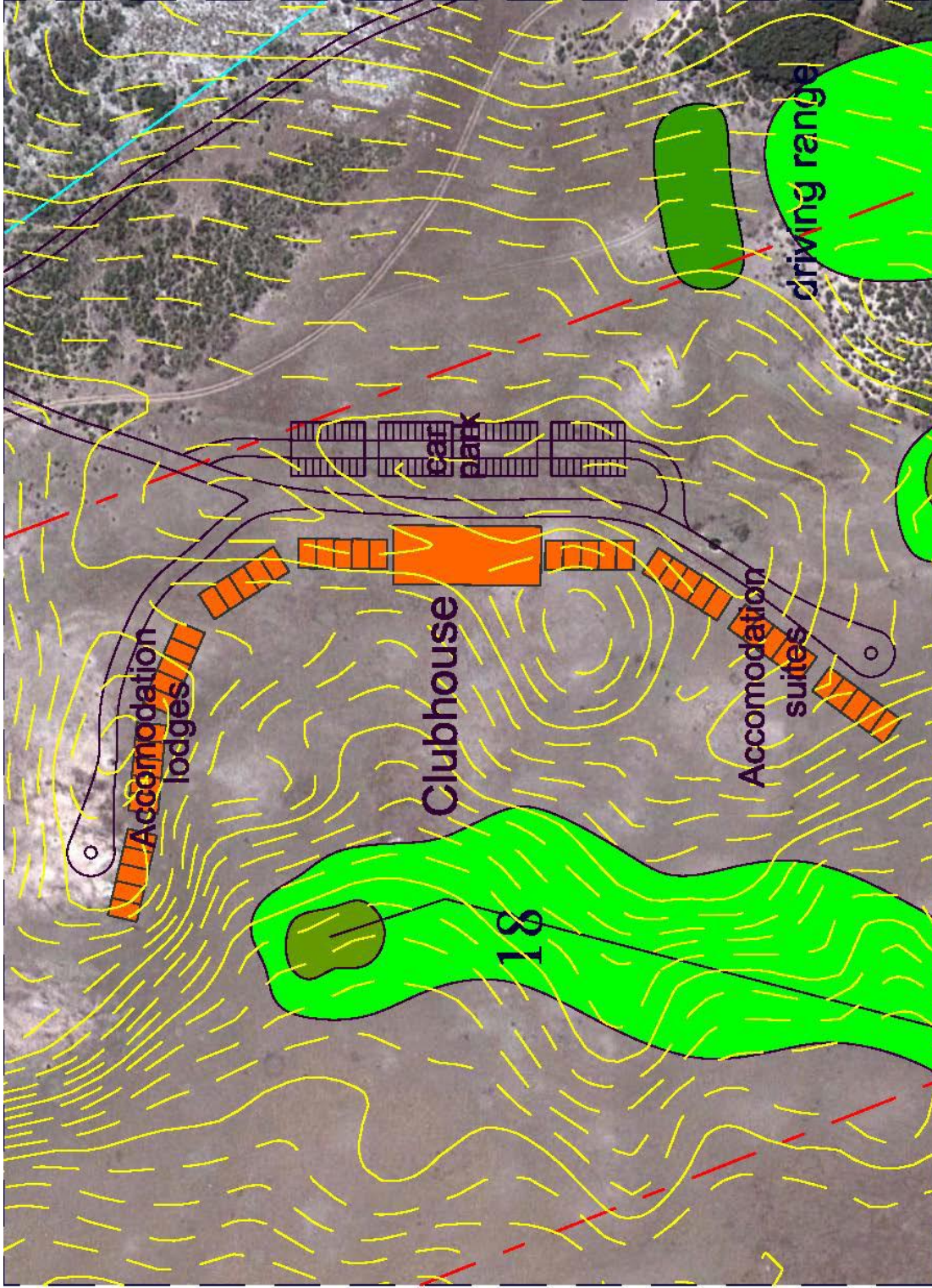
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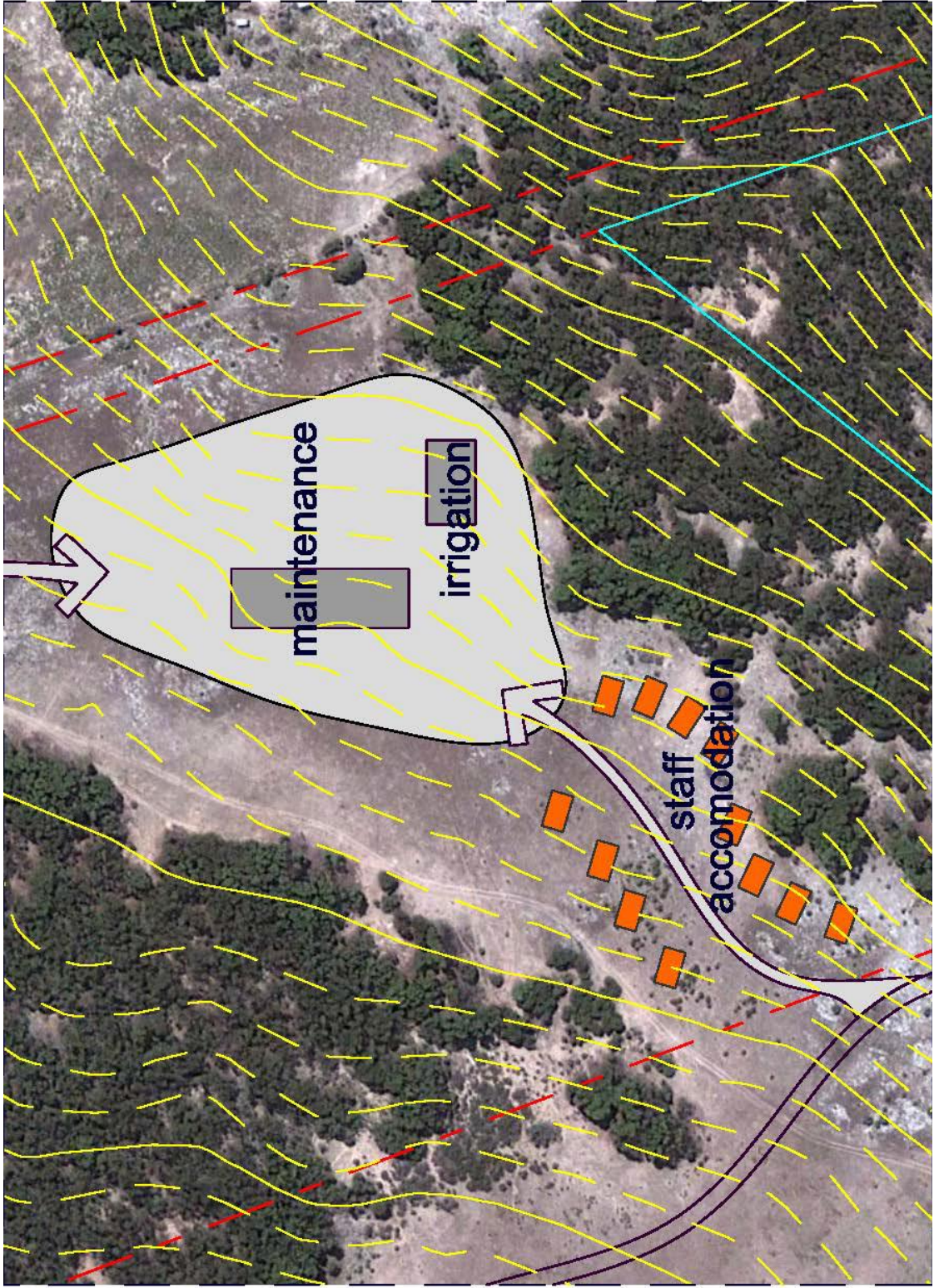
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CONCEPTUAL LAYOUT PLAN



ENLARGEMENT – CLUBHOUSE AND TOURIST ACCOMMODATION



ENLARGEMENT – STAFF ACCOMMODATION AND MAINTENANCE COMPOUND