

EIS Process

This Fact Sheet provides an overview of the Environmental Impact Statement (EIS) process

EIS Process Flowchart

EIS PROCESS STEPS COMPLETE	1	Referral of the project to the Commonwealth Government 24 May 2016
	2	Initial Advice Statement (IAS) prepared and submitted with application for a Coordinated Project declaration 30 May 2016
	3	Project determined to be a 'controlled action' by the Commonwealth Government 12 July 2016
	4	Project declared a Coordinated Project 12 July 2016
	5	Draft Terms of Reference for EIS prepared and published for public notification 27 August 2016 to 26 September 2016
	6	Final Terms of Reference for EIS issued 18 October 2016
	7	Preparation of preliminary draft EIS October 2016 to January 2018
	8	Preliminary draft EIS submitted for the Coordinator-General's review and Proponent revisions to preliminary draft EIS in response to the Coordinator General's review January 2018 to June 2018
	9	Draft EIS submitted to the Coordinator-General. The Coordinator-General is satisfied the draft EIS addresses the Terms of Reference October 2018
NOW	10	Public notification of the draft EIS. During the public notification period, any person may make a submission to the Coordinator-General 22 October 2018 to 14 January 2019

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IMPORTANT! In accordance with Section 37(1)(a) of the SDPWOA, a properly made submission about the draft EIS or any subsequent information that is subject to public notification as part of the coordinated project process, is also taken to be a properly made submission for the purposes of any development application made at Step 16 in the EIS process. A person who makes a properly made submission in relation to a development application may appeal to the Planning and Environment Court against any decision in relation to the development application, within the bounds of the appeal rights afforded under the PA. Therefore, in order to be able to appeal any later decision of Mareeba Shire Council in respect to the Project the subject of this draft EIS you must make a properly made submission during public notification of the draft EIS.

EIS Process Flowchart CONTINUED

NEXT STEPS

- 11 The Coordinator-General evaluates the draft EIS and public submissions
| January 2019 to TBA
- 12 The Coordinator-General requests additional information
| TBA, IF REQUIRED
- 13 The Proponent prepares additional information and submits to the Coordinator-General. This additional information is publicly notified. During this notification period any person may make a submission to the Coordinator-General
| TBA, if required, 20 business days
- 14 The Coordinator-General prepares an evaluation report on the project | TBA
- 15 EPBC Act decision in relation to controlled action | TBA
- 16 Applications for development approvals | TBA

Notification was provided by the Australian Government, Department of Environment and Energy that on 27 June 2016 that it considered that KUR-World represented a controlled action for which assessment and approval under the Environment Protection and Biodiversity Conservation Act 1999 ('the EPBC Act') is applicable. On 20 July 2016, the DoEE advised that the assessment of KUR-World under the EPBC Act could be undertaken by way of bilateral agreement with the Queensland Government.

In a nutshell, the bilateral agreement is an agreed assessment process between the Australian Government and Queensland Government, where a project impacts on both state and national interests. Because KUR-World is subject to the bilateral assessment process it means that only one assessment process will apply. However, the Queensland Government, through the Coordinator-General and the Australian Government Minister for Environment will make their respective decisions separately.

The coordinated project declaration lapse date is 30 September 2019.

It's not commonly understood that despite the decision points at Step 14 and Step 15 by the Queensland Government and Australian Government respectively, the final decision about the project actually rests with Local Government, which in the case of KUR-World is Mareeba Shire Council.*

Further, the type of approval that will be sought from Mareeba Shire Council is called a Variation Request, which will seek to vary the effect of the Mareeba Shire Planning Scheme 2016. The manner in which the effect of the planning scheme will be sought to be varied is documented in the Proponent's proposed Draft Plan of Development ('Draft PoD'), provided as Appendix 2B. The Draft PoD designates alternative categories of development and/or assessment and new or altered assessment benchmarks for development that is a Material Change of Use (things like the university, hotel, and premium villas), Reconfiguring a Lot (subdividing the land), Carrying Out Building Work and Carrying Out Operational Work (engineering works such as road construction and earthworks) for KUR-World. The Proponent intends to receive a Preliminary Approval, including a Variation Approval, which will provide for the Draft PoD to apply in place of the planning scheme in relation to development for KUR-World. One way to think of a Variation Request is like a development rule book that is tied to the land by way of an approval, and it changes the requirements of the planning scheme to facilitate the project. Further development applications must be made to Mareeba Shire Council to realise the development, and these development applications will be assessed via the Plan of Development. Therefore, it's important that the Plan of Development is considered by the community and other stakeholders because it will be the rule book by which the development must ultimately be assessed. It's also important to know that the Variation Request isn't an amendment of the planning scheme as such, because the zoning of the land will remain as per the planning scheme unless amended by Mareeba Shire Council. This means that if a Preliminary Approval is received for KUR-World and that approval should lapse, then any development of the site must revert to assessment under the planning scheme.

* Unless the Queensland State Government exercises step-in powers under the SDPWOA or call-in powers under the *Planning Act 2016*