

March 2022

Appendix B – Requirements of the Environment Protection Act Sections 42 and 43

Australia-Asia PowerLink Environmental Impact Statement



Checklist of Requirements of the Environment Protection Act Sections 42 and 43

Section	Requirement	How addressed	Cross-reference
42 (a)	Actions do not have an unacceptable impact on the environment, now or in the future	The EIS identifies all potential environmental impacts and assess the significance of the impact. Mitigation measures are proposed to ensure an acceptable level of impact. Potential impacts are assessed for all parts of the project lifecycle including construction, operations and closure and consider long lasting impacts.	Impact assessment methods are described in Chapter 3. Impacts are assessed in Chapters 4 to 16 and the impact of cumulative disturbances are assessed in Chapter 18.
42 (b) (i)	all actions that may have a significant impact on the environment are assessed, planned, and carried out taking into account: the principles of ecologically sustainable development; and	<p>Decision making principle – the EIS addresses potential long- and short-term impacts including the potential impacts of the AAPowerLink project on climate change. Sun Cable have conducted consultation with local communities to involve them in the process of identifying sensitive receptors and impact assessment.</p> <p>Evidence based decision making and precautionary principles – The EIS is based on the best scientific knowledge available. The impact assessment has been informed by technical studies undertaken by suitably qualified professionals.</p> <p>Where knowledge is not available the precautionary principle has been adopted by assigning higher residual impact ratings and making commitments to undertaking further work to ensure all impacts are mitigated as low as reasonably practicable. Where there is insufficient information to determine whether an impact will occur (for example protected flora surveys) the EIS has assumed impacts until such time as evidence can be provided to the contrary.</p> <p>Inter and intragenerational equity & sustainability principles – The AAPowerLink project aims to not only maintain the health, diversity and productivity of the environment but enhance it by being a carbon positive project to reduce the impact of climate change on future generations. Sun Cable has made commitments through the EIS to measures that will ensure opportunities are maximised and impacts are managed to as low as reasonably practicable. The impact assessment concluded that there will be no unacceptable impacts from the proposal.</p>	<p>Chapter 3 Impact Assessment and Impact Chapters (4-16)</p> <p>Chapter 1 provides details of stakeholder consultation, and Chapter 3 summarises how stakeholder concerns have been responded to through the impact assessment process.</p> <p>Technical studies undertaken, and other information sources used, to inform the impact assessment are described in each chapter under the heading Information sources.</p> <p>Climate change considerations are addressed in Chapter 2</p>

Section	Requirement	How addressed	Cross-reference
		<p>Conservation of biological diversity and ecological integrity principle – The EIS documents how the AAPowerLink project will avoid and mitigate potential impacts on biodiversity and ecological integrity to avoid significant impacts.</p> <p>Principle of improved valuation, pricing, and incentive mechanisms – The EIS documents the lifecycle of the project including management of waste at all stages. Recycling of waste infrastructure is incorporated into the EIS, and the project will develop a more competitive market for renewable energy sources.</p>	
42 (b) (ii)	the environmental decision-making hierarchy; and	In assessing each impact, the environmental decision-making hierarchy has been applied including siting of infrastructure to avoid potential impacts, mitigating potential impacts and for any potential impacts considered significant after mitigation measures are implemented consideration of environmental offsets.	Chapter 3 Impact Assessment & Impact Chapters (4 to 16).
42 (b) (iii)	the waste management hierarchy; and	The EIS sets out how the project will manage all waste generated including domestic waste from the accommodation camps, construction waste and waste infrastructure in accordance with the waste management hierarchy.	Chapter 2 various sections
42 (b) (iv)	ecosystem-based management; and	The EIS identifies all potential ecological, social, and economic impacts and the interactions between them.	Chapter 3 Impact Assessment Chapter 18 Whole of Environment summarises how interactions between environmental factors have been considered in the impact assessment
42 (b) (v)	the impacts of a changing climate; and	Potential changes in climatic conditions have been accounted for in long term modelling which was used to site the infrastructure and when considering the conditions, the infrastructure must be designed for. The project is a carbon positive project.	Chapter 2 Project Description Section 3.5 Chapter 12 Atmospheric Processes
42 (c)	the potential for less environmentally damaging alternative approaches, methodologies or technologies for actions is considered; and	The route taken by the OTHL and the subsea cable has taken into consideration the environmental aspects and will minimise the environment impacts on a landscape scale. Details on how infrastructure, such as poles, will be sited to avoid environmental impacts is included in the impact assessment chapters.	Chapter 2 Project Description Impact Chapters 4-16
42 (d)	the community is provided with an opportunity to participate, and have its views considered, in decisions on proposed actions; and	Sun Cable have engaged with the local community as summarised in Chapter 1 and detailed Appendix F Consultation Report and Appendix 1 SIA. Chapter 3 Section 3.5 outlines how the community feedback was incorporated into the impact assessment.	Appendix F Consultation Report Appendix 1 SIA Chapter 3 Section 3.5 Chapter 13 Community and economy

Section	Requirement	How addressed	Cross-reference
42 (e)	the potential for actions to enhance or restore environmental quality through restoration or rehabilitation is identified and provided for to the extent practicable.	Chapter 2 outlines all reinstatement activities that will be undertaken for the project to restore environmental quality. Most impacts will occur during the initial construction period followed immediately by reinstate of environment reducing impacts during the operational phase.	Chapter 2 Project Description
43 (a)	to provide communities that may be affected by a proposed action with information and opportunities for consultation to assist each community's understanding of the proposed action and its potential impacts and benefits;	Sun Cable have engaged with the local community as summarised in Chapter 1 and detailed Appendix F Consultation Report and Appendix 1 SIA. Chapter 3 Section 3.5 outlines how the community feedback was incorporated into the impact assessment.	Appendix F Consultation Report Appendix I SIA Chapter 3 Section 3.5 Chapter 13 Community and economy
43 (b)	to consult with affected communities, including Aboriginal communities, in a culturally appropriate manner;	Sun Cable have engaged with the local Aboriginal communities as summarised in Chapter 1 and detailed Appendix F Consultation Report and Appendix 1 SIA. Chapter 3 Section 3.5 outlines how the community feedback was incorporated into the impact assessment. Cultural monitors were engaged in each of the heritage surveys as detailed in Appendix V and W. In addition to the engagement listed in the EIS, Sun Cable have been working with the Communities and Land Councils to identify culturally significant sites and objects to reduce the impact of the project by avoid these areas and negotiate Indigenous Land Use Agreements (ILUAs).	Appendix F Consultation Report Appendix I SIA Chapter 3 Section 3.5 Chapter 13 Community and economy Appendix V and W Heritage impact assessment reports
43 (c)	to seek and document community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted by the proposed action;	Sun Cable have engaged with the local community as summarised in Chapter 1 and detailed Appendix F Consultation Report and Appendix I SIA. Chapter 3 Section 3.5 outlines how the community feedback was incorporated into the impact assessment.	Appendix F Consultation Report Appendix I SIA Chapter 3 Section 3.5 Chapter 13 Community and economy
43 (d)	to address Aboriginal values and the rights and interests of Aboriginal communities in relation to areas that may be impacted by the proposed action;	Sun Cable have engaged with the local Aboriginal communities as summarised in Chapter 1 and detailed Appendix F Consultation Report and Appendix I SIA. Chapter 3 Section 3.5 outlines how the community feedback was incorporated into the impact assessment. Cultural monitors were engaged in each of the heritage surveys as detailed in Appendix V and W. In addition to the engagement listed in the EIS, Sun Cable have been working with the Communities and Land Councils to identify culturally significant sites and	Appendix F Consultation Report Appendix I SIA Chapter 3 Section 3.5 Chapter 13 Community and economy

Section	Requirement	How addressed	Cross-reference
		objects to reduce the impact of the project by avoid these areas and negotiate Indigenous Land Use Agreements (ILUAs).	
43 (e)	to consider the principles of ecologically sustainable development in the design of the proposed action;	Refer to 42(b)(i) above	Refer to 42(b)(i) above
43 (f)	to apply the environmental decision-making hierarchy in the design of the proposed action;	Refer to 42(b)(ii) above	Refer to 42(b)(ii) above
43 (g)	to consider the waste management hierarchy in the design of the proposed action.	Refer to 42(b)(iii) above	Refer to 42(b)(iii) above