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**Draft EPBC Act referral guidelines for the outstanding universal value of the Great Barrier Reef World Heritage Area**

North Queensland Conservation Council (NQCC) commends the Department on the preparation of these draft guidelines, which give substance to the concept of 'outstanding universal value' – words that have often been overlooked, misunderstood or regarded as 'descriptive padding' in the assessment process.

With the huge pressures currently on the Great Barrier Reef, and the threats to its listing and, indeed, survival, it is essential that the term 'outstanding universal value' is well understood and carefully considered in assessments of impacts on the Great Barrier Reef World Heritage Area.

The draft guidelines go a long way to ensuring understanding and appropriate consideration.

To further strengthen the guidelines, NQCC makes the following suggestions.

*1. Possible exceptions to the need to refer*

Add 'sea' – ie '...lawful continuations of land and sea use...'

*2. Protection and management requirements*

In light of the fact that management and protection are sometimes less than adequate, the sentence 'Many of Australia's World Heritage properties are management and protected cooperatively...' needs to be changed to read 'The legal system requires that, in many [or most?] cases, both the Federal and State governments are responsible for the management and protection of Australia's World Heritage properties, with State agencies...'

*Key considerations when determining whether **or not** your action is likely to have a significant impact*

The sentence 'Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted...' could be seen as misleading to the extent that it could suggest that an environment that had been damaged was less important than one that hadn't. This could lead to 'death by a 1000 cuts' whereby an initial impact is gradually worsened over time. Furthermore, that

approach is not supported by the fact that, under the EPBC Act, Australia must 'enhance the protection, conservation and presentation of world heritage properties'.

This responsibility reflects the World Heritage Convention (WHC), to which Australia is a signatory, which recognizes that State parties have 'the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations'.

The WHC Guidelines (para 96) reads, in part, 'Protection and Management of World Heritage properties should ensure that their Outstanding Universal Value, including the conditions of integrity and/or authenticity **at the time of inscription** [emphasis added], are sustained or enhanced over time.'

In other words, if damage occurs, it needs to be rectified, not used as a rationale for further damage.

### *3. Cumulative impacts*

The discussion of cumulative impacts needs to make explicit that such impact is not merely simple addition of impacts, but also incorporates synergistic impacts. This aspect of cumulative impact assessments is rarely addressed in EIS studies; it needs to be.

NQCC requests that these suggestions be incorporated into the final version of the guidelines.

A handwritten signature in blue ink, appearing to read 'Wendy Tubman', with a stylized, cursive script.

Wendy Tubman  
Coordinator