



APPENDIX E PROJECT APPROVALS

Appendix E Project Approvals

There are a number of potential approvals pathways for this Project.

The primary option is to pursue the development approval, permits and other authorisations which would ordinarily be required for the works by a project proponent. This pathway may involve either development permits for a material change of use under the Planning Schemes administered by Isaac Regional Council or obtaining a Community Infrastructure Designation in those Planning Schemes.

A secondary option is to request that the Coordinator-General exercise its discretion to grant a regulation, or other directions/authorities, under the *State Development and Public Works Organisation Act 1971* (SDPWO Act). This option may be pursued in order to manage delay risk for the completion of the Project and ensure that first water is delivered in accordance with both SunWater's contractual commitments with water customers and the need for water to be delivered to the surrounding community.

In view of the above, the statements below with respect to Community Infrastructure Designation and regulations, directions or authorities under the SDPWO Act are included for the sake of completeness only and in no way presume that the discretion will be exercised by the Coordinator General or relevant Minister to grant such approval types.

TABLE 1

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
Commonwealth approvals				
Approval of a controlled action	<p>The project is a controlled action under the EPBC Act, with the relevant controlling provisions being:</p> <ul style="list-style-type: none"> • World heritage (s12 and 15A) • National heritage place (s15B and 15C) • Wetlands of international importance (s16 and 17B) • Listed threatened species and communities (S18 and 18A) • Listed migratory species (s20 and 20A) 	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of Sustainability, Environment, Water, Population and Communities	N/A

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
State approvals				
Development permit for a material change of use of an environmentally relevant activity (ERA)	<ul style="list-style-type: none"> • ERA 8 (Chemical storage) • ERA 14 (Electricity Generation) • ERA 16 (Extractive and screening activities) • ERA 17 (Abrasive blasting) • ERA 38 (Surface coating) • ERA 43 (Concrete batching) • ERA 47 (Timber milling and woodchipping) • ERA 63 (Sewerage treatment) • ERA 64 (Water treatment) 	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Environmental Protection Act 1994; Environmental Protection Regulation 2008</i>	Department of Environment and Resource Management (DERM)	Conditions to be stated for ERA 16 (for quarry and sand extraction sites), ERA 43 (for temporary concrete batching plant); ERA 47 (for timber milling and woodchipping for site clearance) and, for any other ERA, at least in relation to offsets.
Registration certificates	Only a registered operator may undertake an ERA	<i>Environmental Protection Act 1994</i>	DERM	N/A
Acceptance of failure impact assessment	Failure impact assessment is required for referable dams	<i>Water Supply (Safety and Reliability) Act 2008</i>	DERM	N/A
Development permit for a referable dam	Operational work that is the construction of a referable dam is assessable development	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Water Supply (Safety and Reliability) Act 2008</i>	DERM	To the extent practicable but at least in respect of any offsets for the project and the fishway.
Disposal permit to remove and treat or dispose of contaminated soil from land on the EMR or CLR	A disposal permit may be required if contaminated soil is to be removed from a site listed on the EMR or CLR	<i>Environmental Protection Act 1994</i>	DERM	N/A
Development permits required under the Belyando Shire Planning	A material change of use for a Public Utility (being the dam) is assessable development under the Broadsound Shire Planning Scheme; a development permit may also be	<i>Sustainable Planning Act 2009</i>	Isaac Regional Council	Yes, including for ancillary activities including construction of the access

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
Scheme, Nebo Shire Planning Scheme and Broadsound Planning Scheme	required for the pipeline under the relevant planning schemes; a material change of use for Extractive Industry (being quarry and sand extraction sites) is assessable development under each planning scheme; a material change of use for Industry (General) (being the concrete batching plant) is assessable development under the Broadsound Planning Scheme; a material change of use of land for a construction camp is assessable development under each planning scheme			road, infrastructure relocation and earthworks for construction compounds and temporary works.
Development approval for operational work which is the clearing of native vegetation	A development permit is required for the clearing of vegetation to which the Vegetation Management Act 1999 applies, unless an exemption is available under the Sustainable Planning Regulation 2009 or under a clearing notification for regulated regrowth under the Vegetation Management Act 1999.	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Vegetation Management Act 1999</i>	DERM	Yes
Development permit for operational works for taking or interfering with water	A development permit is required for operational work which is taking or interfering with water in a watercourse, lake or spring (being both the construction of the dam and temporary works for taking water for construction)	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Water Act 2000</i>	DERM	To the extent practicable for the dam No, for temporary works for construction water
Water permit	A water permit is required to authorise taking water for a temporary purpose, such as construction	<i>Water Act 2000</i>	DERM	No#
Development permit for the removal of quarry material from a watercourse or lake	A development permit is required for the removal of quarry material from a watercourse (being the extraction of sand) if an allocation notice is required under the Water Act 2000	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Water Act 2000</i>	DERM	Yes, for sand extraction sites
Allocation notice	An allocation notice is required to authorise the taking of quarry material from a watercourse	<i>Water Act 2000</i>	DERM	No#

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
Development permit for waterway barrier works	A development permit is required for constructing or raising waterway barrier works, being the dam wall and possibly any causeways	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Fisheries Act 1994</i>	Department of Employment, Economic Development and Industry (DEEDI)	To the extent practicable for the dam wall and at least in relation to any offsets for the project and the fishway. Yes, in respect of causeways
Forestry Act permits	A permit is required to interfere with quarry material and to take or interfere with forest products on Crown Holdings and Crown Land.	<i>Forestry Act 1959</i>	DERM – forest products	No#
Riverine Protection Permits	A permit is required to excavate, place fill or destroy vegetation in a watercourse, unless such works are otherwise authorised. Applies to pipeline creek crossings and other minor works	<i>Water Act 2000</i>	DERM	No#
Cultural heritage management plan	Preparation of a cultural heritage management plan is required for projects which require an EIS	<i>Aboriginal Cultural Heritage Act 2003</i>	DERM	No#
Direction under the State Development and Public Works Organisation Act 1971	Certain instruments made under this Act may direct/authorise SunWater to carry out certain works and will have the effect of creating exemptions from the need for certain other approvals	<i>State Development and Public Works Organisation Act 1971</i>	Coordinator-General (Department of Infrastructure and Planning)	No#
Community Infrastructure Designation	Land may be designated for community infrastructure under a planning scheme, in which case the works will be exempt development under the relevant planning schemes	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009;</i>	Minister for Environment and Resource Management	Yes
Resource operations licence	A resource operations licence is required to authorise the interference with water necessary to operate infrastructure on an interim basis	<i>Water Act 2000</i>	DERM	No#
Road licence/consent	Alterations or improvements to location government controlled roads and works in or under local government	<i>Local Government Act 2009; Broadsound Shire Council</i>	Isaac Regional Council	No#

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
	controlled roads, required for pipeline crossings and road upgrades/closures	<i>Local Law No. 21; Nebo Shire Council Local Law No. 4 and Belyando Shire Council Local Law No. 21</i>		
Road Corridor permit	Certain ancillary works and encroachments on state-controlled roads must be authorised in writing by the chief executive	<i>Transport Infrastructure Act 1994</i>	DTMR	No#
Works within a state controlled road	Approval is required to interfere with a state-controlled road or its operation or to carry out works (other than ancillary works and encroachments)	<i>Transport Infrastructure Act 1994</i>	DTMR	No#
Approval to interfere with a railway	Approval is required to interfere with a railway	<i>Transport Infrastructure Act 1994</i>	QR	No#
Public Utilities Plan	Coordination of utility relocation	<i>Electricity Act 1994; Telecommunications Act 1997</i>	Public utility providers	No#
Clearing permit	A permit is required to take protected plants, subject to certain exceptions	<i>Nature Conservation Act 1992</i>	DERM	Yes A condition recommended under s54B should address offset obligations under this Act.
Flammable and combustible liquids licence	Storage of flammable and combustible liquids on site during construction.	<i>Dangerous Goods Safety Management Regulation 2001</i>	Isaac Regional Council	No#
Notification of Large Dangerous Goods Location 2001	Storage of flammable and combustible liquids on site during construction	<i>Dangerous Goods Safety Management Regulation 2001</i>	Isaac Regional Council	No#

Approval type	Approval triggers	Relevant legislation	Approving Authority	Suggested conditions to be stated/recommended in Coordinator-General's report
Building works	Building works for the project may be assessable or self-assessable	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Building Act 1975</i>	Isaac Regional Council/private certifier	No#
Reconfiguration of a lot	A development permit is required for the reconfiguration of a lot, may be required for excisions or long term leases for ancillary infrastructure such as balance storages	<i>Sustainable Planning Act 2009; Sustainable Planning Regulation 2009; Land Titles Act 1994</i>	Isaac Regional Council	No#

The reason for conditions need not be stated/recommended in the Coordinator-General's report is on the following basis:

- The approval is minor in nature; or
- There is not enough detailed design/operational information available at this time for conditions to be made; or
- The approval is one which the Coordinator-General can subsequently recommend conditions