

# Standardised outcome-focused conditions for resource projects

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# Introduction

Under Part 4, section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act), the Coordinator-General may declare a project to be a 'coordinated project requiring an environmental impact statement' (EIS).

The Coordinator-General is required to evaluate the EIS and prepare a Coordinator-General's report. In accordance with section 35(4) of the SDPWOA, the Coordinator-General's report may state conditions that must be attached to the following approvals:

- a development approval under the *Sustainable Planning Act 2009* (SPA)
- an environmental authority under the *Environmental Protection Act 1994* (EP Act)

In certain circumstances under section 54B of the SDPWOA, the Coordinator-General may also impose conditions to manage the environmental effects of a project, where no relevant approval applies under the SPA or EP Act.

The Coordinator-General's report on the EIS is not an approval in itself. The conditions of approval in the report only gain legal effect when they are attached to a statutory approval given under other specific legislation. The relevant administering authorities ultimately decide whether approvals are granted for different elements of the proposed project, such as land use approvals. In doing so, administering authorities:

- must attach the Coordinator-General's stated conditions to any approval that is granted
- are not limited in their ability to refuse a project even if the Coordinator-General's report on the EIS has recommended that the project be approved
- can impose additional conditions on the development approval, provided they are not inconsistent with the conditions stated or imposed in the Coordinator-General's report.

## Scope and relationship with an EA

The primary environmental regulation of resource projects is an environmental authority (EA), under the EP Act. The Department of Environment and Heritage Protection (EHP) is the administering authority responsible for the EP Act and has prepared sets of model conditions for EAs for various resource activities.<sup>1</sup>

This document describes a baseline set of standardised outcome-focused conditions that the Coordinator-General may state or impose for large-scale resource developments. The conditions are intended to not overlap or replace the matters regulated by an EA, therefore not all conditions necessary to regulate a resource project are included. Matters not regulated by an EA may be matters directly associated with resource activities (for example, use of water resources for a mining operation) or matters relating to project elements located outside a lease area (for example, a rail line or electricity transmission infrastructure).

## Application

These conditions may be modified to suit the specific circumstances of a resource project, should the Coordinator-General determine that a variation is required. Where further project-specific issues arise during the environmental impact assessment process, additional conditions may need to be applied. Conversely, certain conditions may not be relevant to some projects.

These conditions are subject to regular review. The latest version is available from [www.dsdip.qld.gov.au/cg](http://www.dsdip.qld.gov.au/cg)

For enquiries about this document, email [info@dsdip.qld.gov.au](mailto:info@dsdip.qld.gov.au)

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<sup>1</sup> For an example, refer to: [www.ehp.qld.gov.au/land/mining/pdf/model-mining-conditions-em944.pdf](http://www.ehp.qld.gov.au/land/mining/pdf/model-mining-conditions-em944.pdf)

## Part A. Whole-of-project conditions

The following conditions and recommendations may be applied both on-lease and off-lease (as specified in the explanatory notes for each condition). Should a matter be covered by a condition attached to an EA, the conditions below would not apply.

### Social and economic

#### Relevant objectives from the generic terms of reference

The construction and operation of the project should aim to:

- (a) avoid or mitigate adverse social and economic impacts arising from the project
- (b) capitalise on opportunities potentially available to affected communities.

#### Social impact assessment and reporting

Social impact assessment is a key part of the Coordinator-General's evaluation of large-scale resource projects. The social impact assessment guideline provides an overview of the social impact assessment process and proponent information requirements.

This condition is generally imposed to ensure regular reporting of a proponent's social impact mitigation measures and may also include reporting on the success of the proposed strategies and the positive impacts on the local community.

**Jurisdiction:** The Coordinator-General

#### Condition

- (a) The proponent will provide an annual report to the Coordinator-General for five years after the commencement of construction describing the:
  - (i) action and adaptive management strategies to avoid, manage or mitigate project-related impacts on local and regional housing markets
  - (ii) actions to enhance local employment, training and development opportunities
  - (iii) actions to avoid, manage or mitigate project-related social impacts on local community services, infrastructure and community safety and wellbeing
  - (iv) actions to inform the community about project impacts and show that community concerns about project impacts have been taken into account when reaching decisions.
- (b) The annual report should also report on actions and management strategies addressing direct impacts arising from operational activities undertaken during the five-year reporting period.

#### Local content reporting

This recommendation is designed to facilitate resources companies in providing full, fair and reasonable opportunity for capable local industry to compete for the supply of goods and services for resources projects in both the construction and operating phases.

The Queensland Resources Council has developed the *Queensland Resources and Energy Sector Code of Practice for Local Content 2013* (the code) to strengthen linkages with local suppliers and the Queensland minerals and energy sector.

The voluntary code is underwritten by a reporting, information sharing and administrative framework designed to help resources and energy companies refine their local content strategies. Where proponents have not committed to using the code, an alternative condition has been proposed.

## Recommendation

Where proponents have committed to using the *Queensland Resources and Energy Sector Code of Practice for Local Content 2013*:

- (a) For five years after receiving the Coordinator-General's report, the proponent must prepare an annual report in accordance with *Queensland Resources and Energy Sector Code of Practice for Local Content 2013*. The report must describe the actions, outcomes and adaptive management strategies adopted to enhance local and regional employment opportunities, business growth and economic development.
- (b) The reports shall be made publicly available on the internet as soon as practicable after completion.

Where proponents have not committed to using the *Queensland Resources and Energy Sector Code of Practice for Local Content 2013*:

- (a) Local content actions that satisfy the requirements of the Code Industry Report under the *Queensland Resources and Energy sector Code of Practice for Local Content 2013*.

## Land, flora and fauna

### Relevant objectives from the generic terms of reference

The environmental objectives to be met under the EP Act are that the:

- (a) activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna
- (b) choice of the site, at which the activity is to be carried out, minimises serious environmental harm on areas of high conservation value and special significance and sensitive land uses at adjacent places
- (c) location for the activity on a site protects all environmental values relevant to adjacent sensitive use
- (d) design of the facility permits the operation of the site, at which the activity is to be carried out, in accordance with best practice environmental management.

The performance outcomes corresponding to these objectives are in Schedule 5, Table 3 of the EP Regulation. The proponent should supply sufficient evidence (including through studies and proposed management measures) that show these outcomes can be achieved.

### Environmental offsets

The requirements for environmental offsets are to be decided in each case by the Coordinator-General. This condition may be stated or imposed as necessary to apply to whole-of-project activities.

Where a proponent is seeking approval of a staged offsets proposal, this will need to be clearly articulated in the offsets proposal.

**Jurisdiction:** The Coordinator-General

### Condition

- (a) The proponent must prepare a proposed offset plan to address significant residual impacts to environmental values identified in the environmental impact statement.
- (b) The proposed offset plan must be lodged with the Coordinator-General prior to commencement of construction activities, or prior to impacting on significant biodiversity values
- (c) The offset plan must be approved by the Coordinator-General and is to include, but is not necessarily limited to:
  - (i) a detailed description of the land to which the plan relates, the values affected and the extent and likely timing of impact on each

- (ii) evidence that values to be impacted can be offset
  - (iii) the offset delivery mechanism(s) comprising one or more of: land-based offsets; direct benefit management plans; offset transfers and/or offset payments
  - (iv) a legally binding mechanism that ensures protection and management of offset areas.
- (d) The approved offset plan must be implemented within <XX> years of commencement of construction, or as directed by the Coordinator-General.

### Definitions

'Significant residual impact' is defined in the Environmental Offsets Bill 2014 as:

'an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that—

(a) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and

(b) is, or will or is likely to be, significant.'

### Threatened species

This condition would typically be recommended to be applied to both on- and off-lease components to manage impacts to endangered and vulnerable fauna under the *Nature Conservation Act 1992* (NCA). Impacts to endangered, vulnerable or near threatened flora and impacts to the habit of endangered, vulnerable or near threatened fauna are addressed in EA conditions.

In some cases proponents may progressively submit management measures for certain project stages, similar to environmental offset condition.

**Jurisdiction:** Department of Environment and Heritage Protection

### Condition

- (a) Prior to the commencement of construction activities, a suitably qualified and experienced person must develop impact mitigation and management measures that maximise the ongoing protection and long-term conservation of threatened species known or likely to occur within the project area. Mitigation and management measures must:
- (i) detail actions and procedures to be followed during the pre-construction, construction, operational and (if appropriate) rehabilitation phases of the project
  - (ii) be supported by a program of monitoring and reporting to facilitate adaptive management of the action and procedures, should it be required
  - (iii) be consistent with the provisions of the *Nature Conservation Act 1992* (Qld).
- (b) All identified impact mitigation and management and reporting and monitoring measures must be implemented for all stages of the project construction and operations.

### Definitions

'Suitably qualified and experienced person' is defined in Part 3, section 564 of the *Environmental Protection Act 1994*.

'Endangered', in relation to wildlife, means the wildlife falls within a description mentioned in section 77 of the *Nature Conservation Act 1992*.

## Water resources

### Relevant objectives from the generic terms of reference

The construction and operation of the project should aim to meet the following objectives:

- (a) equitable, sustainable and efficient use of water resources
- (b) environmental flows, water quality, in-stream habitat diversity, and naturally occurring inputs from riparian zones support the long term maintenance of the ecology of aquatic biotic communities
- (c) the condition and natural functions of water bodies, lakes, springs and watercourses are maintained—including the stability of beds and banks of watercourses
- (d) volumes and quality of groundwater are maintained and current lawful users of water (such as entitlement holders and stock and domestic users) and other beneficial uses of water (such as spring flows and groundwater-dependent ecosystems) are not adversely impacted by the development.

This condition would generally be recommended to apply to whole-of-project activities relating to the interference or taking of water resources.

This condition would not apply to projects, or elements of projects, which are included in a cumulative management area (CMA) for water, as the impacts on water resources are monitored by the Office of Groundwater Impact Assessment (Qld) and are publicly available. Under the *Water Act 2000*, a CMA can be declared if an area contains two or more petroleum tenures, including tenures on which coal seam gas (CSG) activities operate and where there may be cumulative impacts on groundwater resulting from water extraction by the tenure holders. Information about cumulative management areas is available on the Department of Environment and Heritage Protection website.

The 'alternative condition' shown below would be used where an environmental impact statement did not include full details of the anticipated impacts and/or affected entitlement holders.

**Jurisdiction:** Department of Natural Resources and Mines

### Condition

#### *General*

- (a) All plans, modelling and monitoring programs required by these conditions must be certified by a suitably qualified and experienced person.
- (b) All plans and monitoring programs required under these conditions must be implemented.
- (c) The extraction of groundwater as part of the project activities must not directly or indirectly adversely affect any watercourse, lake, wetland or spring unless authorised under these conditions or by another authorisation under the *Water Act 2000*.
- (d) The project must not impact on the outcomes of the **<insert Water Resource Plan name>** for the duration of the project.
- (e) Watercourse diversions must be undertaken in accordance with either the relevant:
  - (i) conditions of an environmental authority for a resource activity issued under the *Environmental Protection Act 1994* or,
  - (ii) Department of Natural Resources and Mines watercourse guideline, *Works that interfere with water in a watercourse: watercourse diversions*, 2014.
  - (iii) Department of Natural Resources and Mines watercourse guideline, for example the *Central West Water Management and Use Regional Guideline: Watercourse Diversions – Central Queensland Mining Industry version 5*, Department of Natural Resources and Mines, 2011.



- (f) When authorised, excavating or placing fill in a watercourse, lake or spring necessary for and associated with project operations must be undertaken in accordance with the Department of Natural Resources and Mines *Riverine Protection Permit Exemption Document*.

Note: A riverine protection permit under the *Water Act 2000* is required for any activity that cannot be undertaken in accordance with the Riverine Protection Permit Exemption Document.

*Water security*

- (g) The proponent must provide compensatory measures to the affected water entitlement holders and stock and domestic water users specified in Table 1. Affected water entitlement holders.

**Table 1. Affected water entitlement holders**

Affected water entitlement holders	Location	Entitlement affected

**<OR instead of above condition and table use the following conditions> (refer to explanatory notes below)**

Prior to the commencement of project activities the proponent must develop a plan to address impacts to water supply for water users potentially affected by project activities.

The plan required by condition (x) must identify the water supply impacts to affected water entitlement holders and stock and domestic water users during and following the project activity.

The plan required by condition (x) must identify the proposed compensatory measures to affected water entitlement holders and stock and domestic water users, and outline how those measures will meet the requirements of the condition (h).

The plan required by condition (x) must be developed to the satisfaction of the administering authority.

The plan required by condition (x) must be updated to include additional affected water entitlement holders including stock and domestic water users where identified through monitoring data and/or updated groundwater modelling.

**<End alternative conditions>**

- (h) The compensatory measures must provide an:
- (i) alternative long-term supply of water that is equivalent to the loss attributable during and following the project activities, is of suitable quality for the intended purpose, and does not increase the cost of operating that supply, or
  - (ii) alternative arrangement.
- (i) The compensatory measures required by condition (h) must be agreed with all existing affected water entitlement holders prior to the commencement of project activities.

*Water resources monitoring*

- (j) Prior to the commencement of project activities, a water resources monitoring program must be prepared by the proponent to measure and report on impacts on water resources attributable to the project activities. The water resources monitoring program must be approved by the administering agency.
- (k) The water resources monitoring program required by condition (j) must be able to detect any direct or indirect impact as a result of the project activities to:
  - (i) water resources, and
  - (ii) regional water availability for affected water entitlement holders and groundwater-dependent ecosystems.
- (l) The groundwater levels and surface water flow rates must be monitored for the parameters at the locations and frequency specified in Table 2. Water resource monitoring locations and frequency.

**Table 2. Water resource monitoring locations and frequency**

Location	Parameter	Frequency

- (m) All monitoring results and interpretation report must be provided to the administering authority within six months of collection (unless otherwise agreed in writing with the administering authority).
- (n) The monitoring results and interpretation report required by condition (m) must be provided in a format agreed with the administering authority in writing.
- (o) Monitoring results and interpretation report collected in accordance with condition (l) must be publicly available on the proponent's website within six months of collection and for the remaining life of the project.

*Modelling impact on water resources*

- (p) Unless otherwise specified in a water licence or permit issued under the *Water Act 2000*, the proponent must undertake the following:
  - (i) No later than 2 years after the commencement of project activities, the proponent must review the adequacy of the model and update the **<insert name of project/model>** model predicting changes in groundwater levels and surface water flow rates as a result of the project activities.
    - (1) The updated model required by condition (p)(i) must incorporate the results of the monitoring program required by condition (j) and condition (l).
    - (2) The updated model required by condition (p)(i) must be reviewed by an independent suitably qualified person to evaluate the appropriateness of the model used, evaluate the accuracy of the predicted changes in groundwater levels and surface water flow rates and recommend actions to ensure the accuracy of the model predictions.
    - (3) No later than 2 years after the commencement of project activities, a report on the model amendments and accuracy (including any recommendations) of the updated model must be submitted to the administering authority.

- (4) The <insert name of project/model> model referred to in condition (p)(i) must be updated at the following times:
  - (A) every five years from the commencement of project activities, or
  - (B) at appropriate intervals specified by the administering authority in writing, when the observed water levels and surface water flow rates measured in accordance with condition (l) are not consistent with the groundwater levels and surface water flow rates predicted in the <insert name of project/model> model.
- (5) Within three months of completion, a model update (required by condition (p)(i)) and a report interpreting the results from the updated model must be submitted to the administering authority.

*Contingency plan*

A Contingency Plan for water resource impacts must be developed prior to the carrying out of project activity.

The Contingency Plan for water resource impacts must include, but not necessarily be limited to:

- (a) response procedures to be implemented where groundwater drawdown exceeds the limits specified in Table 3. Groundwater limits
- (b) timeframes for the implementation of response procedures  
timely and accurate reporting of the circumstance and nature of water resource incidents to the administering authority and any affected landholder, occupier and/or their nominated representative.
- (d) The response procedures required by condition (r)(i) must commence when the groundwater monitoring result exceeds the limit specified in Table 3. Groundwater limits.

**Table 3. Groundwater limits**

Location	Parameter	Limit

**Definitions**

'Suitably qualified and experienced person' is defined in Part 3, section 564 of the *Environmental Protection Act 1994*.

## Traffic and transport

**Relevant objectives from the generic terms of reference**

The construction and operation of the project should aim to:

- (a) maintain the safety and efficiency of all affected transport modes for the project workforce and other transport system users
- (a) avoid or mitigate impacts on the condition of transport infrastructure
- (b) ensure any required works are compatible with existing infrastructure and future transport corridors.

### State-controlled roads

This condition would generally be recommended to apply to whole-of-project activities relating to significant impacts on the state-controlled road network. In some circumstances this may be a stated condition for a development approval under the *Sustainable Planning Act 2009*.

It is acknowledged that many large-scale resource projects do not have an accurate definition of the potential impacts on the state-controlled road network at the completion of the EIS investigations. Further detailed design and logistics planning, often considering multiple stages, may be necessary to finalise the impact assessment. In these cases a flexible approach is necessary for impact mitigation.

However, in all cases it is important that the highest possible degree of certainty is specified in the condition based on the available information from the EIS evaluation.

**Jurisdiction:** Department of Transport and Main Roads

### Condition

- (a) The proponent must implement all necessary measures to mitigate adverse impacts on the safety, condition and efficiency of state-controlled roads for all stages of the project. The relevant components of the state-controlled road network are specified in <Table> or <Attachment>.
- (b) An impact mitigation program must be documented and finalised at least three (3) months prior to the commencement of project construction, or such other period agreed in writing with DTMR, and may be one or more of the following:
  - (i) construction of any required works (including site accesses) as and when stated in a road impact assessment (RIA)
  - (ii) payment of any contributions towards the cost of works, rehabilitation or maintenance as and when stated in a RIA
  - (iii) undertake or implement any other action as and when stated in a road-use management plan (RMP)
  - (iv) actions or payments as otherwise agreed in writing with the Department of Transport and Main Roads (DTMR) or in an infrastructure agreement.
- (c) In the event that agreement cannot be reached between the proponent and the administering authority, the matter may be referred to the Coordinator-General, by either party, for mediation, direction or necessary action.

### Definitions

#### Infrastructure agreements

Infrastructure agreements are negotiated between a proponent and DTMR. Agreements are intended to formalise arrangements about transport infrastructure works, contributions and road-use management strategies detailed and required under the impact mitigation program.

Infrastructure agreement/s may incorporate, but are not limited to, the following:

- (a) project-specific works and contributions required to upgrade impacted road infrastructure and vehicular access to project sites as a result of the proponent's use of state-controlled transport infrastructure by project traffic
- (b) project-specific contributions towards the cost of maintenance and rehabilitation, to mitigate impacts on state-controlled and road pavements or other infrastructure
- (c) infrastructure works and contributions associated with shared (cumulative) use of state-controlled road infrastructure by other projects subject to an environmental impact statement
- (d) performance criteria that detail protocols for consultation about reviewing and updating project-related traffic assessments and impact mitigation measures that are based on actual traffic volume and impacts, should previously advised traffic volumes and/or impacts change
- (e) the proponent's transport-related commitments as detailed in a table of RMP commitments.

It is recommended that an infrastructure agreement should be in place three (3) months prior to commencement of project construction, or as otherwise agreed in writing between the proponent and DTMR.

### **Permits, approvals and traffic management plans**

To ensure efficient processing of transport-related permits and approvals, the proponent should undertake the following no later than three (3) months, or such other period agreed in writing with DTMR, prior to the commencement of significant construction works or project-related traffic:

- (a) submit detailed drawings of any works required to mitigate the impacts of project-related traffic to DTMR for review and approval
- (b) obtain all relevant licences and permits required under the *Transport Infrastructure Act 1994* for works within the state-controlled road corridor (section 33 for road works approval, section 62 for approval of location of vehicular accesses to state roads and section 50 for any structures or activities to be located or carried out in a state-controlled road corridor)
- (c) prepare a Heavy Vehicle Haulage Management Plan and obtain permits for any excess mass or over-dimensional loads for all phases of the project in consultation with DTMR's Heavy Vehicles Road Operation Program Office, the Queensland Police Service and the relevant LGA, as required by the *Transport Operations (Road Use Management) Act 1995*
- (d) prepare traffic management plan/s (TMP) in accordance with DTMR's *Guide to preparing a Traffic Management Plan*. A TMP must be prepared and implemented during the construction and commissioning of each site where road works are to be undertaken, including site access points, road intersections or other works undertaken in the state-controlled road corridor.

### **Road impact assessments**

An acceptable road impact assessment (RIA) is one developed by a suitably qualified person in accordance with the DTMR *Guidelines for Assessment of Road Impacts of Development (2006)* (GARID) and includes:

- (e) a completed DTMR Transport Generation Proforma detailing project-related traffic and transport generation information or as otherwise agreed in writing with DTMR
- (f) use of DTMR's Pavement Impact Assessment tools or such other method or tools as agreed in writing with DTMR
- (g) a clear indication of where detailed estimates of project-related traffic are not available and documents the assumptions and methodologies that have been previously agreed in writing with DTMR, prior to RIA finalisation
- (h) details of the final impact mitigation proposals, listing infrastructure-based mitigation strategies, including contributions to road works, rehabilitation and maintenance and summarising key road-use management strategies.

It is recommended that the RIA be submitted to DTMR for review six (6) months prior to the anticipated commencement of the project, or the relevant project stage.

### **Road-use management plans**

An acceptable road-use management plan (RMP) is one developed by a suitably qualified person (in accordance with DTMR's *Guide to Preparing a Road-use Management Plan*) for each stage of the project and includes:

- (i) optimised project logistics and minimised road-based trips on all state-controlled transport infrastructure
- (j) a table listing RMP commitments and provides confirmation that all works and road-use management measures have been designed and/or will be undertaken in accordance with all relevant DTMR standards, manuals and practices.

It is recommended that the RMP be submitted to DTMR for review six (6) months prior to the anticipated commencement of the project, or the relevant project stage.

### **Significant construction works**

Works associated with major aboveground construction of industrial plant and equipment

## Part B. Off-lease conditions and recommendations

### Third party audit

This condition would be included with any imposed conditions in a Coordinator-General's evaluation report to assist in compliance.

**Jurisdiction:** The Coordinator-General

#### Condition

- (a) Audits are to be undertaken throughout the audit period on an annual basis during the project construction phase and every three years during the operations phase (or at such lesser frequency as agreed by the Coordinator-General in writing). Audits are to be undertaken generally in accordance with AS/NZS ISO 19011:2011 *Guideline for quality and/or environmental management systems* by an appropriately qualified person, engaged by and at the expense of the proponent.
- (b) The approved audit report is to be provided to the Coordinator-General within 30 business days after the end of the relevant audit period.
- (c) The audit period will:
  - (i) commence from the date of the project receiving the Coordinator-General's recommendation to proceed; and
  - (ii) end once all imposed conditions have been complied with.
- (d) Where the Coordinator-General has agreed in writing that the proponent has satisfied an imposed condition, that condition will no longer be subject to further audit requirements.
- (e) The Coordinator-General may determine that an imposed condition has been satisfied for the purpose of this approval where:
  - (i) the condition (or its intent) has subsequently become a requirement of, or has been addressed through subsequent legislation or another regulatory approval; and
  - (ii) it is no longer appropriate that the matter be addressed by the Coordinator-General as it is managed pursuant to other regulatory requirements.

### Project construction and operation

#### Objective

To ensure the impacts outlined in the EIS are fully addressed in the project construction and operation stages.

This condition would be stated and applied to projects with an off-lease/off-tenure infrastructure component, such as construction of a rail spur, construction of electricity transmission lines, installation of communications infrastructure, construction and operations of workers accommodation.

Conditions for similar infrastructure occurring on-lease/on-tenure would be included in the relevant EA. In this case, the administering authority would be the Department of Environment and Heritage Protection.

The high-risk condition below would be applied where an EIS did not contain sufficient information regarding proposed mitigation measures.

Matters to consider in developing efficient procedures may include but are not necessarily limited to:

- (a) lighting and visual amenity
- (b) soils, erosion and sediment control

- (c) native flora and fauna
- (d) fauna passage
- (e) weeds and pests
- (f) surface waters
- (g) surface flood waters
- (h) dust and air quality (including coal dust management, where relevant)
- (i) noise and vibration
- (j) chemical and fuel storage
- (k) waste management
- (l) stock routes
- (m) agricultural land integrity
- (n) existing transport and utility infrastructure
- (o) progressive rehabilitation of disturbed areas
- (p) non-indigenous cultural heritage
- (q) decommissioning and rehabilitation
- (r) hazard and risk.

**Jurisdiction:** Department of Environment and Heritage Protection or relevant Local Government Authority

## Condition

### Low-risk project option

Written procedures must be developed to ensure operations and maintenance of the <insert aspect of approval> complies with the conditions of this approval.

All plans, procedures and reports must be:

- (a) certified by a suitably qualified and experienced person
- (b) kept on record for a minimum of 5 years
- (c) implemented.

### High-risk project option

- (a) Prior to commencement of any construction work, the holder of this approval must prepare and document management measures and procedures that will:
  - (i) ensure compliance with applicable environmental legislation and approval conditions
  - (ii) implement commitments made by the proponent in the project environmental impact statement documentation
  - (iii) minimise adverse impacts to the greatest extent practicable to:
    - (1) the functioning and biodiversity of ecosystems
    - (2) soil structure and quality
  - (iv) minimise the clearing of native vegetation to the greatest extent practicable
- (b) The management measures and procedures in (a) must be implemented and made available to all employees, contractors and subcontractors.
- (c) The management measures and procedures must detail appropriate performance criteria and standards, monitoring and auditing and corrective actions so that all reasonable and practicable measures to prevent or minimise environmental impacts are identified.
- (d) The management measures and procedures must be made publicly available on the proponent's website prior to the commencement of any construction work.
- (e) The holder of this approval must regularly review and amend as necessary the management

measures and procedures in response to monitoring and auditing reports and changes in legislation and standards. Any amended management measures and procedures must be updated on the proponent's website within <XX> days of the change.

## Flooding

### Relevant objective from generic terms of reference

The construction and operation of the project should aim to ensure

- (a) the risk of, and the adverse impacts from, natural and man-made hazards are avoided, minimised or mitigated to protect people and property
- (b) the community's resilience to natural hazards is enhanced.

## Flooding

This condition would be stated and applied to projects with an off-lease/off-tenure infrastructure component that had the potential to cause flood-related impacts to people and property. Examples include the construction and operation of a rail spur, construction of electricity transmission lines, installation of communications infrastructure, construction and operation of workers accommodation.

This condition would have varying values for afflux depending on site-specific conditions.

The high-risk condition would be applied to projects where the EIS did not sufficiently detail anticipated impacts, affected groups and proposed mitigation strategies.

**Jurisdiction:** Relevant Local Government Authority

### Condition

#### High-risk option

- (a) A suitably qualified and experienced person must certify that design and construction of the project meets the following design criteria:
  - (i) procedures in the Department of Transport and Main Roads *Road Drainage Design Manual*
  - (ii) a maximum flood afflux of <X.X> m where practicable, and must achieve the following criteria for an two per cent annual exceedence probability event:
    - I. not cause, or have the cumulative potential to increase real damage at a residence or occupied commercial workplace, or a maximum afflux of <X.X> m at a residence or occupied commercial workplace
    - II. maximum afflux of <X.X> m at infrastructure (for example state roads, farm buildings and sub-stations)
    - III. maximum afflux of <X.X> m at other locations
    - IV. maximum culvert outlet velocity of <X.X> m/s
    - V. any increase in duration of floodplain inundation is not to exceed an average across the project of <XX> hours or <XX> per cent of existing flood duration (whichever is greater)
    - VI. any increase in duration of inundation must not alter rural land uses or result in significant impacts upon valued pasture land, other valued agricultural land uses such as cultivated ground or flood-free ground and evacuation access for cattle.
- (b) Relevant land and asset owners, including public agencies, likely to be impacted by changes to the existing flooding/drainage regime, must be consulted prior to final design, in order for stakeholders to understand likely impacts.
- (c) Details of the final design and a consultation report must be provided to affected land and asset owners, including public agencies.



### Low-risk option

#### Floodplains

Where the activity(ies) is carried out on **floodplains**, the activity(ies) must be carried out in a way that does not:

- (a) concentrate flood flows in a way that will or may cause or threaten an adverse environmental impact, or
- (b) divert flood flows from natural drainage paths and alter flow distribution, or
- (c) increase the local duration of floods, or
- (d) increase the risk of detaining flood flows, or
- (e) pose an **unacceptable risk** to the safety of persons from flooding, or
- (f) pose an **unacceptable risk** of damage to property from flooding.

### Definitions

'Suitably qualified and experienced person' is defined in Part 3, section 564 of the *Environmental Protection Act 1994*.

'Floodplain' is defined in Schedule 4 of the *Water Act 2000* and means an area of reasonably flat land adjacent to a watercourse that—

- (a) is covered from time to time by floodwater overflowing from the watercourse; and
- (b) does not, other than in an upper valley reach, confine floodwater to generally follow the path of the watercourse; and
- (c) has finer sediment deposits than the sediment deposits of any bench, bar or in-stream island in the watercourse.

## Air

### Relevant objectives from the generic terms of reference

The environmental objective to be met under the EP Act is that the activity will be operated in a way that protects the environmental values of air.

The performance outcomes corresponding to this objective are in Schedule 5, Table 3 of the EP Regulation. The proponent should supply sufficient evidence (including through studies and proposed management measures) that show these outcomes can be achieved.

This condition would be stated and applied to the air quality impacts caused by the project resulting from off-lease/off-tenure elements of a resources project such as construction and operation of a rail spur, construction of electricity transmission lines, installation of communications infrastructure.

The high-risk condition would be applied to projects where the EIS did not sufficiently detail anticipated impacts, affected groups and proposed mitigation strategies.

**Jurisdiction:** Department of Environment and Heritage Protection

### Condition

#### Low risk option:

Project activities must not cause environmental nuisance from dust, odour or smoke at a sensitive place, other than where an alternative arrangement is in place.

#### High risk option:

- (a) Dust deposition, when measured at any sensitive or occupied commercial place, must not exceed 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of Australian Standard AS3580.10.1 *Methods for*

*sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method.*

- (b) Other indicators that are measured at any sensitive or occupied commercial place must not exceed the environmental objectives specified in Schedule 1 of the Environmental Protection (Air) Policy 2008, when monitored in accordance with the most recent version of either:
- (i) Australian Standard AS3580.9.6 Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM10 high volume sampler with size-selective inlet – Gravimetric method, or
  - (ii) Australian Standard AS3580.9.9 Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM10 low volume sampler – Gravimetric method, or
  - (iii) Australian Standard AS3580.9.8 Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM10 continuous direct mass method using a tapered element oscillating microbalance (TEOM) analyser
  - (iv) Australian Standard/New Zealand Standard AS/NZS3580.9.3:2003 Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – Total suspended particulate matter (TSP) – High volume sampler gravimetric method or using an alternative sampling methodology determined in consultation with EHP.
- (c) The method of measurement of ambient air quality or point source contaminant releases to air must comply with the *Queensland Air Quality Sampling Manual* and/or Australian Standard 4323.1:1995 *Stationary source emissions method 1: Selection of sampling positions*, whichever is appropriate for the relevant measurement.

## Definitions

'Environmental nuisance' has the meaning defined in section 15 of the *Environmental Protection Act 1994*.

'Alternative arrangement' means a written agreement about the way in which a particular nuisance impact will be dealt with at a sensitive place, and may include an agreed period of time for which the arrangement is in place. An alternative arrangement may include, but is not limited to, a range of nuisance abatement measures to be installed at the sensitive place, or provision of alternative accommodation for the duration of the relevant nuisance impact.

'Sensitive place' means:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution
- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads

'Indicator' is defined in Schedule 2 of the Environmental Protection (Air) Policy 2008 as 'a contaminant that may be present in the air environment'.

## Noise and vibration

### Relevant objectives from the generic terms of reference

The environmental objective to be met under the EP Act is that the activity will be operated in a way that protects the environmental values of the acoustic environment.

The performance outcomes corresponding to these objectives are in Schedule 5, Table 3 of the EP Regulation. The proponent should supply sufficient evidence (including through studies and proposed management measures) that show these outcomes can be achieved.

This condition would be stated and applied to the noise and vibration impacts caused by the project resulting from off-lease/off-tenure elements of a resources project such as construction and operation of a rail spur, construction of electricity transmission lines, installation of communications infrastructure.

Noise must be measured in accordance with the standards in the *Environmental Protection Regulation 2008*.

**Jurisdiction:** Department of Environment and Heritage Protection or relevant Local Government Authority

### Condition

- (a) Noise from project activities do not exceed <XX> dB(A) (LAeq, adj <XX> mins) when measured at a sensitive place or an occupied commercial place.
- (b) Vibration from construction activities must not exceed the following levels when measured at any sensitive place:
  - (i) 10 mm/s for ground vibration of no more than 35 Hz
  - (ii) 25 mm/s for ground vibration of more than 35 Hz.

### Definitions

'Sensitive place' means:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution
- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads

## Water quality

### Relevant objectives from the generic terms of reference

The environmental objective to be met under the EP Act are that the activity (project) be operated in a way that:

- (a) minimises harm to the environmental values of waters
- (b) protects the environmental values of wetlands
- (c) protects the environmental values of groundwater and any associated surface ecological systems.

The performance outcomes corresponding to this objective are in Schedule 5, Table 3 of the EP Regulation. The proponent should supply sufficient evidence (including through studies and proposed management measures) that show these outcomes can be achieved.

### Erosion and sediment control

This condition would be stated and apply to off-lease/off-tenure infrastructure such as construction of a rail spur, construction of electricity transmission lines, installation of communications infrastructure, construction and operations of workers accommodation.

The high risk option would be applied to developments proposed in an identified erosion management area under the relevant local council planning scheme and/or regional plan.

**Jurisdiction:** Department of Environment and Heritage Protection or relevant Local Government Authority

### Condition

#### Low risk:

- (a) Measures must be implemented and maintained to minimise stormwater entry onto significantly disturbed land.
- (b) Sediment and erosion control measures to prevent soil loss and deposition beyond significantly disturbed land must be implemented and maintained.
- (c) The measures required by conditions (a) and (b) must be in accordance, to the greatest practicable extent, with the International Erosion Control Association (IECA) Best Practice Erosion and Sediment Control (BPESC) document.

#### High risk:

- (a) To minimise erosion and the release of sediment to receiving waters and contamination of stormwater, an Erosion and Sediment Control Plan must be developed by a suitably qualified and experienced person and implemented for all stages of the project.
- (b) Releases to waters must be undertaken so as not to cause erosion of the bed and banks of the receiving waters, or cause a material build-up of sediment in such waters.

### Definitions

'Significantly disturbed' or 'significant disturbance to land or areas' means disturbance to land as defined in Schedule 12, section 4 of the Environmental Protection Regulation 2008.

'Suitably qualified and experienced person' is defined in Part 3, section 564 of the *Environmental Protection Act 1994*.

## Acid sulfate soils

This condition would be stated and applied to the construction of off-lease/off-tenure infrastructure such as construction of a rail spur, construction of electricity transmission lines, installation of communications infrastructure, construction and operations of workers accommodation. In particular, this condition would apply to proposals over land containing potential acid sulfate soils and identified acid sulfate soils.

Conditions to manage acid sulfate soils impacts for on-lease activities would be included in the EA and monitored by the Department of Environment and Heritage Protection.

**Jurisdiction:** Department of Natural Resources and Mines or relevant Local Government Authority.

### Condition

Acid sulfate soils must be identified and managed to avoid the release of contaminants to natural waters or adjacent lands in accordance with the Queensland Acid Sulfate Soils Chapters available at [www.qld.gov.au/environment/land/soil/acid-sulfate/](http://www.qld.gov.au/environment/land/soil/acid-sulfate/)

## Land, flora and fauna

### Relevant objectives from the generic terms of reference

The environmental objectives to be met under the EP Act are that the:

- (a) activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna
- (b) choice of the site, at which the activity is to be carried out, minimises serious environmental harm on areas of high conservation value and special significance and sensitive land uses at adjacent places
- (c) location for the activity on a site protects all environmental values relevant to adjacent sensitive use
- (d) design of the facility permits the operation of the site, at which the activity is to be carried out, in accordance with best practice environmental management.

The performance outcomes corresponding to these objectives are in Schedule 5, Table 3 of the EP Regulation. The proponent should supply sufficient evidence (including through studies and proposed management measures) that show these outcomes can be achieved.

## Final acceptance criteria for rehabilitation

This condition would apply infrastructure which is proposed to be removed at the end of the project's life. Examples may include decommissioning of off-lease/off-tenure infrastructure such as a rail spur, electricity transmission lines and communications infrastructure and demobilisation of workers accommodation.

This condition would apply to resource projects for both progressive and final rehabilitation.

The administering authority, in this case the Department of Environment and Heritage Protection must be satisfied with the rehabilitation before it can certify progressive rehabilitation. The decision is based on an assessment of either a progressive rehabilitation report for part of the project (section 318Z of the EP Act) or a final rehabilitation report (section 264 of the EP Act) for the whole project or a part being surrendered.

**Jurisdiction:** Department of Environment and Heritage Protection

## Condition

After decommissioning, all significantly disturbed land caused by the carrying out of the activity(ies) must be rehabilitated to meet the following final acceptance criteria:

- (a) any contaminated land (e.g. contaminated soils) is remediated and rehabilitated
- (b) rehabilitation is undertaken in a manner such that any actual or potential acid sulfate soils on the area of significant disturbance are treated to prevent or minimise environmental harm in accordance with the *Instructions for the treatment and management of acid sulfate soils (2001)*
- (c) for land that is not being cultivated by the landholder:
  - (i) groundcover, that is not a declared pest species is established and self-sustaining
  - (ii) vegetation of similar species richness and species diversity to pre-selected analogue sites is established and self-sustaining
- (d) for land that is to be cultivated by the landholder, cover crop is revegetated, unless the landholder will be preparing the site for cropping within 3 months of petroleum activities being completed.
- (e) Monitoring of performance indicators must be carried out on rehabilitation activities until final acceptance criteria in condition (a) have been met for the rehabilitated area.