

APPENDIX 3-1-V2.4

PROJECT APPROVALS – Likely Pipeline Approvals Summary

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The following table outlines a broad range of permits, licences and approvals likely to be required for the pipeline, based on an analysis of the pipeline components as currently known.

No.	Permit/Approval/Licence	Why it applies	Applicable Act/standards	Administering authority	Permit application details/ approval timing
Commonwealth Legislation					
1	Assessment of impact on environmental issues of Commonwealth significance and approval of controlled action	Where an action is likely to have a significant impact on matters of national environmental significance then the Project is required to be referred to the Commonwealth Minister for Environment.	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC 1999)	Department of the Environment, Water, Heritage and the Arts (DEWHA)	DEWHA have determined the Wandoan Coal Project (incorporating the pipeline) to be a controlled action under the EPBC 1999. The assessment of the Wandoan Coal Project EIS, for matters under DEWHA's control, is required (post-issue of the Coordinator-General's Report). Upon this, an Assessment Report and Draft Conditions of Approval will be released to enable continuation of the approvals process by relevant State and local government entities.
2	Assessment of native title implications for the pipeline	The native title implications for the pipeline are to be investigated to ensure that the pipeline does not impact on native title.	<i>Native Title Act 1993</i> <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> State Native Title Work Procedures	Native Title Tribunal	To be affirmed.
State Legislation					
3	Coordinator-General's Report	The Coordinator-General's Report on the EIS is required to facilitate the EPBC Approval and subsequent IDAS development approvals.	<i>State Development and Public Works Organisation Act 1971</i> , part 4	Department of Infrastructure and Planning/ Coordinator-General	No set statutory timeframe, though approximate timeframe expected to be in the order of 8 months to the issue of Coordinator-General's Report.

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<i>Land approvals</i>					
4	Preparation of appropriate Indigenous: <ul style="list-style-type: none"> cultural heritage management plan (CHMP) Duty of Care statement 	When constructing the Project, all reasonable and practicable measures must be taken to ensure it does not harm Aboriginal cultural heritage. In support of the above Duty of Care, the preparation of a CHMP will be required in consultation with the traditional owner claimants for the pipeline area. This is to be augmented by a duty of care statement within the EM Plan and EMP for the EIS.	<i>Aboriginal Cultural Heritage Act 2003</i>	Department of Natural Resources and Water (Cultural Heritage Coordination Unit)	No set statutory timeframe.
5	Permit to Occupy – unallocated State land, a reserve or a road	Permits are required under this Act from the DNRW for the occupation (e.g. through construction of infrastructure or works) of a reserve, road or unallocated State land.	<i>Land Act 1994</i> , chapter 4, part 4	Department of Natural Resources and Water	Assessment and decision timing: 42 days Timeframe is dependent on the research required to be undertaken by the Department to ascertain any Native Title implications.
<i>Water Approvals</i>					
6	Approval of the CSM water (a resource) for a beneficial use	A specific approval of the CSM water is required to enable it to be used for the pipeline	Environmental Protection (Waste Management) Regulation 2000	Environmental Protection Agency	Application assessment time: approximately 1 – 3 months after lodgement of the development application. <i>Note this takes into consideration the use of the Coordinator-Generals report, and the abbreviated IDAS process under State Development and Public Works Organisation Act 1971, to facilitate the Development Permit</i>
7	Approval of the CSM water provider as a 'water supplier'	This approval will enable the CSM water provider to subsequently 'on-sell' water to Xstrata for use at the mine.	<i>Water Supply (Safety and Reliability) Act 2008</i>	Department of Natural Resources and Water	To be affirmed.

No.	Permit/Approval/Licence	Why it applies	Applicable Act/standards	Administering authority	Permit application details/ approval timing
8	Development Permit (Water Licence) to take or interfere with water	The taking or interfering with water resources (including the CSM water) is regulated by the <i>Water Act 2000</i> .	<i>Water Act 2000</i> , section 206 Water Resource (Fitzroy Basin) Plan 1999	Department of Natural Resources and Water	Application assessment time: approximately 1 – 3 months after lodgement of the development application. <i>Note this takes into consideration the use of the Coordinator-Generals report, and the abbreviated IDAS process under State Development and Public Works Organisation Act 1971, to facilitate the Development Permit</i>
9	Riverine Protection Permit	Construction of the proposed infrastructure may require the need to: <ul style="list-style-type: none"> ▪ destroy vegetation in a watercourse ▪ excavate in a watercourse ▪ place fill in a watercourse. These activities are regulated through a riverine protection permit under the <i>Water Act 2000</i> .	<i>Water Act 2000</i> , section 266	Department of Natural Resources and Water	Approval timing is approximately 2 months from lodgement.
Environmental Approvals					
10a	Soil Disposal Permit	Approval is required for the removal of contaminated soil from any allotments listed on the Contaminated Land Register and Environmental Management Register. Soil Disposal Permits allow contaminated soil to be moved to landfill or to a site where it will undergo remediation or treatment, before being returned to the original site. <i>Note that the Environmental Protection Agency may require a Site Investigation to be undertaken to provide further information regarding the contaminants, as a pre-cursor to granting a Soil Disposal Permit.</i>	<i>Environmental Protection Act 1994</i> , chapter 7, part 8 <i>Draft Guidelines for the Assessment and Management of Contaminated Land in QLD 1998</i>	Environmental Protection Agency	Application assessment time: 1 – 3 months <i>Note the length of time required to conduct any EPA-directed Site Investigation is dependant on site-specific circumstances.</i>

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10b	Site Management Plan for contaminated land	In the instance where it is not necessary or practical to remove the entire contaminated area, a Site Management Plan (SMP) is required. The EPA can approve a SMP which states the conditions under which a site can be used while preventing the contamination from causing any environmental harm or posing a risk to human health.	<i>Environmental Protection Act 1994</i> , part 8, division 5 <i>Draft Guidelines for the Assessment and Management of Contaminated Land in QLD 1998</i>	Environmental Protection Agency	Application assessment time: 1 – 3 months
11	Various permits for interfering with cultural or natural resources, or wildlife protected under the Act	A variety of aspects associated with the conservation of nature are regulated under the Act, and permits for same may be required for the Project. These include: <ul style="list-style-type: none"> ▪ Protected Animals Movement Permit (section 88 of the Act) ▪ Protected Plants Clearing Permit (section 89 of the Act) ▪ Wildlife Movement Permit (section 97 of the Act) [for wildlife not protected under the Act but found in certain areas covered by conservation plans] 	<i>Nature Conservation Act 1992</i> plus associated subordinate legislation	Environmental Protection Agency	To be affirmed.
12	Development Permit to clear native vegetation	Required for disturbing or clearing native vegetation on freehold land, and where not otherwise on a mining lease or petroleum lease.	<i>Vegetation Management Act 1999</i> <i>Integrated Planning Act 1997</i>	Department of Natural Resources and Water	Application assessment time: approximately 1 – 3 months after lodgement of the development application <i>Note this takes into consideration the use of the Coordinator-Generals report, and the abbreviated IDAS process under State Development and Public Works Organisation Act 1971, to facilitate the Development Permit</i>

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Infrastructure Approvals					
13	Ancillary Works and Encroachment Approval for State Controlled Roads	Only required where construction, maintenance or operation of ancillary works and encroachment would occur on a State-controlled road.	<i>Transport Infrastructure Act 1994</i> , section 50	Department of Main Roads	No set statutory timeframe.
14	Approval to permanently or temporarily close road (for State-controlled roads)	Only required where permanent or temporary road reserve closure is necessary. Assessment of road closure application will also necessitate a native title assessment of the land to determine if, and how, native title may need to be addressed.	<i>Land Act 1994</i> Road Closure Manual <i>Native Title Act 1993</i> (Cth)	Department Natural Resources and Water	Application assessment time: <ul style="list-style-type: none"> ▪ approximately 12 – 18 months (permanent road closure). ▪ temporary road closure assessment timeframe to be affirmed.
15	Permit to occupy (occupation of unallocated State land, a reserve or a road)	A permit to occupy is required from the chief executive where works or infrastructure are proposed to be constructed on unallocated State land, a reserve or a road.	<i>Land Act 1994</i> , chapter 4, part 4	Department of Natural Resources and Water	Application assessment time: approximately 2 – 4 months.
16	Notification of work affecting electricity entities works	Where the pipeline would interfere with Ergon's (or other entities) works, then notice is required regarding same to Ergon (or other entity).	<i>Electricity Act 1994</i> , section 99	Ergon (or other entity)	No set timeframe: compliance with the Act is required prior to undertaking the work. At least 14 days written notice of the proposed work must be given.
17	Crossing of oil/gas pipelines	The pipeline may intersect with oil or gas pipelines, resulting in the need for co-existence with or relocation of, the pipelines. Where development would have the potential to affect an oil or gas pipeline easement or the pipeline itself, the written permission of the pipeline owner (at a minimum) is required. Further implications for approvals need to be determined based on specific circumstances encountered.	<i>Petroleum Act 1923</i> , section 144 Australian Standard 2885	Pipeline owners	There is no statutory timeframe. Process will involve consent from pipeline owner and compliance with Australian Standard 2885.

No.	Permit/Approval/Licence	Why it applies	Applicable Act/standards	Administering authority	Permit application details/ approval timing
18	Authorisation to relocate or interfere with utilities	Required to protect the integrity of infrastructure and service delivery. Further implications for approvals need to be determined based on specific circumstances encountered.	Various (dependant on nature of utilities encountered and affected by project construction)	Infrastructure owners/ operators	To be affirmed.
<i>Workplace Approvals</i>					
19	Portable Long Service Levy Payment	Portable long service leave provides long service leave entitlements to workers in the building and construction industry. Notification is required to QLeave for the building and construction works for the Project, as they would be over \$80,000 (inclusive of GST).	<i>Building and Construction Industry (Portable Long Service Leave) Act 1991/ Workplace Health and Safety Act 1995</i>	QLeave	Only submission of requisite forms and payment of fees is required.
<i>Dangerous Goods Approvals</i>					
20	Where occurring off a mining lease only: <ul style="list-style-type: none"> storage and handling of flammable and combustible liquids 	The possession and use during construction and operation of flammable and combustible liquids (typically in minor quantities) to which AS 1940 applies, is controlled.	<i>Dangerous Good Safety Management Act 2001</i> <i>Australian Standard 1940 - Storage and Handling of Flammable and Combustible Liquids</i>	Dalby Regional Council	Application assessment time: approximately 1 month
<i>Local Government Approvals</i>					
21	Where off a mining or petroleum lease, development permits may be required for: <ul style="list-style-type: none"> Building Works Reconfiguring a lot 	Development Permits for Building Works will be required for project infrastructure not otherwise prescribed to be self-assessable or exempt development under the <i>Building Act 1975</i> . Development Permits for Reconfiguring a Lot may be required for the Project; this is dependant on the detailed design and property tenure requirements for the pipeline being finalised.	<i>Integrated Planning Act 1997</i> <i>Taroom Shire Planning Scheme 2006</i> <i>Planning Scheme for Murilla Shire Council 2006</i> <i>Building Act 1975</i> <i>Building Code of</i>	Dalby Regional Council	Application assessment time: approximately 1 – 3 months after lodgement of the development application <i>Note this takes into consideration the use of the Coordinator-Generals report, and the abbreviated IDAS process under State Development and Public Works Organisation Act 1971, to facilitate the Development Permit</i>

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			<i>Australia 2008</i>		
22	Permits/ Authorisations under the following Local laws: <u>Former Murilla Shire Council</u> <ul style="list-style-type: none"> ▪ <i>Chapter 12 Bridges and Culverts</i> ▪ <i>Local law No 13 (Control of Pests)</i> ▪ <i>Local law No 16 (Blasting Operations)</i> ▪ <i>Local law No 21 (Roads)</i> <u>Former Taroom Shire Council</u> <ul style="list-style-type: none"> ▪ <i>Local law No 21 (Roads)</i> 	Local laws are adopted by local governments, to reflect community needs and ensure the good rule and government of the local government area. Various permits and authorisations may be required for the pipeline under local laws of the former Taroom and Murilla Shires.	Various (see column 2)	Dalby Regional Council	Application assessment time: approximately 1 month