



Queensland

# State Development and Public Works Organisation Regulation 2010

## Subordinate Legislation 2010 No. 85

made under the

*State Development and Public Works Organisation Act 1971*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *State Development and Public Works Organisation Regulation 2010*.

## **Part 2 Functions of Coordinator-General**

### **2 Delegated power under Industrial Development Act 1963—Act, s 10(1)**

The Coordinator-General has the function of exercising a power delegated to the Coordinator-General under the *Industrial Development Act 1963*, section 7.

## **Part 3 Works for dam sites**

### **3 Definitions for pt 3**

In this part—

*affected area* means the areas shown on drawings 100118, 100119 and 100120, prepared by Queensland Water Infrastructure and dated February 2007, as Wyaralong Dam affected areas.

*Editor's note—*

The drawings may be inspected on the department's website at <[www.dip.qld.gov.au](http://www.dip.qld.gov.au)>.

*authorised works submission* means Queensland Water Infrastructure's report of March 2007 called 'Submission to

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Coordinator-General for authorised works for proposed Traveston Crossing Dam and Wyaralong Dam' to the extent that it relates to the proposed Wyaralong Dam.

***dam site project works*** means Wyaralong Dam works.

***geo-technical investigations*** means investigations to determine the engineering feasibility of constructing a dam, including investigations of matters reasonably connected with, or incidental to, constructing a dam, on any part of the affected area.

***Queensland Water Infrastructure*** means Queensland Water Infrastructure Pty Ltd (ACN 119 634 427).

***reserved works*** means the parts of the dam site project works that, in the circumstances, can only be carried out with the exercise of a power the Coordinator-General may exercise under the Act only for or in connection with works undertaken by the Coordinator-General.

***Wyaralong Dam works*** means the works reasonably connected with, or incidental to, carrying out the measure listed in the *Water Regulation 2002*, schedule 10B, item 13.

#### **4 Queensland Water Infrastructure directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) Queensland Water Infrastructure must undertake all parts of the dam site project works that are not reserved works.

#### **5 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the following works in the affected area—
  - (a) geo-technical investigations;

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- (b) activities relating to cultural heritage and plant and animal surveys;
- (c) reserved works.

## 6 Coordinator-General to keep particular documents available for inspection

The Coordinator-General must keep the drawings mentioned in section 3, definition *affected area* available for inspection on the department's website.

*Editor's note—*

The department's website is <[www.dip.qld.gov.au](http://www.dip.qld.gov.au)>.

# Part 4 Drought contingency projects

## 7 Definitions for pt 4

In this part—

***drought contingency report*** means the document titled 'Report on the Drought Contingency Projects—January 2009' held by the department and published on its website.

*Editor's note—*

The department's website is <[www.dip.qld.gov.au](http://www.dip.qld.gov.au)>.

***eastern pipeline inter-connector project works*** means the works reasonably connected with, or incidental to—

- (a) carrying out early incidental works, land purchasing, surveys, planning and proposed investigations for the eastern pipeline inter-connector described in the drought contingency report; or
- (b) the construction of the mainland works, for the eastern pipeline inter-connector, as described in the drought contingency report.

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***Kuraby inter-connector project preliminary works*** means the works reasonably connected with, or incidental to, the carrying out of early incidental works, land purchasing, surveys, planning and investigations for the construction of a pipeline from the southern regional water pipeline to the pipeline connecting the Illaweena and Kuraby reservoirs, as described in the drought contingency report.

***Lowood to Lake Wivenhoe project works*** means the works reasonably connected with, or incidental to, the construction of the pipeline to discharge water into Lake Wivenhoe as described in the drought contingency report.

***northern pipeline inter-connector stage 1 project works*** means the works reasonably connected with, or incidental to, the construction of stage 1 of the northern pipeline inter-connector described in the drought contingency report.

***northern pipeline inter-connector stage 2 construction project works*** means the works reasonably connected with, or incidental to, the construction of the pipeline between the Noosa water treatment plant and the northern pipeline inter-connector stage 1 pipeline near Eudlo, and associated works, mentioned in the drought contingency report.

***northern pipeline inter-connector stage 2 project works*** means the works for stage 2 of the northern pipeline inter-connector that are reasonably connected with, or incidental to, carrying out early incidental works, land purchasing, surveys, planning and proposed investigations described in the drought contingency report.

***project works*** means any of the following—

- (a) the south east Queensland (Gold Coast) desalination facility facilitation project works;
- (b) the south east Queensland (Gold Coast) desalination facility construction project works;
- (c) the southern regional water pipeline project works;
- (d) the eastern pipeline inter-connector project works;

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- (e) the northern pipeline inter-connector stage 1 project works;
- (f) the northern pipeline inter-connector stage 2 project works;
- (g) the western corridor recycled water project works;
- (h) the Toowoomba pipeline project preliminary works;
- (i) the Toowoomba pipeline project works;
- (j) the Kuraby inter-connector project preliminary works;
- (k) the northern pipeline inter-connector stage 2 construction project works.

*reserved works*, in relation to each of the project works, means the parts of the project works that, in the circumstances, can only be carried out with the exercise of a power that the Coordinator-General may exercise under the Act only for or in connection with works undertaken by the Coordinator-General.

*South East Queensland (Gold Coast) Desalination Facility* means the desalination facility of that name described in the drought contingency report.

*south east Queensland (Gold Coast) desalination facility construction project works* means the works reasonably connected with, or incidental to, the construction of the South East Queensland (Gold Coast) Desalination Facility.

*south east Queensland (Gold Coast) desalination facility facilitation project works* means the works reasonably connected with, or incidental to, facilitating the construction of the South East Queensland (Gold Coast) Desalination Facility.

*southern regional water pipeline project works* means the works reasonably connected with, or incidental to, the construction of the southern regional water pipeline described in the drought contingency report.

*Toowoomba pipeline project preliminary works* means the Toowoomba pipeline project works comprising early



incidental works, land purchasing, surveys, planning and investigations.

*Toowoomba pipeline project works* means the works reasonably connected with, or incidental to, the construction of a pipeline from Lake Wivenhoe to Lake Cressbrook as described in the drought contingency report.

*town water supply project works* means the works reasonably connected with, or incidental to, the construction of the pipeline to supply water to Benarkin, Blackbutt, Toolgoolawah and Yarraman and described in the drought contingency report.

*western corridor recycled water project works*—

- (a) means the works reasonably connected with, or incidental to, the construction of the western corridor recycled water project described in the drought contingency report; and
- (b) includes—
  - (i) the town water supply project works; and
  - (ii) the Lowood to Lake Wivenhoe project works.

## **8 Local bodies directed to undertake particular works—Act, s 100**

- (1) Each of subsections (2) to (4) is a direction for section 100 of the Act.
- (2) South East Queensland (Gold Coast) Desalination Company Pty Ltd (ACN 122 413 316) must undertake all parts of the following project works that are not reserved works—
  - (a) the south east Queensland (Gold Coast) desalination facility facilitation project works;
  - (b) the south east Queensland (Gold Coast) desalination facility construction project works.
- (3) Southern Regional Water Pipeline Company Pty Ltd (ACN 117 898 174) must undertake all parts of the following project works that are not reserved works—

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- (a) the eastern pipeline inter-connector project works;
  - (b) the northern pipeline inter-connector stage 1 project works;
  - (c) the northern pipeline inter-connector stage 2 project works;
  - (d) the southern regional water pipeline project works;
  - (e) the Toowoomba pipeline project preliminary works;
  - (f) the Toowoomba pipeline project works;
  - (g) the Kuraby inter-connector project preliminary works;
  - (h) the northern pipeline inter-connector stage 2 construction project works.
- (4) Western Corridor Recycled Water Pty Ltd (ACN 124 226 777) must undertake all parts of the western corridor recycled water project works that are not reserved works.

**9 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the reserved works for each of the project works.

## **Part 5 Works for potential coal transport corridors**

**10 Definitions for pt 5**

In this part—

*geo-technical investigations* means investigations to determine the engineering feasibility of constructing a railway or conveyor for transporting coal.

*investigation area* means the area shown on a map called ‘Tarong Energy Transport Investigation Corridor (TEIC\_001\_001)’ held by the Coordinator-General.

*Tarong Energy* means Tarong Energy Corporation Limited ACN 078 848 736.

## 11 **Tarong Energy directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) Tarong Energy must undertake the following works within the investigation area to evaluate potential corridors for transporting coal from the coal deposit at Kunioon and the New Acland Mine to the Tarong Power Station—
  - (a) geo-technical investigations;
  - (b) surveys and valuations of land;
  - (c) surveys of flora and fauna;
  - (d) surveys of cultural heritage.

## Part 6 **Connors River Dam Investigations**

### 12 **Definitions for pt 6**

In this part—

*geo-technical investigations* means investigations to determine the engineering feasibility of constructing a dam, including investigations of matters reasonably connected with, or incidental to, constructing a dam, on any part of the investigation area.

*investigation area* means the area shown as the Investigation Area (Full Supply Level EL 168.4m) on the map of 24

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November 2006 titled 'Connors River Dam at Mt Bridget AMTD 95.7km' and held by the department.

**13 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the following works in the investigation area—
  - (a) geo-technical investigations;
  - (b) surveys of cultural heritage;
  - (c) surveys of flora and fauna;
  - (d) surveys and valuations of land.

## **Part 7 Gold Coast University Hospital Project**

**14 Definitions for pt 7**

In this part—

***Gold Coast University Hospital facilities*** means the Gold Coast University Hospital facilities described in the project report.

***Gold Coast University Hospital facilities works*** means the project works of that name described in the project report and comprising works reasonably connected with, or incidental to, the construction of the Gold Coast University Hospital facilities.

***preliminary works*** means the project works comprising early incidental works, land purchasing, surveys, investigations, planning and preparation of detailed designs.

***project report*** means the Coordinator-General's report of August 2008 titled 'Gold Coast University Hospital Second Project Report' held by the Coordinator-General and published on the department's website.

*Editor's note—*

The department's website is <www.dip.qld.gov.au>.

***project works*** means the works reasonably connected with, or incidental to, the construction of the Gold Coast University Hospital Project described in the project report.

**15 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the following works—
  - (a) the preliminary works;
  - (b) the Gold Coast University Hospital facilities works.

## **Part 8 Works for Fitzroy to Gladstone pipeline**

**16 Definitions for pt 8**

In this part—

***investigation area*** means the area shown as the proposed corridor investigation area on the map series of 17 November 2007 that—

- (a) is called 'Proposed Investigation Area for Fitzroy to Gladstone Pipeline'; and
- (b) is held by the department; and
- (c) is available for inspection by members of the public.

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*pipeline investigations* means the following works reasonably connected with the proposed construction of a pipeline for carrying water between the Fitzroy River and Gladstone—

- (a) investigations to determine the engineering feasibility of constructing the pipeline, including, for example, the drilling of test pits and bore holes;
- (b) surveys of flora and fauna;
- (c) surveys of soil and water quality;
- (d) surveys of cultural heritage;
- (e) valuations of land;
- (f) surveys of land and watercourses.

*water board* means Gladstone Area Water Board ABN 88 409 667 181.

**17 Water board directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) The water board must undertake the pipeline investigations in the investigation area.

## **Part 9 Griffith University Facilities Project**

**18 Definitions for pt 9**

In this part—

*medicine and oral health centre* means the Centre for Medicine and Oral Health described in the project report.

*preliminary works* means the works comprising early incidental works, surveys, investigations, planning and preparation of detailed designs for—

- (a) the medicine and oral health centre; and
- (b) the student accommodation facilities.

***project report*** means the Coordinator-General's report of November 2008 titled 'Griffith University Facilities Project Report' held by the Coordinator-General and published on the department's website.

*Editor's note—*

The department's website is <[www.dip.qld.gov.au](http://www.dip.qld.gov.au)>. The project report also may be inspected at the office of the Coordinator-General, 100 George Street, Brisbane.

***science and engineering building works*** means the works reasonably connected with, or incidental to, the construction of the Science and Engineering Building described in the project report.

***student accommodation facilities*** means the Student Accommodation Facilities described in the project report.

## **19 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the following works—
  - (a) the preliminary works;
  - (b) the science and engineering building works.

# **Part 10 Cloncurry Pipeline Project**

## **20 Definitions for pt 10**

In this part—

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***Cloncurry pipeline project works*** means works reasonably connected with, or incidental to, the construction of the Cloncurry pipeline as described in the pipeline report.

*Examples of works reasonably connected with, or incidental to, the construction of the pipeline—*

- construction of a permanent or temporary road for access
- installation of a pump, telecommunications facility or water storage facility

***pipeline report*** means SunWater's report of 17 July 2009 called 'Cloncurry pipeline project description'.

***reserved works*** means the parts of the Cloncurry pipeline project works that, in the circumstances, can only be carried out with the exercise of a power the Coordinator-General may exercise under the Act only for or in connection with works undertaken by the Coordinator-General.

*Example of a power the Coordinator-General may exercise only for works undertaken by the Coordinator-General—*

the power under section 160 of the Act to obtain material from a watercourse

***SunWater*** means SunWater Limited ACN 131 034 985.

**21 SunWater directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) SunWater must undertake all parts of the Cloncurry pipeline project works that are not reserved works.

**22 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the reserved works.



**23 Coordinator-General authorised to undertake particular works—Act, s 140**

For the Cloncurry pipeline project works, the Coordinator-General is authorised to undertake works in, on, over, through or across the Cloncurry River.

**24 Coordinator-General authorised to take sand etc.—Act, s 140(1)(a)**

The Coordinator-General is authorised—

- (a) to take sand, stone, gravel and other material from the Cloncurry River; and
- (b) to use the sand, stone, gravel and other material for the Cloncurry pipeline project works.

**25 Exempt development—Act, s 140(1)(b)**

- (1) Subsection (2) is a direction for section 140(1)(b) of the Act.
- (2) The taking, and use for the Cloncurry pipeline project works of sand, stone, gravel and other material authorised under section 24 is exempt development under the *Sustainable Planning Act 2009*.

**Part 11 Wyaralong water treatment plant and Cedar Grove and Karawatha inter-connectors**

**26 Definitions for pt 11**

In this part—

*Cedar Grove and Karawatha inter-connector project works* means works reasonably connected with, or incidental to—

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- (a) carrying out early incidental works, land purchasing, surveys, planning and proposed investigations for pipelines connecting the Wyaralong water treatment plant to the South East Queensland Water Grid, specifically the southern regional water pipeline and the Kuraby reservoir; or
- (b) construction of the pipelines.

***project works*** means—

- (a) Cedar Grove and Karawatha inter-connector project works; or
- (b) Wyaralong water treatment plant project works.

***reserved works***, in relation to each of the project works, means the parts of the works that, in the circumstances, can only be carried out with the exercise of a power the Coordinator-General may exercise under the Act only for or in connection with works undertaken by the Coordinator-General.

***Seqwater*** means Queensland Bulk Water Supply Authority ABN 75 450 239 876 trading as Seqwater.

***Southern Regional Water Pipeline Company*** means Southern Regional Water Pipeline Company Pty Ltd ACN 117 898 174.

***Wyaralong water treatment plant*** means the proposed water treatment plant at Wyaralong to process water extracted from Wyaralong Dam and the Logan River system.

***Wyaralong water treatment plant project works*** means works reasonably connected with, or incidental to—

- (a) carrying out early incidental works, land purchasing, surveys, planning and investigations for the Wyaralong water treatment plant; or
- (b) the construction of the Wyaralong water treatment plant.

**27 Seqwater directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) Seqwater must undertake all parts of the Wyaralong water treatment plant project works that are not reserved works.

**28 Southern Regional Water Pipeline Company directed to undertake particular works—Act, s 100**

- (1) Subsection (2) is a direction for section 100 of the Act.
- (2) Southern Regional Water Pipeline Company must undertake all parts of the Cedar Grove and Karawatha inter-connector project works that are not reserved works.

**29 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2) is a direction for section 109 of the Act.
- (2) The Coordinator-General must undertake the reserved works.

## **Part 12 Gold Coast Rapid Transit Project**

**30 Definitions for pt 12**

In this part—

*GCRT facilitation works* means—

- (a) operational work that is—
  - (i) the clearing of native vegetation on land in the project area; and
  - (ii) undertaken to facilitate the carrying out of the GCRT precinct works; or

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- (b) other works reasonably connected with, or incidental to, carrying out the work mentioned in paragraph (a).

***GCRT precinct works*** means the works of that name described in the project report.

***native vegetation*** means vegetation under the *Vegetation Management Act 1999*.

***operational work*** see the *Sustainable Planning Act 2009*, section 10(1).

***project area*** means the following areas shown at appendix A of the project report on the drawing stated for the area—

- (a) clearing area ‘A’—A1195200-620B;
- (b) clearing area ‘B’—A1195200-620C;
- (c) clearing area ‘C’—A1195200-620D;
- (d) clearing area ‘D’—A1195200-620E;
- (e) clearing areas ‘E1’ and ‘E2’—A1195200-620F.

***project report*** means the Coordinator-General’s report of October 2009 titled ‘Gold Coast Rapid Transit – Gold Coast Health and Knowledge Precinct – Project Report’ held by the Coordinator-General and published on the department’s website.

*Editor’s note—*

The department’s website is <[www.dip.qld.gov.au](http://www.dip.qld.gov.au)>.

### **31 Coordinator-General directed to undertake particular works—Act, s 109**

- (1) Subsection (2)—
- (a) is a direction for section 109 of the Act; and
  - (b) applies only if the relevant Ministers have, before any GCRT facilitation works are undertaken, agreed in writing to an arrangement satisfactory to the Ministers about addressing adverse environmental effects of the works.

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- (2) The Coordinator-General is directed to undertake the GCRT facilitation works.
- (3) In this section—
- relevant Ministers*** means each of the following—
- (a) the Minister administering the *Vegetation Management Act 1999*;
  - (b) the Minister administering the *Nature Conservation Act 1992*.

## Part 13 Environmental coordination

### 32 Definitions for pt 13

In this part—

***Commonwealth Environment Act*** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth).

***Commonwealth Minister*** means the Minister of the Commonwealth responsible for administering the Commonwealth Environment Act.

***controlling provision***, for a project, means a provision of the Commonwealth Environment Act, chapter 2, part 3, decided by the Commonwealth Minister as a controlling provision for the project under that Act, chapter 4, part 7, division 2.

***designated proponent***, for a project, means the person designated as a proponent for the action the subject of the project under the Commonwealth Environment Act, section 75(3).

***EIS process*** means the process in part 4, division 3 of the Act.

***relevant impacts*** has the meaning given by the Commonwealth Environment Act, section 82.

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### **33 Application of pt 13**

- (1) This part applies to a project only if—
  - (a) the project is a significant project under part 4 of the Act; and
  - (b) before or after it becomes a significant project, either of the following apply—
    - (i) the Commonwealth Minister has, under the Commonwealth Environment Act—
      - (A) decided the approach for assessing the relevant impacts of the project is assessment by an accredited assessment process; and
      - (B) given notice of the decision;
    - (ii) the relevant impacts of the project are to be assessed under a bilateral agreement.
- (2) Any steps or actions taken in the EIS process after the project becomes a significant project and before the action mentioned in subsection (1)(b)(i) happens are taken to have complied with this part.
- (3) In this section—

*bilateral agreement* has the meaning given by the Commonwealth Environment Act, section 45(2).

### **34 Coordinator-General's public notification about terms of reference and EIS**

- (1) A public notification under section 29(1)(b) or 33(1) of the Act must state each of the following—
  - (a) the project's title;
  - (b) the proponent's name;
  - (c) the name of the entity intending to take the action the subject of the project;
  - (d) if the proponent and designated proponent are not the same entity—the designated proponent's name;

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- (e) a brief description of the project;
  - (f) the location of the project;
  - (g) the protected matters for the project.
- (2) A notification mentioned in subsection (1) must be published—
- (a) in a newspaper circulating throughout Australia; or
  - (b) in each State or Territory in a newspaper circulating generally in the State or Territory.
- (3) In this section—

*protected matter* means a matter protected by a provision of the Commonwealth Environment Act, part 3, mentioned in section 34 of that Act.

### **35 Other matters about EIS**

- (1) An EIS must address the matters mentioned in schedule 1.
- (2) The submission period set under section 33(1)(d) of the Act must be at least 28 days starting on the day after the date of the notification under the section.

### **36 Coordinator-General's report**

- (1) A report under section 35(3) of the Act must contain the following matters—
  - (a) a description of the following—
    - (i) the project;
    - (ii) the places affected by the project;
    - (iii) the controlling provisions for the project;
  - (b) a summary of the project's relevant impacts;
  - (c) a description of feasible mitigation measures, or changes to the project or procedures, to prevent or minimise the project's relevant impacts, proposed by the proponent or suggested in relevant submissions;





- (a) the terms of the agreement negotiated between the Coordinator-General and the Stadium Redevelopment Authority, as set out in the repealed regulation, schedule 2;
- (b) the terms of the agreement negotiated between the Coordinator-General and the State represented by the Department of Public Works, as set out in the repealed regulation, schedule 3.

## **Part 15                      Repeal**

### **38            Repeal of regulation**

The State Development and Public Works Organisation Regulation 1999, SL No. 188 is repealed.

## **Schedule 1            Matters to be addressed by    assessment**

section 35(1)

### **1            General information**

The background of the project including the following—

- (a) the project's title;
- (b) the designated proponent's full name and postal address;
- (c) a clear outline of the project's objective;
- (d) the project's location;
- (e) the background to the project's development;
- (f) how the project relates to any other actions, of which the proponent should reasonably be aware, that have been, or are being, taken or that have been approved in the area affected by the project;
- (g) the project's current status;
- (h) the consequences of not proceeding with the project.

### **2            Description**

A description of the project, including the following information—

- (a) the project's components;
- (b) the precise location of works to be undertaken, structures to be built or components of the project that may have relevant impacts;
- (c) how the works are to be undertaken and design parameters for aspects of the structures or components of the project that may have relevant impacts;
- (d) the project's relevant impacts;

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- (e) proposed safeguards and mitigation measures for dealing with the project's relevant impacts;
  - (f) any other requirements for, or conditions of, approval applying, or that the proponent reasonably believes are likely to apply, to the project;
  - (g) to the extent reasonably practicable, any feasible alternatives to the project, including the following—
    - (i) if relevant, the alternative of taking no action;
    - (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the project;
    - (iii) sufficient detail to clarify why any alternative is preferred to another;
  - (h) any consultation about the project, including the following—
    - (i) consultation taken and any documented response to, or result of, the consultation;
    - (ii) proposed consultation about the project's relevant impacts;
  - (i) an identification of affected persons, including a statement mentioning any communities that may be affected and describing the communities' views.

### **3 Relevant impacts**

Information given under section 2(d) must include the following—

- (a) a description of the project's relevant impacts;
- (b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;
- (c) a statement about whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- (d) an analysis of the significance of the relevant impacts;

- (e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

#### **4 Proposed safeguards and mitigation measures**

Information given under section 2(e) must include the following—

- (a) a description, and an assessment of the expected or predicted effectiveness, of the mitigation measures for dealing with the project's relevant impacts;
- (b) any statutory or policy basis for the mitigation measures;
- (c) the cost of the mitigation measures;
- (d) an outline of an environmental management plan setting out the framework for continuing management, mitigation and monitoring programs for the project's relevant impacts, including any provision for independent environmental auditing;
- (e) the name of the entity responsible for endorsing or approving each mitigation measure or monitoring program;
- (f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the project's relevant impacts, including mitigation measures proposed to be taken by the State, a local government or the proponent.

#### **5 Other approvals and conditions**

- (1) Information given under section 2(f) must include the following—
  - (a) details of any planning instrument under the *Sustainable Planning Act 2009* dealing with the project including the following—
    - (i) what environmental assessment of the project has been, or is being, carried out under the planning instrument;

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- (ii) how the planning instrument provides for preventing, minimising and managing the project's relevant impacts;
  - (b) a description of any approval, other than the Commonwealth approval, obtained from a State or Commonwealth entity, including any approval conditions applying to the project;
  - (c) a statement identifying any other required approval, other than the Commonwealth approval;
  - (d) a description of the monitoring, enforcement and review procedures applying, or proposed to apply, to the project.
- (2) In this section—

*Commonwealth approval* means the Commonwealth Minister's approval of the action the subject of the project under the *Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)*, chapter 4, part 9.

## 6 Proponent's environmental record

- (1) Details of any proceedings under a law of the Commonwealth or a State for the protection of the environment or the conservation and sustainable use of natural resources (an environmental law) against—
- (a) the proponent; and
  - (b) the applicant for any permit under an environmental law for the project.
- (2) If the proponent is a corporation, details of the corporation's environmental policy and planning framework.

## 7 Information sources

The EIS must state the following about information given in the EIS—

- (a) the source of the information;
- (b) how recent the information is;

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- (c) how the reliability of the information was tested;
  - (d) any uncertainties in the information.
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ENDNOTES

- 1 Made by the Governor in Council on 13 May 2010.
- 2 Notified in the gazette on 14 May 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Infrastructure and Planning.

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