

Application requirements for a 'coordinated project' declaration

August 2015

The Department of State Development

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1. Introduction

This guideline explains how proponents of major projects can apply to the Queensland Coordinator-General for a 'coordinated project' declaration under Part 4 of the *State Development and Public Works Organisation Act 1971*.

A 'coordinated project' declaration triggers the requirement for a project proponent to prepare an environmental impact statement (EIS) or an impact assessment report (IAR) for the project.

The Coordinator-General manages the assessment process, which includes working with advisory agencies, local government and other organisations to seek input on the environmental impact statement (EIS) and on post-EIS statutory approvals; coordinating public submissions on the EIS and other documentation; and preparing a final evaluation report approving (with conditions) or rejecting the project.

A 'coordinated project' declaration does not imply government approval of, support for or commitment to a project.

The following diagram provides an overview of the EIS process.

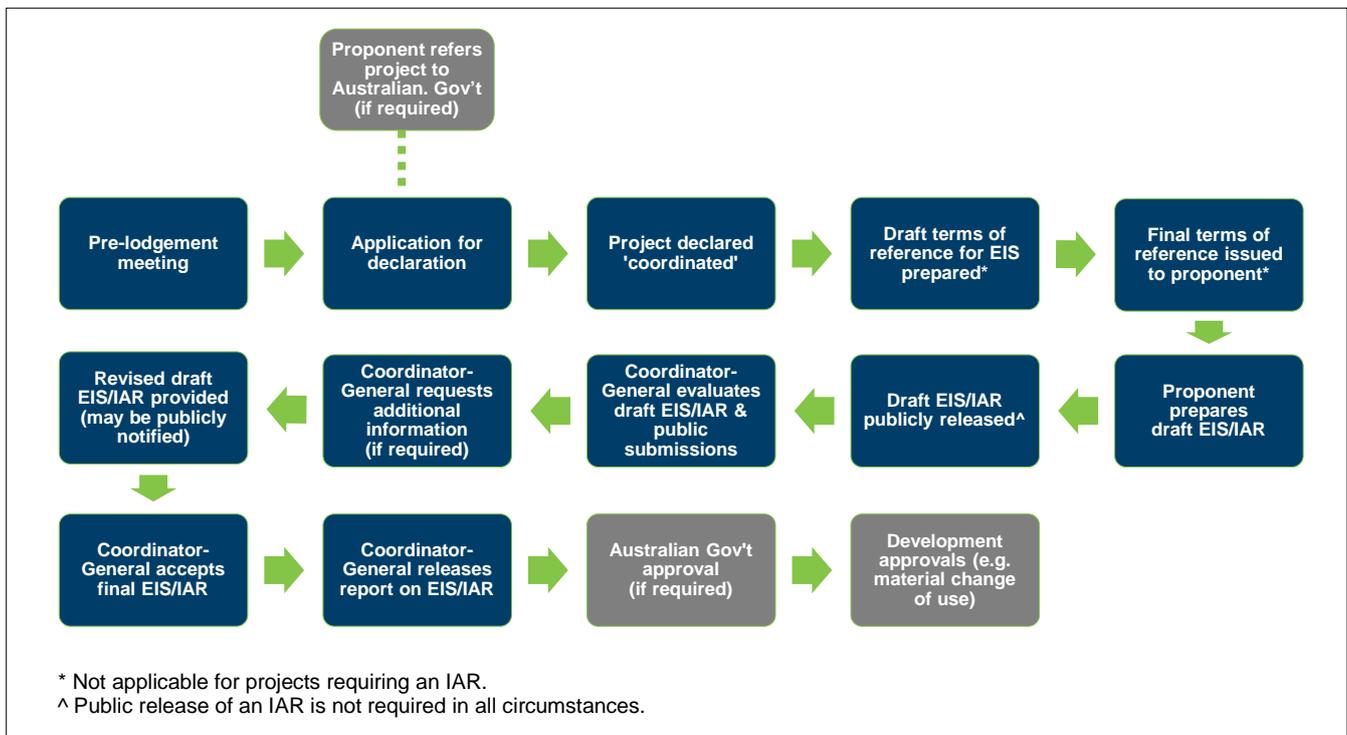


Figure 1: Overview of the EIS process under the SDPWO Act

2. Eligibility criteria and matters considered

The Coordinator-General will only consider an application for declaration if the proponent has met the application requirements (see page 4 of this guideline) and if the project has at least one of the following:

- complex local, State or Commonwealth government approval requirements
- strategic significance to the locality, region or the State, including for the infrastructure, economic and social benefits, capital investment or employment opportunities it may provide
- significant environmental effects, or
- significant infrastructure requirements.

In deciding whether to declare a project, the Coordinator-General will consider the following:

- the IAS
- relevant planning schemes or policy frameworks of a local government, the State or the Commonwealth
- relevant State policies and government priorities
- a pre-feasibility assessment, including how it satisfies and identified need or demand (see page 5 of this guideline)
- the capacity of the proponent to undertake and complete the EIS for the project (see page 5 of this guideline)
- any other matter the Coordinator-General considers relevant.

The Coordinator-General will give the weight he considers appropriate to the above matters, and is not bound to declare a project 'coordinated' merely because the project meets one or several of the eligibility criteria.

3. Types of declarations

There are two types of coordinated project declarations under Part 4 of the Act:

- (a) Projects that require an **environmental impact statement** (EIS), declared under section 26(a), are typically high-risk and/or are large-scale projects that may not be well defined. Such projects will often have multiple components and complex approval requirements.
- (b) Projects that require an **impact assessment report** (IAR), declared under section 26(b), are well-defined and low-to-medium risk projects. The Coordinator-General would only declare a project under section 26(b) if:
 - (i) the expected magnitude and scale of the project and impacts are less than those of a coordinated project requiring an EIS
 - (ii) the risk of environmental harm arising from potential impacts of the project is considered to be significantly less than a coordinated project requiring an EIS, given the nature or extent of those impacts
 - (iii) the impacts and measures to avoid or mitigate any potential adverse impacts of the project are generally well understood, widely practised, easily applicable and/or adequately managed by application of standard conditions or codes.

The Coordinator-General decides whether the project is declared under section 26(a) or 26(b).

4. Pre-lodgement meetings

If you intend to apply for a coordinated project declaration, you should attend a pre-lodgement meeting before you submit the formal application. The meeting is an opportunity to provide a draft initial advice statement (IAS) for comment, clarify application requirements, and discuss subsequent statutory approvals, assessment processes and timeframes.

Pre-lodgement meetings are free and you are not obliged to subsequently lodge an application.

More information about pre-lodgement is available from www.dsdip.qld.gov.au/cg

5. Application requirements

The application requirements for coordinated project declarations are set out in section 27AB of the SDPWO Act. Proponents must provide the following:

- An IAS that includes enough information about the project to allow the Coordinator-General to assess the application in line with the criteria set out in section 27(1)(b)–(f) of the SDPWO Act. If the project is declared, the IAS will be made publicly available on the Coordinator-General's website.
- A separate statement detailing the proponent's financial and technical capability to complete an EIS for the project and to provide any additional information the Coordinator-General may request. This statement will be kept confidential and is not made publicly available.
- A separate statement assessing the technical and commercial feasibility of the project. This statement will be kept confidential and is not made publicly available.
- The relevant fee (in accordance with Schedule 1B of the State Development and Public Works Organisation Regulation 2010).

Initial advice statement

The IAS is one of the documents the Coordinator-General considers against the criteria in section 27 of the SDPWO Act. The information provided is used to:

- assist the Coordinator-General in deciding whether to declare a project a coordinated project
- enable stakeholders to determine the nature and relevance of the proposal to them
- assist the Coordinator-General to determine whether an EIS or IAR process is appropriate
- for projects declared under section 26(a) of the SDPWO Act, subsequently assist the Coordinator-General to prepare draft terms of reference (TOR) for the EIS.

An IAS should demonstrate that the proponent has a sound knowledge of the nature, scope and potential consequences of the proposed project. It should describe the project proponent, the proposed development (including the location of key project elements), and the potential effects of the project on the existing environment.

The length of the IAS will vary according to the nature of the proposal and the receiving environment. As a guide, a large and complex proposal can be effectively presented in 30–40 pages. Refer to Appendix 1 of this guideline for details of what to include in an IAS.

While the IAS should also provide an early indication of the measures the proponent proposes to avoid, minimise, manage and/or offset the project's potential adverse impacts, detailed discussion of such measures should be reserved for the EIS or IAR.

Should pre-lodgement discussions with the proponent consider that an IAR process may be applicable, the IAS should also contain sufficient information to enable a determination of:

- the level of certainty of the impacts predicted by the proponent, and
- the extent to which the proposed impact mitigation measures:
 - conform to established industry best practice, or
 - may be adequately managed by application of published standard conditions. While the statutory application requirements for both an EIS (section 26(a)) and an IAR (section 26(b)) declaration are identical, the proponent may indicate in the IAS if it considers an EIS or IAR declaration more appropriate.

Pre-feasibility assessment

An application must also include a separate statement about the technical and commercial feasibility of the project (a 'pre-feasibility assessment') that must:

(1) Demonstrate the technical feasibility of the project:

- (a) describe the relevant technical particulars of the proposed project, including information about any new or novel technologies
- (b) summarise the risks assessed and the major assumptions used in the technical studies (such as construction risks, geotechnical considerations, etc).

(2) Demonstrate the commercial feasibility of the project:

- (a) describe how the project satisfies an identified need or demand (and include any key assumptions)
- (b) identify the key commercial risks associated with the project and how they would be managed
- (c) describe key construction and/or operational project variables
- (d) confirm the project does not require any financial contribution by the State.

(3) Include a statement confirming that the information provided is true, complete and accurate, including an execution clause signed by an authorised officer such as a Chief Executive Officer or Chief Financial Officer.

Capability to complete an EIS or IAR

An application must include a separate statement about the proponent's financial and technical capability to complete an EIS or IAR, and capability to provide supplementary information requested by the Coordinator-General. The statement should:

(1) Demonstrate the proponent's technical capacity to complete the EIS or IAR assessment process:

- (a) Outline the proponent's relevant experience in undertaking the technical requirements to complete the EIS (and the experience of any specialists or consultants undertaking EIS or IAR work on behalf of the proponent).
- (b) List the suppliers/consultants already commissioned, or proposed to be commissioned, to undertake work on the project proposal.
- (c) Outline an assessment of the technical risks of the project.

- (2) Demonstrate the proponent’s financial capacity to complete the EIS process:**
- (a) Provide an estimate of the total costs involved with undertaking the EIS or IAR process for this project, and include a cost estimate for the following items:
 - (i) consultant and contractor fees for each key component of the EIS or IAR
 - (ii) each component of field work
 - (b) Confirm the funding source for the estimated total costs for completing the EIS or IAR.
- (3) Provide the following information (required for standard due diligence searches):**
- (a) name and ABN/ARBN of proponent (proponent name should be exactly the same as that listed on the Australian Securities and Investments Commission website at www.asic.gov.au)
 - (b) where the proponent is a joint venture, but not a company, specify the interest as a percentage for each relevant entity (the total holding must equal 100%).
- (4) Provide the following information on authorised proponent representatives and company directors:**
- (a) full name
 - (b) current address
 - (c) date and location of birth.
- (5) Provide the following information on lobbyists involved with the proposed project:**
- (a) lobbyist company name with ACN/ARBN
 - (b) full name of individual lobbyists.
- (6) Provide a statement confirming that the information provided is true, complete and accurate, including an execution clause signed by an authorised officer such as a Chief Executive Officer or Chief Financial Officer.**

Application fees

When you lodge an application, you must pay the application fee.

In addition to the general application fee, there is also a fee payable if a project is a resource project with significant off-mining-tenure components (‘a significant off-tenure project’); and if the project is a ‘controlled action’ under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and is eligible to be assessed under the bilateral agreement between the Commonwealth and the State of Queensland (see page 7 of this guideline). The 2014–15 fees are shown below.

General application fee (up to 1 July 2016)		Bilateral project application fee (up to 1 July 2016)		Significant off-tenure project application fee (up to 1 July 2016)
\$17 178	+	Nil	+	\$3570

For details of how to pay and the amount of other fees payable during the environmental impact assessment process, refer to *Overview of fees for coordinated projects*, available from www.dsdip.qld.gov.au/cg

6. Referral to Australian Government

Some projects require Australian Government approval due to their potential impact upon matters of national environmental significance (MNES) under the EPBC Act. The EPBC Act is administered by the Australian Government Department of the Environment (DE).

The proponent is responsible for deciding when to refer a project to DE. Following the referral, the Commonwealth Minister for the Environment considers whether the project is a 'controlled action' under the EPBC Act.

The relative timing of both the referral and an application for coordinated project declaration may affect the decision on the method of impact assessment. Ideally, referral by the proponent under the EPBC Act would approximately coincide with the application for declaration to the Coordinator-General so that consultation between the Australian and Queensland Government jurisdictions can be undertaken more efficiently.

If the Coordinator-General declares a project 'coordinated' under section 26(a), a notice seeking public comment on the draft TOR would be issued shortly after. If the Commonwealth Minister for the Environment has not decided whether the project is a controlled action (or if the project has not been referred), the public notice would not include EPBC Act requirements and the draft TOR would only cover matters to be addressed under Queensland legislation.

Should the Commonwealth Minister for the Environment decide the project is a controlled action *after* the draft TOR has been publicly notified, the project may be ineligible for assessment under the bilateral agreement between the Australian Government and the State of Queensland, and DE may undertake a separate assessment process.

If the Commonwealth Minister for the Environment decides the project is a 'controlled action' *before* the project is declared, the project may be eligible for assessment under the bilateral agreement. Such assessments allow DE to rely on the Queensland Government's environmental impact assessment processes to satisfy the assessment requirements of the EPBC Act, thereby minimising the potential for duplicated assessment processes.

Regardless of the method of assessment, the Commonwealth Minister for the Environment makes the final decision on whether or not a 'controlled action' can be taken.

Appendix 1. Suggested structure of an IAS

No.	Section	Additional explanation, where appropriate, relevant and important to the project
–	Executive summary	Summarise key points including: purpose and scope of the IAS; identity of the proponent; nature, scope and location of the proposal; key environmental issues; key approvals; and key reasons for seeking coordinated project declaration (with respect to section 27 of the SDPWO Act).
1	Introduction	
1.1	Background	Summarise the need for the project and the key reasons for seeking coordinated project declaration. Indicate if the proponent considers an EIS or IAR declaration more appropriate.
1.2	Purpose and scope of the IAS	<ul style="list-style-type: none"> • Support an application to the Coordinator-General to declare a ‘coordinated project for which an EIS or IAR is required’. • Provide information that may assist the Coordinator-General to determine whether an EIS or IAR process is appropriate. • Inform preparation of the terms of reference for an EIS, where the project is declared under section 26(a). • Inform stakeholders and the general public.
2	The proponent	Describe: relevant history, partnerships, corporate/joint-venture arrangements, relevant project experience, principal consultants, contact details, environmental record of the proponent and capability to complete an EIS or IAR.
3	Nature of the proposal	
3.1	Scope of the project	Describe the nature, scope and scale of the proposal (e.g. transport infrastructure, port expansion, mine, water supply pipeline, manufacturing facility).
3.2	Land use	Summarise existing and intended land use of the project area.
3.3	Project need, justification and alternatives considered	<ul style="list-style-type: none"> • Describe the project objectives. • Project pre-feasibility assessment. • Consideration of the objectives and priorities of government policies and strategies. • Consideration of preferred option, alternatives to the project, including alternative sites, alternative activities, and the ‘do nothing’ option. • Summary of key strategic benefits, e.g. employment, regional/state investment, industry development, export potential etc.
3.4	Components, developments, activities and infrastructure that constitute the project to be declared coordinated	Key project components/infrastructure that are sought to be declared, developments, infrastructure, activities on/off site.

3.5	External infrastructure requirements	Key project components/infrastructure that are ancillary to the declared project, developments, infrastructure, activities on/off site, e.g. power, gas, fuel and water supply; rail, road and port services (air and sea) etc.
3.6	Timeframes for the project	Staging of the commencement and completion of each project phase, including the design, procurement, early works, construction, commissioning, operation and (if relevant) rehabilitation.
3.7	Construction and operational processes	<ul style="list-style-type: none"> • Key construction and operational requirements (e.g. access to water supply and disposal, gas, rail, port (air/sea), road network, materials (quarry), waste management, stormwater etc.). • Describe any rehabilitation intentions.
3.8	Workforce requirements during construction and operation	<ul style="list-style-type: none"> • Describe direct construction and operational employment numbers and worker accommodation and transport proposals. • Summarise any clearly identifiable indirect employment opportunities that may arise from the project.
3.9	Economic indicators	Capital cost, revenue, exports, contribution to local/state/national economies, indirect employment generation, synergies with other businesses and/or industries.
3.10	Financing requirements and implications	<ul style="list-style-type: none"> • Estimate the value (Australian dollars) that would be invested in the development and operation of the project, including details of key project stages or components where these will be funded separately. • Indicate in broad terms the capacity of the proponent to fund the project or other project funding proposals. The proponent's history of financing similar scale developments is relevant.
4	Location of key project elements	
4.1	Location	<ul style="list-style-type: none"> • Address, lot/plan, project area(s), major and secondary urban centres, access, topography and any key natural features in the vicinity of the project. • The GIS data requirement in ESRI shapefile format (Datum: GDA94) for the project (to allow the location and area of the project to be shown on a map of Coordinator-General's projects).
4.2	Tenure	<ul style="list-style-type: none"> • Summarise key existing and intended tenures for key land parcels directly impacted by the project area. • Describe the local government planning scheme and regional plan designations.
5	Description of the existing environment	
5.1	Natural environment	Briefly describe the existing local/regional natural environment of relevance to project.
5.1.1	Land	<ul style="list-style-type: none"> • Topography and land use, current and any critical information on soil, geology and visual amenity. • List any nature conservation reserves (e.g. national parks) or areas protected by international treaties (e.g. Ramsar wetlands) potentially impacted by the project.

5.1.2	Water	<ul style="list-style-type: none"> List key water features (surface, ground and marine) potentially impacted by the project. Describe the flood risk during project construction and operation including how the identified risk may impact on adjoining properties and potential effects on the environment.
5.1.3	Air	List each air shed impacted by the project. Cover emissions and any likely air quality impacts.
5.1.4	Ecosystems	<ul style="list-style-type: none"> Describe any terrestrial, aquatic, wetland, and marine ecosystems or coastal processes that may be impacted. List any protected areas, protected communities, listed ecological communities or environmentally sensitive areas.
5.1.5	Flora and fauna	List all migratory and protected species, pest plants and animals known or suspected to occur in on lands directly impacted by the project.
5.2	Social and economic environment	Describe the residential, commercial and industrial social and economic character of the locality and region impacted by the project (including health, recreation, education and emergency services) and any measures proposed to mitigate any expected negative impacts. Refer to the <i>Social impact assessment guideline</i> at www.statedevelopment.qld.gov.au
5.2.1	Accommodation and housing	Describe the capacity of existing accommodation to house the project's construction and operational workforces
5.2.3	Cultural heritage (Indigenous and non-Indigenous)	Describe any features of characteristics that may be impacted by the project and any measures initially proposed to mitigate those impacts.
5.3	Built environment	<ul style="list-style-type: none"> Describe local/regional existing infrastructure. Identify potential conflicts and/or capacity constraints existing or potentially created by the project. Identify other declared coordinated projects in the region. Identify other relevant major proposed infrastructure or development projects. Illustrate these with figures where appropriate.
5.4	Traffic and transport	Describe the key transport networks of relevance to the project, considering both resource inputs and product outputs, any impacts of the project on those networks and proposals to mitigate any adverse outcomes.
5.5	Land use and tenures	Describe the land ownership and tenancy of project area parcels.
5.5.1	Key local and regional land uses	<ul style="list-style-type: none"> Highlight key elements, e.g.: coastal management districts, mining/petroleum leases, protected areas, World Heritage Areas (including adjacent proximity), local government areas, state development areas, Commonwealth/defence land etc. Describe existing and any relevant historical land uses.
5.5.2	Key local and regional land tenures	Including key freehold, leasehold, easements, reserves, mining/petroleum tenures—provide lot/plan, local government planning scheme and regional plan designations of relevance to the project.
5.5.3	Native title	List registered native title claimants over lands impacted by the project and provide the current status of any claims that have not been finalised.

5.6	Planning instruments, government policies	Relevant planning schemes or policy frameworks, including those of a relevant local government or of the State or the Commonwealth.
6	Potential project impacts	Outline key potential environmental impacts during: <ul style="list-style-type: none"> • construction/commissioning • operation • closure/decommissioning/final rehabilitation (where applicable).
6.1	Natural environment	Correlated to 5.1 above.
6.2	Amenity, including noise, air quality, vibration, lighting, urban design and visual aesthetics	Identify potential sensitive receptors and indicate any matters where goals described in relevant State environmental protection policies might be exceeded during the construction and/or operation of the project.
6.3	Social environment—potential beneficial and adverse impacts	See 5.2 above.
6.4	Economic effects	See 5.2 above, beneficial and adverse potential economic impacts at the local, state and national levels.
6.5	Built environment	See 5.3 above, including infrastructure, traffic and transport, community amenities.
6.6	MNES under the EPBC Act	<ul style="list-style-type: none"> • Summarise and attach the results of the DE Protected Matters Search (optional). • Identify any anticipated EPBC Act ‘controlling provisions’ (found via Protected Matters Search).
7	Environmental management and mitigation measures	Summarise current proposals for key management and mitigation measures.
7.1	Natural environment	<ul style="list-style-type: none"> • Outline key environmental management and mitigation measures during: <ul style="list-style-type: none"> – construction/commissioning – operation – closure/decommissioning/final rehabilitation (where applicable). • Vegetation and biodiversity offsets; specify measures for MNES.
7.2	Built environment	Including infrastructure, traffic and transport, community amenities.
7.3	Cultural heritage management plan (Indigenous)	Outline key proposals.

7.4	Non-Indigenous cultural heritage management	Outline key proposals.
7.5	Greenhouse gas management plan	Outline key proposals.
7.6	Waste management	Including Department of Environment and Heritage Protection waste hierarchy overburden, geological spoil and tailings management (if applicable).
7.7	Hazard and risk, and health and safety	Outline key proposals.
7.8	Environmental management	Summarise health, safety and environmental management systems, e.g. ISO 14001, EP Act and other construction and operational environmental management plans etc.
8	Approvals required for the project	<ul style="list-style-type: none"> • Itemise for each key project component all State, Commonwealth and local government agency approvals. • Tabulate the principal required statutory approvals by classifying: <ul style="list-style-type: none"> – legislation – administering authority – approval trigger – approval – relevance to the project. • Specify <i>Sustainable Planning Act 2009</i> (SPA) and Integrated Development Assessment System (IDAS) and non-SPA/IDAS approvals. • Specify which approvals are intended to be coordinated during the EIS process and which will be dealt with outside of the Part 4 process of the SDPWO Act.
	<i>Supporting information if applying for declaration as a coordinated project for which an IAR is required under section 26(1)(b) of the SDPWO Act:</i>	<ul style="list-style-type: none"> • There are likely to be only limited concerns about the effects of the proposed project on the environment. • The results of initial consultation and the degree of public interest. • The proposal is consistent with established environmental policy, guidelines and standards. • The proposed measures to avoid or mitigate potential negative impacts of the project are well understood and widely practised. • The impacts of the proposal can be readily managed within an established condition-setting framework. • The key environmental concerns that would require focused assessment.
9	Costs and benefits summary	
9.1	Local, state and national economies	Include both positive and negative impacts of the project on any stated government four priority areas or industries.

9.2 Natural and social environments

10 Community and stakeholder consultation Describe consultations undertaken to date and intentions for advisory agency and community consultation and engagement.

11 References and data sources

12 Glossary, acronyms and abbreviations

Appendix 2. Application checklist

Before submitting an application for project declaration, check you have:

- Provided a signed and dated covering letter, including proposed timing of a referral to the Commonwealth Minister for the Environment.
- Provided a final IAS.
- Provided a separate statement of proponent's capacity to complete an EIS or IAR for the project.
- Provided a separate pre-feasibility assessment.
- Paid the correct fee by direct bank deposit (cheques are not accepted). Refer to page 6 of this guideline or the *Overview of coordinated project fees* to confirm the amount payable.

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