



ARROW BOWEN PIPELINE PROJECT

APPENDIX A7 – REGULATORY APPROVALS

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APPENDIX A9: REGULATORY APPROVALS

Approval / permit type	Approval trigger / applicability to the project	Legislation	Authority	New Authority
Commonwealth approvals				
Permission to intervene in matters where traditional cultural heritage interests are considered to be at risk	Arrow needs to undertake negotiation and mediation under State Government legislation to produce a native title agreement and / or Cultural Heritage Management Plan (CHMP) to address the cultural heritage interests of the relevant Aboriginal Endorsed Parties along the proposed pipeline route.	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Department of Sustainability, Environment, Water, Population and Communities	N/A
Approval of a controlled action	Arrow is required to refer the project to the Department of Sustainability, Environment, Water, Population and Communities for determination as to whether it constitutes a "controlled action" under the EPBC Act. This will be undertaken separately to the EIS and is not intended to act as an assessment for the EPBC Act under the Bilateral Agreement between the Commonwealth of Australia and the State of Queensland.	<i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i>	Department of Sustainability, Environment, Water, Population and Communities	N/A
Permission to impact on land where native title has not been extinguished	Arrow will undertake relevant steps to engage with native title claimants and regulatory agencies over land where native title has not been extinguished. Arrow will need to enter into an Indigenous Land Use Agreement (ILUA) with the relevant native title party or extinguish native title by compulsory acquisition.	<i>Native Title Act 1993</i>	National Native Title Tribunal	N/A
State approvals				
A Cultural Heritage Management Plan (CHMP) or native title agreement	A CHMP or native title agreement should be prepared in consultation with the relevant Aboriginal parties to ensure that Aboriginal cultural heritage duty of care is fulfilled. A	<i>Aboriginal Cultural Heritage Act 2003</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines

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	native title agreement may include an Indigenous Land Use Agreement (ILUA), section 31 agreement or use of the Native Title Protection Conditions.			
Development Permit for Building Work	Requirement applies to a structure or building work (which for the purposes of the Building Act is of a fixed nature) that occurs on the PL area. The design, operation and maintenance of all buildings associated with the project should be carried out in compliance with Building Code of Australia.	<i>Building Act 1975 and Regulations, Sustainable Planning Act 2009 and Sustainable Planning Regulation 2009</i>	Relevant local council or private building certifier	Department of Housing and Public Works
Development Permit for Operational Works for work within a Coastal Management District	Required where undertaking work in the Curtis Coast Coastal Management District. Raglan Creek is identified within this Coastal Management District. Therefore the undertaking of HDD for the proposed pipeline route under Raglan Creek at AB446.5 will trigger the requirement for this approval.	<i>Coastal Protection and Management Act 1995, State Coastal Management Plan, Curtis Coast Regional Coastal Management Plan, Sustainable Planning Act 2009 and Sustainable Planning Regulation 2009</i>	Department of Environment and Resource Management and relevant local council	Department of Environment and Heritage Protection
Permit for the handling, storage and manufacture of hazardous materials, and dangerous goods	Required to store, handle and manufacture hazardous materials on site.	<i>Dangerous Goods Safety and Management Act 2001</i>	Department of Emergency Services	Department of Emergency Services
Notice prior to carrying out work affecting electricity entity's works	Required if work will come into contact or disturb overhead powerlines, soil or other material supporting or covering the entities work.	<i>Electricity Act 1994</i>	Relevant Electricity Entity	Department of Energy and Water Supply
Environmental authority for a Level 1 Chapter 5a Activity	Environmental authorities will be required for the following Level 1 Chapter 5a Activities applicable to the project: <ul style="list-style-type: none"> Schedule 5(5) constructing a new pipeline of more than 150 km under a petroleum authority. 	<i>Environmental Protection Act 1994 and Environmental Protection Regulation 2008</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection

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	<ul style="list-style-type: none"> ■ Schedule 5(8) A petroleum activity, other than a petroleum activity mentioned in items 1 to 7 that includes a Chapter 4 activity for which an aggregate environmental score is stated. 			
Development Permit for a Material Change of Use of premises for environmentally relevant activities (ERAs)	<p>A permit is required where carrying out ERAs. The following ERAs are applicable to the project:</p> <ul style="list-style-type: none"> ■ ERA (3)(a) Chemical storage – storing between 10m³ and 500m³ of chemicals of class C1 or C2 combustible liquids under AS1940 or dangerous goods class 3. ■ ERA 14(2) Electricity generation – generating electricity by using fuel (other than gas) at a rated capacity of 10 MW electrical or more. ■ ERA 15(1) Fuel burning –using fuel burning equipment that is capable of burning at least 500 kg of fuel in an hour. ■ ERA 33 Crushing, milling, grinding or screening ■ ERA 63(1)(a); (3)(2)(b) Sewerage treatment – consists of operating 1 or more sewerage treatment works at a site, other than no release works, with a total daily peak design of more than 100 to 1500 EP. ■ ERA 64 (1)(b); (3)(3) Water treatment – consists of treating 10 ML or more of raw water in a day. 	<p><i>Environmental Protection Act 1994, Environmental Protection Regulation 2008 and Sustainable Planning Act 2009</i></p>	Department of Environment and Resource Management	Department of Environment and Heritage Protection

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Registration certificate for an ERA	A registration certificate must be obtained prior to the commencement of an ERA. The registration certificate can be applied for within (before or after) 30 days of receiving the Development Permit for the relevant ERA. Only a registered operator may undertake ERAs.	<i>Environmental Protection Act 1994</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection
Development Permit for a Material Change of Use of premises for development on contaminated land	Permit is required where the proposed pipeline route traverse any land included on the EMR or CLR.	<i>Environmental Protection Act 1994 and Sustainable Planning Act 2009</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection
Disposal permit to remove and treat or dispose of contaminated soil from land	A disposal permit may be required where contaminated soil is encountered during construction and needs to be removed from site.	<i>Environmental Protection Act 1994</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection
Development Permit for Operational Works for constructing or raising waterway barrier works	Required where the project will result in constructing or raising waterway barrier works). This permit is unlikely to be required if development occurs during the dry season. Where water is continually flowing (e.g. parts of the Fitzroy River, Isaac River and Raglan Creek) the proposed pipeline route will be constructed through horizontal directional drill (under bored) subject to geotechnical investigations.	<i>Fisheries Act 1994 and Sustainable Planning Act 2009</i>	Department of Employment, Economic Development and Innovation	Department of Agriculture, fisheries and Forestry
Permit to get or sell forest products or quarry materials	A permit is required to interfere with or sell quarry material or forest products on Crown Holdings and Crown Land.	<i>Forestry Act 1959</i>	Department of Environment and Resource Management	Department of Agriculture, Fisheries and Forestry Joint administered with the Minister for Natural Resources and Mines.
Permit to occupy and clear vegetation on State Land	Under Chapter 4, Part 4 of the Land Act, a permit is required where the project is developed on a reserve, road or unallocated State land.	<i>Land Act 1994</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines

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	Additional permit is required under section 113 for clearing of vegetation on all State lands.			
Temporary road closure – issue of road license	Requirement for closure of local roads during construction.	<i>Local Government Act 2009</i> (and other relevant acts e.g. <i>Plumbing and Drainage Act 2002</i>)	Relevant local Council	Department of Local Governments
Permit to take protected plants (clearing permit)	A clearing permit is required to authorise the legitimate destruction or taking of 'protected plants' in the wild. Exemptions apply if the taking happens in the course of an activity under an authority made, granted or given under another Act by the Governor in Council or someone else and the chief executive approved the taking in the course of the activity; or where a person taking a least concern plant on private land in the landholder of the land. Protected plant means "a plant that is prescribed under the <i>Nature Conservation Act 1992</i> as threatened, rare, near threatened or least concern wildlife".	<i>Nature Conservation Act 1992 and Regulations</i>	Department of Environment and Resource Management (Queensland Parks and Wildlife)	Department of National Parks, Recreation, Sport and Racing
Permit to allow a person to rescue and release a sick, injured or orphaned protected animal; or a protected animal whose habitat has been, or will be, destroyed by human activity or a natural disaster / damage mitigation permit.	Any person taking, using or interfering with protected fauna is required to have a Wildlife Rehabilitation Permit (spotter-catcher) and to possess the training and skills required to undertake this activity. Such a permit will allow a person to rescue and release a sick, injured or orphaned protected animal; or a protected animal whose habitat has been, or will be, destroyed by human activity or a natural disaster.	<i>Nature Conservation Act 1992 and Regulations</i>	Department of Environment and Resource Management (Queensland Parks and Wildlife)	Department of Agriculture, Fisheries and Forestry
Petroleum Pipeline License (PPL)	An application must be made to the Minister for the grant of a point-to-point PPL for the project. This is as a result of petroleum being	<i>Petroleum and Gas (Safety and Production) Act 2004</i>	Department of Employment, Economic Development and Innovation	Department of Natural Resources and Mines

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	<p>required to be transported outside of Arrow Energy's petroleum lease (PL).</p> <p>A point-to-point PPL is granted by the Minister over a pipeline, from one stated point or points to another stated point or points, and allows its holder to construct and operate the pipeline and carry out such incidental activities that are reasonably necessary in order to construct, operate and maintain the pipeline.</p>			
Development Permit to undertake development on a registered Queensland heritage place	<p>Required when undertaking works on or adjacent to, a lot listed on the Queensland Heritage Register.</p> <p>As per the Cultural Heritage Impact Assessment Study (Appendix A4.15, Volume 3), only one Queensland registered heritage place was identified within 1 km of the proposed pipeline route. Therefore, pending future pipeline route realignments, this permit is unlikely to be triggered.</p>	<i>Queensland Heritage Act 1992 and Sustainable Planning Act 2009</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection
Approval to enter or interfere with a protected heritage area	Required where entering or interfering with land included on the Queensland Heritage Register and archaeological places where there is an expectation of sub-surface material that can provide information regarding the history of Queensland.	<i>Queensland Heritage Act 1992</i>	Department of Environment and Resource Management	Department of Environment and Heritage Protection
Development Permit for a Material Change of Use for gas transportation infrastructure	<p>Required where the proposed pipeline route traverses land within the Gladstone State Development Area (SDA).</p> <p>Gas transportation infrastructure is defined under the Gladstone SDA as: "the use of premise for the bulk transportation of gas through a pipe or series of pipes or similar gas transportation infrastructure".</p>	<i>State Development and Public Works Organisation Act 1971, Development Scheme for the Gladstone State Development Area</i>	Coordinator-General, Department of Employment, Economic Development and Innovation	Department of State Development, Infrastructure and Planning
Development Permit for a Material Change of Use for Materials	Required where the proposed pipeline route traverses the Stanwell-Gladstone	<i>State Development and Public Works Organisation Act 1971,</i>	Coordinator-General, Department of Employment,	Department of State Development, Infrastructure and

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Transportation and Services Infrastructure	Infrastructure Corridor State Development Area (SGIC SDA).	<i>Development Scheme for the Stanwell-Gladstone Infrastructure Corridor State Development Area</i>	Economic Development and Innovation	Planning
Road Corridor Permit / Ancillary Works and Encroachment Permit	Required for any activity, works or the erection of a structure within a State-controlled road corridor.	<i>Transport Infrastructure Act 1994</i>	Department of Transport and Main Roads	Department of Transport and Main Roads
Traffic Control Permit.	Required for any lane closures and traffic control within a state-controlled road. A traffic control permit can only be applied for once a road corridor permit has been issued.	<i>Transport Infrastructure Act 1994</i>	Department of Transport and Main Roads	Department of Transport and Main Roads
Written approval to interfere with a railway – Way leave agreement	Required where the pipeline crosses railway corridor land.	<i>Transport Infrastructure Act 1994</i>	Department of Transport and Main Roads	Department of Transport and Main Roads
Development Permit for Operational Works for clearing native vegetation	Required where clearing native vegetation where clearing is outside of the PPL area i.e. if clearing is required for the temporary worker accommodation camps. Vegetation clearing on freehold and leasehold land is exempt from assessment under the VM Act where it is for the construction of the proposed pipeline including incidental activities undertaken within the area covered by the PPL.	<i>Vegetation Management Act 1999</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines
Clearing Notification	Applicable when clearing regulated regrowth vegetation. The applicable Regrowth Vegetation Code must be complied with.	<i>Vegetation Management Act 1999</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines
Development Permit for Operational Works for taking or interfering with water for overland flow including using a watercourse pump, storing, diverting, damming or removing quarry material from a	Required where construction of the proposed pipeline route crosses a watercourse defined under the <i>Water Act 2000</i> and where it results in taking or interfering with water. Likely to be required where constructing an open trench with flow diversion.	<i>Water Act 2000 and Regulations and Sustainable Planning Act 2009</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines

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watercourse,				
Water Licence	A water licence is an entitlement to take or interfere with water. This does not permit the physical construction of works such as dams, pumps or weirs to take or interfere with water. These works are authorised under Development Permits issued under the <i>Sustainable Planning Act 2009</i> .	<i>Water Act 2000</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines
Riverine Protection Permit	Required for the construction of the proposed pipeline crossing where excavating and destroying vegetation or placing fill within the bed and banks of a watercourse, lake or spring. Activities within the PPL area are exempt under S49 of the Water Regulation.	<i>Water Act 2000</i> and Regulations	Department of Environment and Resource Management	Department of Natural Resources and Mines
<i>Local</i>				
Development Permit for a Material Change of Use for temporary worker accommodation camps under a Planning Scheme	Required for development of the temporary worker accommodation camps where located outside of the Petroleum Pipeline Licence (PPL). Development associated with temporary worker accommodation camps is likely to trigger impact assessment under the relevant local government planning scheme.	Relevant local government planning scheme, <i>Sustainable Planning Act 2009</i> and <i>Sustainable Planning Regulation 2009</i>	Relevant local Council	N/A
Development Permit for Operational Works under a Planning Scheme	If works are not exempt from assessment against the local government planning scheme and operational works are required.	Relevant local government planning scheme, <i>Sustainable Planning Act 2009</i> and <i>Sustainable Planning Regulation 2009</i>	Relevant local Council	N/A
Development Permit to undertake development on a registered local heritage place	Required when undertaking works on or adjacent to, a lot listed on a local Heritage Register. As per the Cultural Heritage Impact Assessment Study (Appendix A4.15, Volume 3), only the Calliope Shire Planning Scheme and The Gladstone Plan maintains a local heritage	<i>Sustainable Planning Act 2009</i> and <i>Sustainable Planning Regulation 2009</i>	Relevant local council	N/A

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	register. These registers list ten local heritage places.			
Permits under Local Laws	Required where activities are regulated under local government Local Laws. Local Laws will typically regulate (but are not restricted to) works on local roads, advertising signs, extraordinary traffic, pest management and significant vegetation.	<i>Local Government Act 2009</i>	Relevant local council	N/A
<i>Other requirements</i>				
Environmental Impact Statement / Impact Assessment Study	This is not a permit – rather a statutory process. EIS leads to Chief Executive Report that informs subsequent SPA/IDAS applications.	<i>EP Act</i>	Chief Executive, DERM	Department of Environment and Heritage Protection
Land Owner's Consent	If works are to be undertaken on Freehold Land that require a Development Permit under the Sustainable Planning Act 2009, consent from the registered land owner is required to be supplied with the Development application.	<i>Sustainable Planning Act 2009</i>	Relevant land holder	Relevant land holder
Evidence of Resource Entitlement	Required for undertaking works on certain types of State land as a prerequisite for Development Permit applications applicable to land owned by the State.	<i>Sustainable Planning Act 2009</i>	Department of Environment and Resource Management	Department of Natural Resources and Mines
Pest Management Strategies	This is not a permit, but rather a requirement / duty of care for the landholder that all reasonable steps are taken to keep the project area free of Class 1 and 2 pests.	<i>Land Protection (Pest and Stock Route Management) Act 2002</i>		