

Jemena Northern Gas Pipeline Pty Ltd

Northern Gas Pipeline

Draft Environmental Impact Statement

CHAPTER 3 – APPROVALS, CONDITIONS AND AGREEMENTS

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3. APPROVALS, CONDITIONS AND AGREEMENTS

The Northern Gas Pipeline (NGP) Project falls within the legal jurisdiction of the Commonwealth (Cth), Northern Territory (NT) and Queensland (Qld) governments. This chapter provides information on requirements for approvals, permits and licences pursuant to the legislation within each jurisdiction.

Also included in this chapter is a summary of agreements, in place or being negotiated, with:

- landholders
- land councils
- Native Title parties and their representative bodies
- road and railway authorities
- leaseholders
- governments

As this EIS is for the purpose of environmental assessment under Commonwealth and Northern Territory legislation; Queensland legislative requirements are noted for context only.

The content of this chapter has been developed from Jemena's NGP Approvals Plan and Register, which identifies both the primary and secondary approvals required for the Project, how Jemena intends to secure the approvals and the expected time frames within which the said approvals will be obtained. The Approvals Plan and Register is a working document, initially populated after working closely with the Northern Territory, Queensland and Commonwealth governments. It will be updated over the Project planning phase to refine the approvals requirements relating to the on-ground Project activities.

The primary approvals relate to:

1. environment
2. pipelines
3. land
4. sacred sites and cultural heritage
5. planning

Other approvals, permits and licences will also be required under various pieces of legislation. The sections below describe the primary approvals and the sub-ordinate and secondary approvals, permits and licences applicable to the NGP Project.

3.1 ENVIRONMENTAL APPROVALS

The NGP Project requires environmental assessment and approval pursuant to the Environment Protection and Biodiversity Conservation Act 1999 (*Cth*) (EPBC Act), Environmental Assessment Act (*NT*) (EA Act) and Environment Protection Act 1994 (*Qld*) (EP Act). The primary environmental approvals applicable to the Project are described below.

3.1.1 ENVIRONMENTAL IMPACT STATEMENT (COMMONWEALTH AND NORTHERN TERRITORY)

Jemena submitted a Notice of Intent for the NGP Project to the Northern Territory Environment Protection Authority (NT EPA) in September 2015. In October 2015, the NT EPA determined that the Project required assessment under the EA Act at the level of an Environmental Impact Statement (EIS). The NT EPA decision was based on the following key issues:

- potential impacts on biodiversity
- potential for soil erosion and dust generation
- potential impacts on water resources
- potential impact on existing services and infrastructure
- potential impacts on stakeholders
- potential social, cultural and economic impacts.

Jemena referred the proposed action to the Commonwealth Department of Environment (DoE) for consideration under the EPBC Act. The delegate to the Commonwealth Minister for the Environment determined in December 2015 that the Project is a 'controlled action' which required assessment and approval under the EPBC Act by a Public Environment Report (PER). The matters of national environmental significance are listed threatened species and communities (sections 18 & 18A).

Jemena was advised that the proposed action could not be assessed under the bilateral agreement between the Commonwealth and Northern Territory governments, as part of the proposed action falls within the Queensland jurisdiction. However, it is the intention of the NT EPA and DoE to assess the proposed action collaboratively. To facilitate a collaborative assessment, criteria for matters relevant to the EPBC Act have been incorporated into the EIS Terms of Reference (ToR) prepared by the NT EPA. These criteria specifically relate to matters of national environmental significance in both the Northern Territory and Queensland.

Jemena will submit a single EIS document for assessment and approval under both the EA Act and EPBC Act. The EIS assessment process applicable under each act is illustrated in Figure 1-2 in Chapter 1.

The NT EPA and DoE will each assess the components of the EIS document relevant to their jurisdiction and at the end of the assessment process the following will occur:

- DoE will make recommendations to the Commonwealth Minister for the Environment in relation to whether or not the proposed action should receive approval under the *EPBC Act*, and the conditions associated with that determination.
- NT EPA will issue an EIS Assessment Report and Recommendations to the Northern Territory Minister for Mines and Energy, who is responsible for determining whether to grant the Pipeline Licence (PL) pursuant to the Energy Pipelines Act (NT) and the conditions of any such grant.

Jemena anticipates that the EPBC Act approval will contain conditions relevant to protection of threatened species, and specific monitoring and reporting requirements which will apply to the Project construction activities. It is also anticipated that conditions will be imposed relating to sources of indirect impact on threatened species i.e. air and noise emissions and weeds.

The NT EPA Assessment Report and Recommendations is expected to contain a range of recommendations in relation to further development, review and approval of management plans prior to

commencement of Project activities. Also, it is anticipated there will be recommendations made in relation to the additional approvals, permits and licences that Jemena and/or the Construction Contractor are required to obtain, for example Waste Discharge Licences for hydrotest wastewater disposal, and approval of on-site wastewater treatment systems by DoH (NT).

3.1.2 ENVIRONMENTAL AUTHORITY (QUEENSLAND)

The sections of the Project within Queensland (i.e. approximately 165 km of pipeline, Mount Isa Compressor Station and associated facilities) require approval by an Environmental Authority issued under the EP Act 1994 (Qld). The Project was deemed not to trigger the requirement for assessment at the level of an EIS in Queensland, because Project activities to be conducted in Queensland:

- do not involve greater than 300 km of gas pipeline
- will not result in more than 2,000ha of land clearing
- do not include a liquefied natural gas plant.

The EP Act establishes the framework for environmental assessment of Environmentally Relevant Activities (ERAs). The Project triggered the requirement for a site-specific EA application as it includes the following ERAs governed by the Act:

- Resource activity that is a petroleum activity and which includes the following:
 - Item 5, Schedule 2A of the Environment Protection Regulation 2008 (EP Reg) – constructing a new pipeline of more than 150 km under a petroleum authority.
 - Item 8, Schedule 2A of the EP Reg – a petroleum activity or Greenhouse Gas (GHG) storage activity that includes one or more activities mentioned in Schedule 2 for which an aggregate environmental score is stated.

The Project will involve the following activities included in Schedule 2 of the EP Reg:

- Sewage treatment – operating sewage treatment works, other than no-release works, with a total daily peak design capacity of less than 300 equivalent persons.

Jemena was granted an EA for the NGP in December 2015. The EA, granted by the Queensland Department of Environment and Heritage Protection (DEHP), is subject to a number of conditions.

Jemena will submit an application for a 'major amendment' to the EA in September 2016 to address variations to the Project activities and footprint which have occurred since the EA was issued.

3.2 PIPELINE APPROVALS

3.2.1 NORTHERN TERRITORY

Under the Energy Pipelines Act a Pipeline Permit is required to enter land for the purpose of determining the route of the proposed pipeline. Jemena was granted a Pipeline Permit in 2015. Land access for the purpose of pipeline planning and survey is in accordance with the Pipeline Permit conditions.

The primary approval required for construction and operation of the NGP and associated facilities in the Northern Territory is a Pipeline Licence issued pursuant to the Energy Pipelines Act. In considering an application for a Pipeline Licence, section 15 of the Act requires that the Minister shall have regard for a

number of matters including public interest, whether the construction of the pipeline is likely to interfere with flora and fauna and the effect that the grant of the Pipeline Licence would have or is likely to have on registered native title rights and interests (or any comments lodged by representative Aboriginal and Torres Strait Islander bodies).

The Pipeline Licence applicant is required to provide details of the agreements which are proposed to be entered into for the acquisition of the relevant tenure.

In addition to a Pipeline Licence, Jemena must obtain a consent to the construction and consent to operate, granted under regulations 11 and 16 of the Energy Pipelines Regulations, and subsequently, a consent to testing under section 38 of the Energy Pipelines Act.

3.2.2 QUEENSLAND

The primary approval required for the Project in Queensland is a Pipeline Licence pursuant to the Petroleum and Gas (Production and Safety) Act 2004 (Q/d).

Jemena was granted a Pipeline Survey Licence pursuant to section 395 of the Petroleum and Gas (Production and Safety) Act 2004 (Q/d) for the purposes of entering land for pipeline planning.

3.3 LAND APPROVALS

Jemena is responsible for securing access to land to facilitate the carrying out of the Project including the installation of above-ground facilities and compressor stations, and the required land tenure to support the pipeline.

The access and tenure agreements will be secured through negotiation with landholders, Aboriginal Land Trusts, native title parties and other parties that possess an interest in land. Since early 2015, during the competitive bid process, Jemena has engaged with landholders, land councils, native title representative bodies, road and railway authorities, leaseholders and governments and a wide range of other stakeholders (refer Chapter 4). This engagement is ongoing.

Jemena's land acquisition program comprises three distinct phases as follows:

- access for survey purposes
- access for construction purposes
- securing interests in land to facilitate the carrying out of the project and tenure to support the ongoing operation of the pipeline.

Approvals for construction purposes will be secured through negotiation with landholders or their representatives and will take a variety of forms depending on the underlying land tenure and/or interest in the land including the grant of a licence and the grant of an option for an easement in gross (which supports a caveatable interest). Registration of easements will occur after construction is completed and easement as-built surveys are concluded.

An overview of the land approvals to be secured through each phase of Jemena's land acquisition program is provided in the sections below.

3.3.1 ACCESS FOR SURVEY PURPOSES

The Pipeline Permit (NT) was granted to Jemena under section 5 of the Energy Pipelines Act (NT) to enter land for the purpose of determining the route of the proposed pipeline and requires detail of agreements entered into with landholders for survey activities during the Project planning phase. Jemena finalised agreements with all landholders prior to undertaking ground-based survey work. The access and survey agreements include specific property-level requirements, such as no-go areas, bio-security measures and pre-access notification requirements.

A Pipeline Survey Licence (Qld) was granted under section 395 of the Petroleum and Gas (Production and Safety) Act 2004 (Qld) to allow for land access in Queensland. Land access was required for Jemena to undertake cultural heritage, sacred site, flora and fauna, geo-technical and planning surveys. The Pipeline Survey Licence was granted in July 2015.

3.3.2 ACCESS FOR CONSTRUCTION PURPOSES

Where permitted pursuant to legislation, landholder agreements will be in the form of licences within an option agreement, granting an option to Jemena to obtain an easement in gross.

The option agreement will comprise the following main components:

- terms and conditions applicable to the grant of the option for Jemena to acquire an easement
- terms and conditions of the easement
- the plan of the easement area, including the proposed pipeline alignment, permanent location facilities and permanent access tracks
- access and other rights by way of licence during the option and construction periods
- access and other rights pursuant to the easement (upon exercise of the option).

The sections below describe the other types of agreements currently being negotiated to gain access to land for construction purposes.

3.3.2.1 Crown Lease Term

There is one parcel of land held pursuant to a Crown Lease Term. This Crown Lease Term is granted and governed pursuant to the Crown Lands Act (NT). A Gas Pipeline Rail Crossing Agreement and easement in gross will be entered into between Jemena and the landholder to allow the pipeline to cross a railway corridor (being the Crown Lease Term), which will require the consent of the registered sub-lessee and, if required, the consent of the relevant Northern Territory Minister.

3.3.2.2 Perpetual Pastoral Leases

Perpetual Pastoral Leases are granted and governed by the Pastoral Lands Act (NT) and allow lessees to undertake pastoral operations on the land. An option agreement for the grant of an easement in gross will be entered into with each lessee, subject to the consent of the relevant Minister in relation to the grant of the easement in gross.

3.3.2.3 Vacant Crown Land

Under section 22 of the Energy Pipelines Act (NT) the Minister can grant an authority (including a licence, easement, or lease) to undertake activities on Vacant Crown Land. Jemena intends to initially seek a licence under section 93 of the Crown Lands Act (NT) prior to the commencement of construction of the

pipeline. It is also proposed that an occupation licence pursuant to section 90 of the Crown Lands Act (*NT*) will be required for a construction camp on Vacant Crown Land.

3.3.2.4 Aboriginal Land Trust Land

There are two parcels of Aboriginal Land, granted under the Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA) (*Cth*) along the pipeline route.

Jemena proposes to enter into agreements pursuant to section 19 (4A) of ALRA with the Aboriginal Land Trusts, for the grant of an option for an easement in gross over the land. This allows for the Land Trust, with the consent in writing from the Commonwealth Minister for Indigenous Affairs, and at the direction of the relevant Land Council, to grant an estate or interest in land to any person, for any purpose.

As part of these agreements, Jemena will seek a licence to enter Aboriginal land in accordance with all legislative requirements and conduct those activities authorised by the Pipeline Permit and Pipeline Licence respectively.

Section 19 of the ALRA requires the relevant Land Council be satisfied the Traditional Owners of the land understand the nature and purpose of the proposed grant, consent to it as a group, and have been consulted adequately to express their views. It is anticipated that this approvals process (namely approval from the appropriate Land Council and Commonwealth Minister) will be completed by the end of 2016.

3.3.2.5 Indigenous Land Use Agreement (Area Agreement)

Jemena is currently negotiating Indigenous Land Use Agreements (ILUAs) with the Native Title Parties through the Land Councils as the Native Title Representative Bodies.

The ILUAs will authorise the conduct of future acts by Jemena. Once the ILUAs are finalised Jemena will seek certification and registration on the National Native Title Tribunal's Register of ILUAs pursuant to the requirements of the Native Title Act 1993 (*Cth*).

3.3.2.6 Northern Territory Enhanced Freehold

The NGP traverses several adjoining blocks of Northern Territory Enhanced Freehold land. Jemena will enter into an Option for Easement with the landholders. The agreement will include features common with the agreements negotiated for access to Aboriginal land and pastoral land as described above.

3.3.3 LAND TENURE

Jemena's land tenure (being the easements in gross for the pipeline) will be registered after the construction phase is complete i.e. in 2018. Securing Jemena's land tenure requires various ministerial approvals and consents as outlined above. The process and timeframe for the approvals varies dependent on the legislation governing the underlying land tenure.

The North East Gas Interconnector Pipeline (Special Provisions) Act 2015 (*NT*) is special Project legislation, developed to allow the grant and registration of an easement in gross over pastoral land in favour of the Pipeline Licence Holder (Jemena). This provision applies specifically to pastoral leases and is subject to agreement between Jemena and the pastoral lessee and the consent of the relevant Minister (and has been provided for in the option agreement).

For all other land tenure (specifically Aboriginal land) agreements will be established as described above.

3.4 SACRED SITES & CULTURAL HERITAGE APPROVALS

The Project requires approvals for accessing Aboriginal land to ensure protection of Aboriginal sacred sites and cultural heritage sites. An overview of the relevant legislation and primary cultural heritage approvals is provided in the sections below.

The Project may also require Works Approval pursuant to the Heritage Act (NT), but the requirement for this approval will be determined following completion of the archaeological surveys, and the approval will be applied for prior to commencement of construction, if required.

Further information is contained in Chapter 8 of this EIS.

3.4.1 ABORIGINAL SACRED SITES ACT

The Northern Territory Aboriginal Sacred Sites Act (NT) 1978 (ASSA) makes it an offence to enter, work on or disturb a sacred site without the express permission of the Traditional Owners. The definition of a sacred site under the ASSA is that found in the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth):

“a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition, and includes any land that, under a law of the Northern Territory, is declared to be sacred to Aboriginals or of significance according to Aboriginal tradition.”

Since 2015 Jemena has engaged with the relevant Land Councils in relation to the protection of sacred sites and for the purposes of carrying out Sacred Site Clearance surveys for the Project. In 2015 Jemena was granted a Sacred Site Clearance for parts of the NGP alignment.

During May and June 2016 the relevant Land Councils carried out further Sacred Site Clearance surveys across all aspects of the NGP Project, including the pipeline corridor, existing and future access tracks and all known above ground facilities. In addition to the above work, Jemena carried out consultations, including on-ground surveys, with other Aboriginal corporations on behalf of the Traditional Owners and site custodians represented by those organisations.

In May 2016 Jemena lodged an application for an Aboriginal Areas Protection Authority (AAPA) Certificate based on the sacred site survey and clearance work undertaken at that time, and continues to work with all stakeholders involved to finalise this by the end of 2016. Further information is contained in Historic and Cultural Heritage, Chapter 8, of this EIS.

There is a distinction in Northern Territory legislation between Aboriginal sacred sites (protected under ASSA) and Aboriginal archaeological sites and objects (protected under the Northern Territory Heritage Act). Additionally, archaeological sites and objects may not also be sacred sites for Traditional Owners; although often the two different kinds of heritage do appear in the same geographical locations in the landscape.

Jemena anticipates the AAPA Authority Certificate will contain a number of conditions relating to No-Go Areas and Restricted Works Areas.

3.4.2 HERITAGE ACT (NORTHERN TERRITORY)

Cultural heritage places protected by the Heritage Act (NT) include buildings, structures and places on land and at sea that area associated with European settlement. In addition, all Aboriginal and Macassan archaeological sites and objects are protected under the Heritage Act.

Under the Act there is provision, where archaeological sites have been discovered in a proposed works area, for Jemena to apply for a Works Approval under Part 3.2 of the Act. In considering an application, the Heritage Branch of the Northern Territory Department of Lands, Planning and Environment (DLPE) must consult with the AAPA in relation to sacred sites, before making a decision on whether to approve the application. The AAPA will then discuss such applications with Traditional Owners or site custodians and their representatives.

A preliminary search of the Northern Territory Heritage Register (archaeological sites database) held by the Heritage Branch provided the early ability to avoid known registered sites. Then, commencing in April 2016, and in coordination with the sacred site clearance surveys referred to above, Jemena undertook archaeological desktop and field surveys of the entire Project pipeline corridor, existing and future access tracks and all known proposed above-ground facilities. The results of this work will inform Jemena's decision to make applications for Works Approvals under the Heritage Act.

Jemena anticipates that any Works Approvals issued for significant archaeological sites will contain conditions relating to recording and relocation of objects prior to ground disturbance occurring. It is also expected that Works Approvals will contain conditions in relation to monitoring and reporting in relation to implementation of the agreed protective measures.

3.4.3 CULTURAL HERITAGE MANAGEMENT PLAN (QUEENSLAND)

The Aboriginal Cultural Heritage Act 2003 (*Qld*) places a "Cultural heritage duty of care" on all persons who carry out an activity to avoid harming Aboriginal cultural heritage. A Cultural Heritage Management Plan (CHMP) provides the framework for negotiation and access agreements between Jemena and the relevant Aboriginal parties. The treatment of cultural heritage sites and/or artefacts found within the Project area (during the cultural heritage surveys) will be negotiated and agreed upon in the CHMP.

Non-Indigenous cultural heritage is governed by the Queensland Heritage Act 1992 (*Qld*). The Department of Environment and Heritage Protection (DEHP) is responsible for the management of heritage places by identifying and protecting them. A search of the Queensland Heritage Register has revealed there are no Registered Sites within the Project area.

3.5 PLANNING APPROVALS

Pursuant to the Planning Act (*NT*) development consent is required for subdivision or consolidation of land in the Northern Territory and the Northern Territory Planning Scheme (NTPS) provides that a development or use may only be undertaken with consent. Under section 75A of the Act it is an offence to clear native vegetation except in accordance with the planning scheme, an interim development control order or a permit. The NGP will require a Development Permit for clearing of native vegetation for the construction of the pipeline and associated facilities.

A development application will be submitted to the DLPE in relation to the proposed clearing of native vegetation. For this Project the application will be assessed by the Northern Territory Department of Land Resource Management (DLRM) as the vegetation clearing will be on land that is unzoned in the NTPS.

The development application will require an exhibition period (including advertising in newspapers, online exhibition and development application signs at the development site) of 28 days. Additionally, public submissions must be received over a period of at least 14 days (this is usually during the exhibition period). Once the exhibition and public submission periods are finished, DLRM will assess the application; a Development Permit will be granted if sufficient information is provided.

Jemena anticipates that the Development Approval will contain conditions in relation to the control of weeds, management of cleared vegetation, erosion and sediment control and reinstatement and rehabilitation. These matters are addressed in the framework EMP (Chapter 13).

3.6 OTHER APPROVALS, PERMITS & LICENCES

Once the primary approvals processes are complete, there are a range of other approvals, permits and licences required for different aspects of the Project. Table 3-1 (Commonwealth), Table 3-2 (Northern Territory) and Table 3-3 (Queensland) below list the key approvals which may be required in relation to each of the key areas of risk assessed in this EIS.

Table 3-1. Commonwealth approvals, permits and licences

Legislation	Project Relevance
Australian Jobs Act 2013	Under the Australian Jobs Act 2013 (<i>Cth</i>) for any major projects in excess of \$500 million capital expenditure, the proponent must submit an Australian Industry Participation (AIP) Plan to the AIP Authority for approval.
Civil Aviation Safety Regulation 1998	Under the Civil Aviation Safety Regulation 1998 (<i>Cth</i>) a proponent must submit an Application for Operational Assessment of a Proposed Plume Rise to allow CASA (under 139.370 of the Civil Aviation Safety Authority Act 1998 (<i>Cth</i>)) to determine if any gaseous efflux may be a hazard to aircraft operations.
National Greenhouse and Energy Reporting Act 2007	Under this Act there are requirements for controlling corporations to register and report if they emit greenhouse gases, produce energy, or consume energy at or above specified quantities in a given financial year. The NGP Project triggers the reporting requirement and so will be required to register and report GHG emissions.
Radio-communications Act 1992	Licencing of radio communications is required under the Radio-communications Act 1992 (<i>Cth</i>). For the Project this will relate to site communications for which the Construction Contractor will be responsible.

Table 3-2. Northern Territory approvals, permits and licences

Theme	Legislation	Project Relevance
Biodiversity	Territory Parks and Wildlife Conservation Act	Under the Act a permit to undertake scientific research is required to survey wildlife as a part of the biological survey program required for environmental approvals. Additionally, a permit to take or interfere with wildlife will be required to remove animals during pipeline trenching activities, or if any threatened plants need to be relocated. Jemena anticipates that permits will contain conditions relating to monitoring and reporting of the locations and numbers of each species removed from the trench, and details of animal injuries and deaths.
Water	Water Act	<p>This Act is administered by DLRM generally, and by the NT EPA for Waste Discharge Licences only.</p> <p>Tennant Creek is within a Water Control District (WCD) established under the Act. Jemena will need to obtain a Bore Construction Permit and Licence to Take or Use Groundwater to drill bores or extract water within the WCD.</p> <p>A Permit to Construct or Alter Works is required for construction or alteration of dams, water storages or other water control structures including waterways. This permit may be required for the NGP project if the works affect the flow or likely flow of water in the waterway</p> <p>A Waste Discharge Licence will be required for disposal of hydrostatic test water. Jemena anticipates that a WDL will contain conditions relating to the wastewater quality criteria that must be achieved prior to release, management of the release site in relation to erosion/sedimentation and infiltration of wastewater, and monitoring and reporting requirements.</p>
	North East Gas Interconnector Pipeline (Special Provisions) Act 2015	A special provision in this Act states the Pipeline Licensee may construct and operate the pipeline across a waterway if the relevant Minister has given written approval. This approval is subject to the conditions that the construction does not prevent, restrict or interfere with the passage of vessels on the waterway, divert or use water in the waterway, or obstruct the flow of water in the waterway. This provision does not exclude the requirement for a Permit to Construct or Alter Works for construction in a waterway under the Water Act.
	Soil Conservation and Land Utilisation Act	This Act provides for the prevention of soil erosion, and for the conservation and reclamation of soil, and requires Erosion and Sediment Control Plans to be devised for development projects. Erosion and associated impacts on waterways is identified as a high risk activity during the NGP construction phase and the ToR requires that an Erosion and Sediment Control Plan be developed. Jemena anticipates the NT EPA EIS Assessment and Recommendation report will contain recommendations in relation to further development and review of ESCPs prior to commencement of works.
Health &	Work Health and Safety (National Uniform	Worksafe NT will need to, where relevant, licence and grant approval to various aspects of the Project

Theme	Legislation	Project Relevance
Safety	Legislation) Act	including hazardous work.
	Dangerous Goods Act & Regulations	The storage and transport of explosives requires an approval to be obtained from Worksafe NT.
	Food Act & Regulations	The Act and supporting regulations stipulate the requirements for food handling and the supply of food to personnel staying in the construction camps. Jemena will be required to register as a registered food business with the Northern Territory (DoH).
	Public and Environmental Health Act	On-site wastewater management and disposal, and camp water supply and use, are regulated under this Act by DoH. Approvals will be required during the design phase of the construction camps and prior to commencement of operations for onsite wastewater management systems. The camps will also be registered with DoH as commercial visitor facilities. An Environmental Management Plan (EMP) will be developed for the camps and submitted to DoH for approval. The EMP will outline specific management measures for staff accommodation facilities, camp mess and food supply, on-site wastewater management, waste disposal and fuel storage.
	Traffic Act & Regulations/Control of Roads Act	These Acts and supporting regulations require all personnel to abide by general traffic laws. Additionally, the regulations outline requirements specifically relevant to transporting equipment and machinery, such as securing of loads and oversize vehicles. Permits or exemptions may be required from the Department of Transport for works in a road reserve and vehicle size and mass standards Control of Roads Act regulates the opening or closing of roads for the purposes of construction.
Other	North East Gas Interconnector Pipeline (Special Provisions) Act 2015	This Act includes a special provision for construction and operation of a pipeline under or across a road. This requires the consent of the Transport Minister and may be subject to conditions as deemed by the Minister.
	Waste Management and Pollution Control Act	This Act provides for the protection of the environment by encouraging effective waste management, and pollution prevention and control practices. The Act establishes environmental nuisances as an offence, which is relevant to managing potential nuisance impacts associated with noise and dust emissions during the project construction phase. The Project activities will not require environmental protection approvals or licencing under the Act.

Table 3-3. Queensland approvals, permits and licences

Theme	Legislation	Project Relevance
Biodiversity	Nature Conservation Act 1992	<p>A permit to take a protected animal or plant is required under this Act. This permit was obtained from the DEHP for the ecological surveys undertaken for the EIS.</p> <p>Under s332 of the Nature Conservation (Wildlife Management) Regulation 2006 a person is excluded from tampering (which includes damaging) with an animal breeding of a protected animal unless a Species Management Program is in place. The need for this will be determined after the ecological survey.</p>
Water	Environmental Protection Act 1994	<p>This Act provides the framework for environmental assessment of Environmentally Relevant Activities (ERAs). The Project includes a number of ERAs governed by the Act.</p>
	Environmental Protection Regulations 2008	<p>Jemena was granted an Environmental Authority (EA) for the NGP in December 2015. The EA, granted by DEHP, is subject to a number of conditions, including management of waste and wastewater and activities in a waterway.</p> <p>The Act also requires Jemena to obtain approval for fuel storage and a Licence to Store Dangerous Goods During Construction.</p>
	Environmental Protection (Water) Policy 2009	<p>The EPP (Water) defines waterways for which specific environmental values and water quality objectives are outlined in a Healthy Waters Management Plan or a Water Quality Improvement Plan, which are developed for specific watercourses and catchments.</p> <p>No such plans are in place for the watercourses crossed by the pipeline alignment.</p>
	Fisheries Act	<p>The Act provides for the protection of declared fish habitat areas, none of which are within the NGP construction footprint. The act also regulates Temporary Waterway Barrier Works in conjunction with the Sustainable Planning Act (see below).</p>
	Sustainable Planning Act 2009	<p>The Act outlines the requirements for development permits and assessments, and also provides codes for self-assessable development. The Code for Self-Assessable Development for Temporary Waterway Barrier Works relates to the NGP watercourse crossings in Queensland. All proposed crossings are self-assessable under this code, therefore approvals or permits are not required. However, reporting requirements do apply and will be completed at the time of construction.</p>
	Water Act 2000	<p>This Act is the key legislative document for use of surface and groundwater in Queensland, and provides the framework for sustainable use and management of water resources. Under the Act water resource plans are established for the use of water resources in certain regions. The Georgina and Diamantina Water Resource Plan applies to the NGP construction footprint. A water licence will be required for any water extraction that occurs in Queensland.</p>
Heritage	Aboriginal Cultural Heritage Act 2003	<p>The Aboriginal Cultural Heritage Act 2003 (<i>Q/d</i>) places a “duty of care” on all people to avoid harming Aboriginal cultural heritage irrespective of the existence of Native Title, or the existence of Native Title claims. The treatment of cultural heritage sites and/or artefacts found within the project area (during the cultural heritage surveys) will be negotiated and agreed upon in a Cultural Heritage Management Plan (CHMP).</p>

Theme	Legislation	Project Relevance
	Queensland Heritage Act 199	Non-Indigenous cultural heritage is governed by the Act. DEHP is responsible for the management of heritage places by identifying and protecting them. A search of the Queensland Heritage Register has revealed there are no Registered Sites within the Project area.
Health & Safety	Explosives Act 1999	Numerous approvals and permits are required for the transport, storage and use of explosives including: <ul style="list-style-type: none"> • Authority to store explosives • Authority to use explosives • Authority to transport explosives • Shotfirer Licence • Blasting notification
	Food Act 2006 Food Regulations 2006	As with the Northern Territory, the construction camp in Queensland will require a food safety certificate and food business licence from the Queensland Department of Health.
	Transport Infrastructure Act 1994 Transport Infrastructure (State-controlled Roads) Regulation 2006	A number of permits will be required for the construction phase including: <ul style="list-style-type: none"> • Road Corridor Permit (State controlled road) • Road access location application (State controlled road) • Approval for road works or to interfere with a road (State controlled road) • Approval for temporary/permanent road closures (State controlled road) • Excess Dimension of Vehicle Permit • Excess Mass of Vehicle Permit • Notice of high vehicle load. Additional permits will be required from the Mount Isa City Council: <ul style="list-style-type: none"> • Permit to interfere with a road or its operation • Permit to use local government road for regulated purpose • Permit to alter or improve local government road • Permit to install a gate or grid across a public road.
	Work Health and Safety Act 2011	An Operational Approval to Establish or Operate a Drugs Facility will be required for the first aid facility at the construction camp.

