



## Chapter 2.0 - Legislative Framework

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## 2.0 Environmental Approvals and Legal Obligations

### 2.1 Overview

This chapter outlines the Commonwealth and Queensland statutory environmental approvals and obligations relevant to the proposed KBP and obligations in accordance with DMR internal environmental processes.

Possible assessment and approval processes and the triggers for their implementation are discussed under the following headings:

- Environmental approvals;
- Commonwealth legislation;
- Queensland legislation;
- Brisbane City Council (BCC) local laws; and
- Internal DMR environmental assessment processes.

Section 2.2 outlines in table format the permits and licenses that may be required for the KBP under Commonwealth and Queensland environmental legislation.

The Commonwealth assessment processes are discussed in Section 2.3. A referral of the KBP to the Department of Environmental, Water, Heritage and the Arts (DEWHA) is not considered necessary under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* as the environmental studies have indicated KBP is unlikely to have a significant impact on a Matter of National Environmental Significance. In the event of significant environmental impacts being identified in the future the extent of environmental disturbance must be reassessed. Approval requirements under the *EPBC Act* apply irrespective of any approvals obtained under Queensland legislation, although there is a certified process under State legislation.

The Queensland environmental approvals and obligations are discussed in Section 2.4.

Under Queensland legislation the KBP would require some overall project approvals and various environmental approvals for specific activities and these approvals are discussed in Section 2.4.1. Many of the environmental approvals for specific activities are linked to Schedule 8 of the *Integrated Planning Act 1997 (IPA)*. Table 2.1 provides a summary of most of the approvals required but it was considered necessary to provide further information in relation to requirements under the *Nature Conservation Act 1992 (NC Act)* because of the particular species that occur within the study area.

General environmental obligations that are not captured as part of approval requirements are outlined in Section 2.4.3.

Applicable BCC local laws are discussed in Section 2.5.

DMR's *Road Project Environmental Processes Manual, 2004 (RPEPM (DMR 2004))* is specifically addressed in Section 2.6. The Manual details DMR's processes for environmental management of road projects, with Part A providing a review of external and internal environmental assessment processes. There is a variety of processes addressed including Commonwealth, Queensland, local, and internal DMR processes.

### 2.2 Environmental Approvals

Table 2.1 outlines the permits and licenses that may be required for the KBP under Commonwealth and Queensland environmental legislation.

Table 2.1: Approvals Required under Commonwealth and Queensland Environmental Legislation

Legislation	Administering Authority	Trigger for Approval	Type of Approval/Action Required	Timing	Relevance to Project
<b>Commonwealth</b>					
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of Environment Water, Heritage and Arts (DEWHA)	Significant impact on Matters of National Environmental Significance including: <ul style="list-style-type: none"> <li>- nationally threatened species and ecological communities;</li> <li>- migratory species protected under international agreements including JAMBA and CAMBA;</li> <li>- RAMSAR wetlands of international importance; and</li> <li>- National Heritage places</li> </ul>	EBPC Referral and if “controlled action” approval from DEWHA	6 - 12 months	Referral not considered necessary because the KBP is not likely to have a significant impact on Matters of National Environmental Significance.
<i>Native Title Act 1993</i>	National Native Title Tribunal	The construction, operation, use, maintenance or repair by or on behalf of the Crown, local government body or statutory authority of the Crown in any of its capacities, of particular facilities (including roads) on non-freehold land.	Section 24KA Notification – Facilities for Service to the Public	N/A	Unlikely to be required for KBP. Notification not required for freehold land because native title is extinguished on freehold land.
<b>Queensland State</b>					
<i>Aboriginal Cultural Heritage Act 2003</i>	Department of Natural Resources and Water (DNRW)	Conducting an activity that may harm Aboriginal Cultural Heritage.	Cultural Heritage Management Plan (CHMP) or alternative agreement	No legislative timeframe (up to 3 months)	Likely to apply to KBP. Consult with the Turrbal people to arrange suitable agreement.
<i>Agricultural Chemicals Distribution Control Act 1966 and Regulation</i>	Department of Primary Industries and Fisheries (DPIF)	Spraying, spreading or dispersing of any herbicides or any preparation containing any herbicide by ground OR Spraying, spreading or dispersing of any agricultural chemical from an aircraft in flight (s 39 of Act).	Unrestricted Commercial Operator’s Licence	14 days	Likely to be required for KBP. Contractor to use licensed operator and comply with the Agvet Code.
<i>Chemical Usage (Agricultural and Veterinary Control) Act 1998</i>	DPIF	Use of registered chemical from unlabelled container (s 7); possession of prescribed chemical (s 9); discarding a container or chemical (s 10); use of registered chemical (s 13); and use of unregistered chemical (s 13(a)).	Permit for possession, use of registered/unregistered prescribed chemical product	14 days	Likely to be required for KBP. Chemical use/storage/disposal in accordance with the Act.
<i>Coastal Protection and Management Act 1995</i>	EPA and BCC	Tidal works in, on or above land under tidal water, or land that will or may be under tidal water because of development – see Schedule of the Act for further definition. [Part 3. (Coastal Management District) declaration of Coastal Management Districts, identified activities undertaken in these areas. Part 5 (Quarry Materials) relates to the allocation of quarry materials and obtaining these allocations. Part 6. Development of approvals for assessable development.]	Prescribed Tidal Works Permit / Allocation notice for removal of quarry material	6-12 months	A Development Approval is highly likely to be required for KBP for works at Moggill Creek.  The South East Queensland Coastal Management District where the KBP proposes to cross Moggill Creek is Mean High Water Spring (MHWS) +40m and extends to Moggill Road.  Details of the development approval conditions would be dependent on the design and location of infrastructure especially bridge requirements.  Prescribed tidal work applications that involve the removal of quarry material below the high water mark are required to be supported by a resource allocation notice from the EPA when lodged with the assessment manager. Refer to s 73 of the Act.
<i>Dangerous Goods Safety Management Act 2001</i>	BCC	Storage of fuels onsite  License for storage above specified limits (ss 55 and 82) and Schedule 3	Flammable and Combustible Liquids Permit	Uncertain	Likely to be required for KBP. Most likely required for construction phase.
<i>Electricity Act 1994</i>	Relevant electricity entity (e.g. Energex, Ergon, Powerlink)	Works near electrical infrastructure	Notification	14 days (Notification) 7 days (after Notification)	Several codes apply for works and activities around live electrical wires.

Legislation	Administering Authority	Trigger for Approval	Type of Approval/Action Required	Timing	Relevance to Project
<i>Environmental Protection Act 1994 and Environmental Protection Regulation 2008</i>	EPA and BCC	Conducting an environmentally relevant activity (ERA), which is relevant to the specific Chapter 4 activities under the <i>Environmental Protection Regulation 2008</i> that commenced on 1 January 2009, including: <ul style="list-style-type: none"> <li>Activity 8: Chemical storage;</li> <li>Activity 16: Extractive and screening activities;</li> <li>Activity 43: Concrete batching; and</li> <li>Activity 57: Regulated waste transport.</li> </ul>	Development approval for the activity or operate under a code of environmental compliance	Approximately 3 months to obtain development approval and subsequent registration certificate.	One or more Chapter 4 activity approvals are likely to be required during the construction phase of the project and details will depend on the construction methods and extent of bridge infrastructure.
	EPA	Removal and disposal of contaminated soil from sites listed on the Contaminated Land Register (CLR) or Environmental Management Register (EMR) (unless done under a remediation notice).	Disposal Permit for contaminated soils	No legislative timeframe (up to 3 months)	No contaminated land has been identified in this EAR (see Chapter 8 Topography, Geology and Soils).
<i>Explosives Act 1999</i>	Department of Mines and Energy (DME)	Authority for the use, storage, transportation of defined explosives (ss 34, 44 and 53).	Permit for possession, storage, transportation and use of explosives	Approximately 7 days	May be required during the construction phase of the project, depending on the construction methods chosen by the contractor.
<i>Fisheries Act 1994</i>	DPIF	Clearing marine plants including mangroves. "Marine plant" includes the following: a) a plant (a tidal plant) that usually grows on, or adjacent to tidal land, whether it is living, dead, standing or, b) material of a tidal plant, or other plant material on tidal land, c) a plant, or material of a plant, prescribed under a regulation or management plan to be a marine plant (s 123).	Development Approval to destroy marine plants	3 months from date of application	This Development Approval will be required for the construction of the bridge across Moggill Creek (see Chapter 7 Flora).
	DPIF	Erection of waterway barrier works. (Subdivision 3)	Development Approval to build or raise waterway barrier works	3 months from date of application	This Development Approval may be required. The provision of fish movement / passage is required when seeking a waterway barrier works permit. Follow the DPIF Fisheries Guidelines for the design of Stream Crossings
<i>Integrated Planning Act 1997</i>	Department of Infrastructure and Planning (DIP), DNRW, DPIF as assessment manager (dependant upon development application) and EPA	Conducting assessable development as defined in Schedule 8 (assessable and self assessable development)	Development applications	3 months	A number of approvals will be triggered under the <i>IPA</i> , which are then assessed against other legislation. Details of these approvals have been outlined throughout this table under the governing legislation. The KBP will not require assessment against the planning scheme as discussed in Section 2.4.1 of this EAR.
<i>Nature Conservation Act 1992</i>	EPA	Taking of or interfering with protected plants and/or removal of wildlife listed as protected in the <i>Nature Conservation (Wildlife) Regulation 2006</i> (ss 88-89).	Approval to take, keep or use protected animals or plants	6 weeks	Permit, licence or authority likely to be required for KBP to remove protected flora and to take native fauna during construction phase.
<i>Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 (Koala Plan)</i>	EPA	Clearing of vegetation that constitutes assessable development under Schedule 8 of <i>IPA</i> and is located in a koala conservation area or koala sustainability area.	Approval to clear vegetation within koala conservation area or koala sustainability areas listed under the Koala Plan.	3 months	Permit not required because no sites listed under the Koala Plan are located within the project area.  The general clearing provisions under the Koala Plan (s 15) would still apply regardless of whether the clearing needs approval under <i>IPA</i> as discussed in Section 2.4.2 of this EAR.

Legislation	Administering Authority	Trigger for Approval	Type of Approval/Action Required	Timing	Relevance to Project
<i>Draft South East Queensland Koala State Planning Regulatory Provisions (SEQ Koala SPRP)</i>	DIP	A development application, for a material change of use, reconfiguring a lot or operational work for the clearing of native vegetation, in an interim koala habitat protection area unless certain criteria are satisfied.	Approval from DIP to clear vegetation within a koala protection area, including possible offset requirements	Uncertain (provisions commenced 12 December 2008)	<p>The KBP is located within the interim koala habitat protection area designated on regulatory map 'SEQKH 5 – Brisbane City Council'.</p> <p>Although these provisions are named "draft", they are currently in force (from 12 December 2008) as an interim measure. The SEQ Koala SPRP will expire on 1 July 2009 but are likely to be replaced with final provisions.</p> <p>Any clearing for the KBP must comply with SEQ Koala SPRP or the expected replacement provisions.</p> <p>Requirements that are applicable under the SEQ Koala SPRP are in addition to those obligations under the Koala Plan.</p>
<i>Plant Protection Act 1989 / Plant Protection Regulation 2002</i>	DPIF	Works within a Red Imported Fire Ant Risk (RIFA) Management Restricted Area, and the movement of high risk material into and outside of declared restricted areas (Chapter 3, Part 2 of Regulation)	Approved RIFA Risk Management Plan	Approximately 2 months	<p>An approved Management Plan will be required for KBP because parts of the study area are located within a RIFA Restricted Area.</p> <p>Landholders must report suspected sighting to the DPIF.</p> <p>The DPIF should be contacted before any activities are commenced on land within the Restricted Area.</p>
					<p>DMR must comply with the commercial movement regulations if moving high risk materials within and out of the Restricted Area including:</p> <ul style="list-style-type: none"> <li>• A site inspection by a DPIF Inspector or Approved Person prior to moving or disturbing any soil;</li> <li>• No movement of fire ant infested material outside the RIFA Restricted Area;</li> <li>• Treatment of all high risk materials before they are moved out of the RIFA Restricted Area; and</li> <li>• Approved Risk Management Plan or Fire Ant Declaration Form before moving high risk materials.</li> </ul>
<i>Queensland Heritage Act 1992</i>	EPA	Interference or impact on any listed sites or items (s 71).	Approval of non-indigenous cultural heritage report	No legislative timeframe	Approval is not required for KBP because there are no places currently listed on the Queensland Heritage Register within the study area.
<i>Vegetation Management Act 1999 / IPA</i>	DNRW	Clearing assessable vegetation outside of land designated as gazetted road corridor.	Operational works, Vegetation Clearing Permit	Approximately 3 months	Exemption under Schedule 8 of IPA for a gazetted road. Clearing prior to road gazettal would require a permit.
<i>Water Act 2000 / Water Regulation 2002</i>	DNRW	<p>Taking water from the waterways for the use in construction works (s 206).</p> <p>Destroying vegetation, excavation or placing fill in a watercourse, lake or spring if works are not in accordance with the <i>Guideline for Activities in a watercourse, lake or spring carried out by an entity</i> as part of Part 5 of the <i>Water Regulation 2002</i> (s 814)</p>	<p>Permit required to take water</p> <p>Riverine Protection Permit to do one or more of the following activities within a watercourse:</p> <ul style="list-style-type: none"> <li>• destroy vegetation;</li> <li>• excavate; or</li> <li>• place fill (s 269)</li> </ul>	<p>3 months</p> <p>3 months</p>	<p>May be required during the construction phase of the KBP, depending on the construction requirements.</p> <p>A Riverine Protection Permit may not be required for the KBP either because works do not occur within a watercourse or because of compliance with the relevant guideline discussed below.</p> <p>DMR is listed as an entity under <i>Guideline - Activities in a watercourse, lake or spring carried out by an entity</i> and is therefore exempt from this permitting requirement as long as activities are undertaken in accordance with the guideline.</p> <p>However, where it is proposed to destroy an area of native vegetation greater than two hectares or excavate or place fill to a volume greater than 5,000 cubic metres DMR should notify the local office of DNRW at least five (5) business days before commencement of the activity.</p>

Legislation	Administering Authority	Trigger for Approval	Type of Approval/Action Required	Timing	Relevance to Project
		Any removal of quarry material in or from watercourse (which is upstream of where the high spring tide ordinarily flows and reflows).	Development application and allocation notice to remove quarry material in or from a watercourse	6 months	<p>This permit is unlikely to be required for KBP because the waters affected at Moggill Creek would fall outside the definition of “watercourse” if they are downstream of where the high spring tide ordinarily flows and reflows.</p> <p>A development application for the removal of quarry material must be accompanied by an allocation notice granted under s 283 of the Act.</p>
		Diversion of a watercourse	Water licence to interfere with the flow of water (watercourse diversion)	Up to 6 months	<p>This permit is unlikely to be required for KBP because the waters affected at Moggill Creek would fall outside the definition of “watercourse” if they are downstream of where the high spring tide ordinarily flows and reflows.</p> <p>If a permit to divert a watercourse was required the water licence would be granted under s 206 of the <i>Water Act</i> and the associated operational works are assessable development under Schedule 8 Table 4 Item 3(a) of the <i>IPA</i>.</p>

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## 2.3 Commonwealth Legislation

The *EPBC Act* provides for environmental regulation of development at a Commonwealth level. Any proposed action that has, will have or is likely to have a significant impact on a Matters of National Environmental Significance, or another matter specified under the Act, is considered a “controlled action” and must be the subject of a referral to the DEWHA for their approval.

As detailed in Chapters 6 and 7 (Fauna and Flora), desktop studies identified the potential for a number of threatened flora and fauna species and migratory fauna species that are listed under the *EPBC Act* to be present within the study area and surrounds. As a result of the review of these desktop studies and the subsequent field studies, species were assessed as to their likelihood of occurrence within the study area.

Overall, for reasons outlined in Chapters 6 and 7, it is considered unlikely that the KBP will have a significant impact on the identified Matters of National Environmental Significance and an *EPBC Act* referral is therefore not considered necessary. In the event of significant environmental impacts being identified, the extent of environmental disturbance must be reassessed.

## 2.4 Queensland Legislation

### 2.4.1 Project Approvals

#### Integrated Development Assessment System (IDAS)

The KBP would be exempt from assessment against the BCC planning scheme because it is included in the definition of ‘community infrastructure’ set out in Schedule 11 of the *Integrated Planning Regulation 1998* (“all aspects of development for the maintenance, repair, augmentation, upgrading, duplication or widening of State-controlled road infrastructure”). It is therefore exempt from assessment under the applicable local government planning scheme in accordance with Schedule 9, Table 5, Item 5.

#### Alternative Approval Possibilities

Under *IPA*, it is possible to designate land for community infrastructure. An area subject to a Community Infrastructure Designation (CID) is exempt from assessment against the local council planning schemes but relevant development permits listed in Schedule 8 of *IPA* are still required and must be applied for separately. As the development is already exempt from assessment against the BCC planning scheme, CID is unlikely to provide any advantage to the KBP and will result in the approvals process being less streamlined because it does not follow the IDAS process.

The *State Development and Public Works Organisation Act 1971 (State Act)* provides for a number of alternative approval processes for certain major projects in Queensland. There is also a process under the *State Act* for declaring projects as “significant projects”. At present, the KBP is not a State “significant project”.

### 2.4.2 Environmental Approvals for Specific Activities

The environmental approvals required at a State level for undertaking certain activities in development of the KBP are outlined in Table 2.1. It was considered necessary to provide further information, in addition to Table 2.1, on the *NC Act* requirements as a result of the particular species that occur within the study area.

The *Nature Conservation (Wildlife) Regulation 2006* identifies native wildlife as extinct in the wild, endangered, vulnerable, rare, near threatened and least concern and states the declared management intent for each of the classes of wildlife. All of these categories are considered “protected” under the legislation.

As discussed in Chapters 6 and 7 (Fauna and Flora), desktop studies identified a number of protected flora and fauna species listed under the *NC Act* that may be present within the study area and surrounds. As a result of the review of these desktop studies and the subsequent field studies, species were assessed as to their likelihood of occurrence within the study area.



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It is an offence to take any of the species listed under the *NC Act* without the appropriate authorisation (ss 88 and 89). It is a defence to a charge of taking a protected animal or plant that the taking happened in the course of a lawful activity that was not directed towards the taking and the taking could not have been reasonably avoided.

A “Damage Mitigation Permit” and “Animal Breeding Places Permit” may be required to interfere with animals for the purposes of the KBP.

For the taking, keeping or use of listed wildlife to be authorised under the *NC Act* there are a number of requirements to be satisfied for the different categories of protected species. These requirements are outlined in Table 2.2.

**Table 2.2: Nature Conservation (Wildlife) Regulation 2006 Requirements**

<b>NC Act Status</b>	<b>Nature Conservation (Wildlife) Regulation requirement for authorising the taking, keeping or use of wildlife</b>
Endangered Vulnerable	The taking, keeping or use of endangered or vulnerable wildlife for a purpose other than display may be authorised under the Act only if it will not reduce the ability of the wildlife's population to expand and it is consistent with the management principles for the wildlife as outlined in s 73 of the <i>NC Act</i> .
Rare Near threatened	The taking, keeping or use of rare or near threatened wildlife for a purpose other than display may be authorised under the Act only if it will not affect the survival of populations of the wildlife in the wild and it is consistent with the management principles for the wildlife as outlined in s 73 of the <i>NC Act</i> .

To minimise impact on wildlife DMR will also ensure that an EPA licensed spotter-catcher is present prior to and during clearing.

In granting a permit the EPA will consider the management principles set out in s 73 of the *NC Act* as to how protected wildlife is to be managed, which for the purposes of the KBP include:

- a) *conserve the wildlife and its values and, in particular to:*
  - (i) *ensure the survival and natural development of the wildlife in the wild; and*
  - (ii) *conserve the biological diversity of the wildlife to the greatest possible extent; and*
  - (iii) *identify, and reduce or remove, the effects of threatening processes relating to the wildlife; and*
  - (iv) *identify the wildlife's critical habitat and conserve it to the greatest possible extent.*

### 2.4.3 General Environmental Legal Obligations

This section highlights general environmental legal obligations that are relevant to the KBP and are not captured by approval requirements set out in Table 2.1.

#### **Aboriginal Cultural Heritage Act 2003**

DMR must comply with the general cultural heritage duty of care that requires a person who carries out an activity to take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. The Act establishes processes for conducting cultural heritage impact assessment. The possible requirement for a CHMP is captured in Table 2.1.

#### **Environmental Protection Act 1994 (EP Act)**

DMR must comply with the general environmental duty not to undertake activities that cause or are likely to cause environmental harm unless all reasonable and practical measures are taken to prevent or minimise the harm (s 319).

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The following environmental protection policies and subordinate legislation have been prepared under the *EP Act* by the EPA and should be considered in preparing environmental management plans:

- *Environmental Protection Regulation 2008*;
- *Environmental Protection (Air) Policy 2008*;
- *Environmental Protection (Noise) Policy 2008*;
- *Environmental Protection (Waste Management) Policy 2000*;
- *Environmental Protection (Waste Management) Regulation 2000*; and
- *Environmental Protection (Water) Policy 1997*.

The *EP Act* also provides for regulation and approval of ERA and removal and disposal of contaminated land, which are addressed in Table 2.1.

## **Land Protection (Pest and Stock Route Management) Act 2002**

This Act and associated guidelines prepared by the DPIF aims to control and manage invasive pests in Queensland. Plants and animals can be declared serious or potentially serious pests under the legislation and are categorised into three classes (1, 2 and 3). Chapters 6 and 7 (Fauna and Flora) specifies the declared pest species found in the study area. Landowners must take reasonable steps to keep their land free of Class 1 and 2 weeds and pests, unless they hold a declared pest permit. Landowners are not expected to control Class 3 pests and weeds unless they are issued with a pest control notice.

## **Nature Conservation (Koala) Conservation Plan 2006 (Koala Plan)**

The Koala Plan divides Queensland into three districts (District A, B and C) based on the level of threat to koalas (see Schedule A of the Koala Plan). The study area is located within District A, which corresponds to the area covered by the South East Queensland Regional Plan and is the area where koala population densities are highest and under the greatest threat from habitat destruction and human impact.

Any clearing of koala habitat trees (Genera *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*) in District A must comply with the sequential clearing conditions. The sequential clearing conditions must be applied to clearing throughout the study area and is in addition to clearing obligations under any other legislation or policy. In order to comply with the sequential clearing conditions it is advisable to have somebody present during clearing whose responsibility it is to ensure that “no tree in which a koala is present, and no tree with a crown overlapping a tree in which a koala is present, is cleared” (*Nature Conservation (Koala) Conservation Plan 2006*, s 15).

Within District A, certain areas are designated as Koala Habitat Areas (Koala Conservation Areas, Koala Suitability Areas and Urban Koala Areas). Additional koala conservation obligations (including a compulsory requirement to have a koala spotter present during clearing (*Nature Conservation (Koala) Conservation Plan 2006*, s 16)) apply to the different Koala Habitat Areas, but no Koala Habitat Areas are located within the study area.

## **2.5 BCC Local Laws**

The major local law administered by the BCC that is associated with the KBP is the *Natural Assets Local Law 2003 (NALL)*. This local law has been created to protect the biodiversity values, preserve natural landforms, and facilitate the retention of landscape character of Brisbane City. Principally these environmental matters are protected due to the presence of significant vegetation.

The flora assessment undertaken as part of this environmental assessment (Chapter 7) identified significant quantities of native vegetation in the proposed KBP corridor. Large quantities of this vegetation are protected under the *NALL* by the BCC, specifically wetland vegetation, native vegetation and native vegetation that is not controlled by BCC. Despite being protected by *NALL* and the BCC planning scheme, the removal of this vegetation will be exempt from the BCC approvals process for vegetation clearance.

## 2.6 Internal (DMR) Environmental Assessment Processes

The purpose of the Manual is to provide DMR with guidelines for complying with their environmental duty of care. The Manual provides specific guidance on environmental processes at various stages of the road planning and delivery process. In particular, it outlines the key stages in the assessment of environmental factors and impacts for projects undertaken by DMR. Additionally the Manual provides guidance on when a project is likely to trigger assessment under the various external processes. In these instances, the Manual provides a process that can be followed in order to ensure the satisfaction of DMR's environmental obligations in the absence of an alternative statutory process. The assessment process outlined in the Manual requires that reports be prepared at the environmental assessment, management, and certification stages of a project. These would generally take the form of:

- Assessment stage – Review of Environmental Factors (REF);
- Management stage – Environmental Management Plan (Planning) (EMP (P)); and
- Certification stage – Environmental Certification and Environmental Design Report (EDR).

This EAR addresses each of these stages of the project. Elements to be addressed in the assessment process include:

- Water quality;
- Hydrology/hydraulics;
- Flora and fauna;
- Soils/topography/geomorphology;
- Noise;
- Air quality;
- Land use and planning;
- Landscape and visual amenity;
- Cultural heritage;
- Social and economic issues;
- Climate and climate change; and
- Legislative requirements.

Each of the above may be addressed in varying levels of detail based on the assessed significance of the issue as defined in the Terms of Reference (refer Appendix 1-A).