

4 Legislation and department requirements

The department has many legal obligations to consider the environment, including a general environmental duty to the environment as required by the Environmental Protection Act 1994.

Departmental actions in infrastructure projects frequently trigger externally administered environmental approval processes. The department is legally bound to comply with the requirements of these external approval triggers. As a government agency, the department should actively assist other departments achieve the objects of their legislation.

A significant task of an environmental officers' assessment of a component project is to identify the legislative requirements triggered by the project proposal and to action those requirements accordingly. The desired outcome of this task is to minimise the harm to the environment and comply with legislative requirements in a manner and timing so as not to negatively impact on the project implementation.

The review of legislative requirements triggered by a project is discussed in Section 6.2.3.1 of this manual.

4.1 Environmental Legislation Register (ELR)

The Environmental Legislation Register (ELR) has been developed by the department to identify, communicate and manage the environmental legislation requirements triggered by department project activities.

The ELR provides summary of state and federal legislation relating to the environment. It identifies responsibilities TMR must be aware of when delivering and maintaining infrastructure projects.

The ELR explains how environmental legislation applies to the department and its contractors, including:

- environmental permits that must be obtained
- timeframes for obtaining those approvals
- legislative requirements that must be met
- information that must be recorded and reported
- exemptions and Existing Approvals that apply specifically to TMR
- general obligations.

The ELR has been established as the primary reference source of information about environmental legislation and policy that affects the department. The database of environmental legislation and policy is reviewed every 6 months. Updates occur between 6 month reviews in reaction to legislation changes.

The ELR is accessible through the departmental EMS.

4.2 Other departmental manuals, standards and systems

In addition to legislative obligations and requirements, the department also has internal standards, guidelines and procedures that need to be adhered to. This manual works in conjunction with those other departmental manuals, standards, guidelines and systems.

Other departmental documents that provide environmental guidance include the technical publications listed in Table 4.2-A below.

Table 4.2-A - Summary of other departmental documents related to environmental assessment and management

Departmental documents for environmental guidance include	
Name	Description
Historical Cultural Heritage Manual	This manual aims to facilitate the understanding of, and procedures associated with, the analysis and management of historical cultural heritage issues as they affect projects undertaken by the department.
Fauna Sensitive Road Design Manual (Vol 1)	This volume discusses the potential impacts of transport infrastructure on fauna. It includes a brief theoretical background to animal behaviour and the function of vegetated corridors so as to help the reader understand the challenges faced when designing infrastructure that is to accommodate fauna movement. Also included in this volume is a review of practices used in road designs to facilitate fauna movement.
Fauna Sensitive Road Design Manual (Vol 2)	The aim of this manual is to provide guidelines for preferred practices to reduce or eliminate the impact of road infrastructure on fauna. Specifically, this manual outlines preferred practices and provides recommendations to achieve fauna sensitive road design.
Roads in Rainforests	<p>This document provides a set of principles and supporting guidelines for implementing best practice planning, design and management for ecologically sustainable roads within rainforests throughout Queensland.</p> <p>The intention of these Guidelines is to describe the particular aspects of rainforest environments that are unique and thus require particular consideration when designing and constructing roads in these habitats. Importantly, these key values, which will be further described in the Principles (Section 2, these Guidelines), require rainforest-specific planning and design strategies that minimise and mitigate any significant impacts from road building.</p>
Roads in Wet Tropics	The goal of this manual is to improve the performance and management of road corridors within the wet tropics region by using current information and the latest technology in such a way that takes into account the costs and benefits to the environment, community and economy. It assists in the implementation of best practice in the development and ongoing operation of roads in the wet tropics region of North Queensland.
Road Maintenance Code of Practice for the Wet Tropics World Heritage Area	This Code of Practice outlines requirements necessary to achieve best practice road maintenance that minimises negative environmental impacts on the Wet Tropics World Heritage Area.
Road Traffic Noise Management: Code Of Practice	The purpose of this Code of Practice is to provide guidance and instruction for the assessment, design and management of the impact of road traffic noise.
Road Traffic Air Quality Manual	The purpose of this manual is to provide guidance for the assessment and management of the impact of air pollutants from road traffic.
Road Landscape Manual	This manual aims to facilitate the understanding of, and procedures associated with, the assessment, design and management of roads as they affect the Queensland landscape.
Road Drainage Manual	The Road Drainage Manual provides guidance in relation to the planning, design, construction, maintenance and operation of road drainage structures in all urban and rural environments for main roads in Queensland. One of the key aspects of the manual is the integration of environmental considerations with the hydraulic aspects of road

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Name	Description
	<p>drainage.</p> <p>This manual is the department's primary technical reference for people engaged in all aspects of road drainage and erosion and sediment control throughout Queensland. It provides sufficient information to undertake routine daily work without continual reference to other documents. Competent planners and designers should apply this manual in an intelligent way to tailor each design to the particular circumstances of a project.</p>
Preconstruction Processes Manual	<p>This manual has been developed to guide the project management of new and the improvement of existing state-controlled road infrastructure. The manual provides the corporate methodology to identify and manage appropriate projects in planning and design to achieve strategic outcomes and value for money.</p> <p>This manual makes reference to environmental processes contributing to the planning & design of the overall project.</p>
Road Planning & Design Manual	<p>The purpose of this manual is to set the policy and framework for the planning and design of new and upgraded roads in Queensland. It is an agreed set of corporate standards that includes consideration of local circumstances.</p> <p>This manual makes reference to environmental assessment and management processes in departmental policy and manuals, as well as external influences and legislative requirements.</p>