

## ATTACHMENT 02 – PDIP APPROVALS REGISTER

Legislation	Approval	Approval Trigger	Relevance to Project	Administering Authority
<i>Commonwealth</i>				
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	EPBC Act Approval	A project that will have or is likely to have a significant impact on a MNES. Where the Minister makes a decision that the Project is a Controlled Action and is subject to assessment and approval under the EPBC Act can be via an accredited process which includes the bilateral agreement between the State and the Commonwealth.	Significant residual impacts to MNES are possible as a result of the Project. Sunwater is planning to submit split EPBC Act referrals for the Project and Early Works (specifically, the Concrete Batch Plant and Trial Embankment Area). A Controlled Action determination is anticipated due to the potential for the Project to impact on MNES.	DCCEEW
	Offset Strategy	Where there is a residual adverse impact on a MNES following adoption of all avoidance and mitigation measures have been adopted.	It is anticipated that residual adverse impacts to MNES would be offset under an offsets strategy delivered under the Queensland <i>Environmental Offsets Act 2014</i> , where there is bilateral agreement under the EPBC Act.	DCCEEW
<i>Native Title Act 1993</i>	Indigenous Land Use Agreement	Where the proponent proposes future acts on land or water that is subject to a Native Title determination.	Native Title has been determined (QCD2017/010) over part of the Project Area on behalf of the Wakka Wakka people (WWNTAC RNTBC). Areas subject to the Native Title determination include areas within the Project area, relevantly the Burnett River and Allen Creek. Sunwater has been engaging with both the First Nations BGGGTB People Aboriginal Corporation RNTBC as the Prescribed Body Corporate representing the rights and interests of the Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People to develop an Indigenous Land Use Agreement for the Project and the WWNTAC RNTBC.	National Native Title Tribunal
<i>State</i>				
<i>State Development and Public Works Organisation Act 1971</i>	Coordinated Project declaration	Where the proponent is seeking a Coordinated Project determination from the Coordinator-General to facilitate the planning and delivery of infrastructure.	Facilitation of the approval process for the Project.	Coordinator-General
<i>Aboriginal Cultural Heritage Act 2003</i>	Cultural Heritage Management Plan	Where an EIS is required for the Project under Part 7 of the ACHA.	Cultural Heritage Management Plans (CHMP) were developed with the relevant Traditional Owners when the Dam was constructed and which relate to the original dam footprint. Contemporary Cultural Heritage Management	Department of Seniors, Disability Services and

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			<p>Agreements have been finalised with the BGGGTB People and are being prepared for the Wakka Wakka</p> <p>If an EIS is required for the Project, a contemporary CHMP will be prepared under Part 7 of the ACHA.</p>	Aboriginal and Torres Strait Islander Partnerships
<i>Planning Act 2016</i>	Ministerial Infrastructure Designation (MID)	<p>A Ministerial Infrastructure Designation (MID) may be sought to facilitate the delivery of community supporting infrastructure, providing an alternative approval process to lodging a development application with local government. The MID process provides a streamlined approval process that allows for input from other government agencies.</p> <p>Alternatively, relevant approvals under the Planning Act will be sought.</p>	<p>Construction of the dam occurred under authority of a Ministerial designation of land for community infrastructure (Community Infrastructure Designation, CID) under the now repealed <i>Integrated Planning Act 1997</i> made on 10 October 2002 and gazetted on 18 October 2002.</p> <p>Development in relation to the Project infrastructure under a new designation, if made, will be accepted development, with no further approvals required under the Planning Act other than for building work. Relevantly for the Project, this would make approvals such as waterway barrier works, development approvals, and operational works for clearing accepted development.</p>	Department of State Development, Infrastructure and Planning (DSDIP)
<i>Planning Act 2016 / Building Act 1975</i>	Building Works	Building work within the Project area that is assessable development under the <i>Building Act 1975</i> .	Building work within the Project area, e.g. Sunwater Site Operations Office.	DSDIP
<i>Planning Act 2016 / Fisheries Act 1994</i>	Operational work that is constructing or raising waterway barrier works	<p>Constructing or raising a waterway barrier (e.g. weirs, dams, culverts and causeways) that is assessable development under the Planning Act.</p> <p>Alternatively, if a MID is made, these works would be accepted development.</p>	Construction of the replacement dam wall and culvert crossing of the Burnett River, and the decommissioning of the original dam wall.	DSDIP Department of Primary Industries (DPI)
<i>Planning Act 2017 / Fisheries Act 1994</i>	Temporary Waterway Barrier Works	<p>Construction of a temporary waterway barrier that impedes the natural movement of fish that is assessable development under the Planning Act.</p> <p>Alternatively, if a MID is made, these works would be accepted development.</p>	Temporary waterway barrier works during construction.	DSDIP DPI
<i>Planning Act 2016 / Water Act 2000</i>	Operational work that is taking or	Operational works that are for taking overland flow water or works for taking or interfering with underground water.	Interfering with the flow of overland water as a result of the Primary Dam works.	Department of Local Government

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	interfering with water	Alternatively, if a MID is made, these works would be accepted development.		Water and Volunteers (DLGWV) DSDIP
<i>Planning Act 2016</i>	Operational works for earthworks	Operational works for earthworks that include excavation, filling of land or changing ground levels.  Alternatively, if a MID is made, these works would be accepted development.	Earthworks within the Project area.	DSDIP
<i>Planning Act 2016</i>	Material Change of Use	Where there is the start of a new use of the premises, or the re-establishment on the premises of a use that has been abandoned, or a material increase in the intensity or scale of the use of the premises.  Alternatively, if a MID is made, these works would be accepted development.	Project components requiring a material change of use. Potentially for the Sunwater Site Operations Office.	NBRC
<i>Planning Act 2016 / Vegetation Management Act 1999</i>	Operational works for clearing vegetation	Where the works require the clearing of native vegetation that is not exempt clearing works or accepted development.	Native vegetation clearing within the Project area.	DSDIP Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (DNRMMRRD)
<i>Planning Act 2016 / Environmental Protection Regulation 2019</i>	Material Change of Use for an ERA	Material change of use for an environmentally relevant activity (ERA) that is a concurrence ERA that is authorised under an Environmental Authority.	Construction activities for the Project are likely to involve industrial activities that are ERAs and regulated under the EP Act. For example, this may include temporary chemical storage during construction. If required, relevant EAs will be obtained by the Principal Constructor (E.g. Alliance)	Department of Environment, Technology, Science and Innovation (DETSI)
<i>Planning Act 2016 / Water Supply (Safety and</i>	Operational work for a referable dam	Operational work that is the construction of a dam, or relates to the dam, is assessable development under the <i>Planning Regulation 2017</i> if the dam failure impact	Construction of the Primary Dam works that requires a failure impact assessment.	DLGWV DSDIP

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<i>Reliability) Act 2008 / Environmental Protection Act 1994 / Work Health and Safety Act 2011 / Professional Engineers Act 2002</i>		assessment has a Category 1 or Category 2 failure impact rating.  Alternatively, if a MID is made, these works would be accepted development.		
<i>Environmental Offsets Act 2014</i>	Offset strategy	Where there is a significant residual impact to a prescribed environmental matter (MNES, MSES, MLES).	Significant residual impacts to MNES and MSES are possible as a result of the Project.  It is anticipated that significant residual impacts to MNES would be offset under an offsets strategy delivered under the Queensland <i>Environmental Offsets Act 2014</i> , where there is bilateral agreement under the EPBC Act.  Offset requirements for prescribed environmental matters will be confirmed through the IAR.	DETSI DPI
<i>Nature Conservation Act 1992 / Nature Conservation (Animals) Regulation 2020</i>	Species management program (low risk impacts)	If interfering with protected native fauna habitat and breeding places of least concern animals that aren't colonial breeders and will not impact on the broader population.	Clearing for the Project with an impact on identified fauna habitat and breeding places.	DETSI
<i>Nature Conservation Act 1992 / Nature Conservation (Animals) Regulation 2020</i>	Species management program (high risk impacts)	If interfering with protected native fauna habitat and breeding places that is used for: <ul style="list-style-type: none"> <li>Least concern animals that are colonial breeders and therefore whose broader populations are at greater risk from the impacts of events at a single location</li> <li>Special least concern animals (as prescribed in the <i>Nature Conservation (Animals) Regulation 2020</i> (the Animals Regulation)</li> </ul>	Clearing for the Project with an impact on identified fauna habitat and breeding places that is likely to affect the broader population.	DETSI

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		<ul style="list-style-type: none"> <li>Near threatened, Vulnerable, Endangered, Critically Endangered, or Extinct in the Wild Animals (as prescribed in the Animals Regulation).</li> </ul>		
<i>Water Act 2000</i>	Riverine Protection Permit	Placing fill or excavation in a mapped watercourse that is not exempt under the <i>Riverine Protection Exemption Requirements</i> (WSS/2013/726).	Construction works within the mapped watercourse for the Primary Dam works.	DLGWV
	Resource operations licence - amendment	Commissioning of new water infrastructure that is to operate under the Bundaberg Water Supply Scheme Resource Operations Licence.	<p>Paradise Dam operations are authorised under the Bundaberg Water Supply Scheme Resource Operations Licence. The ROL authorises the interference water flow in the Bundaberg Water Supply Scheme, and the use of watercourses for the distribution of water.</p> <p>Update of the BWSS ROL will be required for the replacement dam wall.</p>	DLGWV
<i>Land Act 1994</i>	Permit to occupy state land	Where occupation is proposed over a reserve or local road or unallocated State land.	Subject to confirming if occupation over State land, such as a road reserve, is required for the Project. Requirements will be confirmed through detailed design.	DNRMMRRD
<i>Transport Infrastructure Act 1994</i>	Road access works	Where proposed road access works (e.g. construction of a driveway) provides vehicular access onto a state-controlled road.	Subject to confirming if road access works (e.g. a driveway) is needed to provide access off a state-controlled road for the Project. Requirements will be confirmed through detailed design.	Department of Transport and Main Roads (DTMR)
	Road corridor permits	<p>If proposing any of the following, that are not exempt ancillary works and encroachments, within the boundary of a state-controlled road:</p> <ul style="list-style-type: none"> <li>undertaking an activity</li> <li>locating or constructing a structure or thing</li> <li>maintaining a structure or thing</li> <li>upgrading a structure or thing</li> <li>operating a structure or thing.</li> </ul>	Subject to confirming if activities or structures within state-controlled road corridors are required for the Project. Requirements will be confirmed through detailed design.	DTMR
<i>Local</i>				
<i>NBRC Subordinate Local Law No. 1 (Administration) 2011</i>	Road permit (local road)	Carrying out works on a road or interfering with a local road or its operation within the NBRC.	Approval may be required under Local Law for temporary road closures during construction (e.g. Paradise Dam Road), as well as the re-alignment of Kalliwa Road (open and closure). There is also likely a requirement for new	NBRC

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<i>NBRC Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i>			vehicular cross-over points into the PDIP site. Requirements will be confirmed through detailed design.	
<i>BRC Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011</i>	Road permit (local road)	Carrying out works on a road or interfering with a local road or its operation within the BRC area.		BRC
<i>Subordinate Local Law No. 4 – Local Government Controlled Areas, Facilities and Roads</i>				