

Guidelines for environmental assessment and consultation procedures for designating land for community infrastructure

April 2014

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1. Introduction

In Queensland, infrastructure required for the benefit of the community may be facilitated through a designation process prescribed under the *Sustainable Planning Act 2009* (SPA). Chapter 5 of SPA sets out the ministerial designation process for community infrastructure¹.

Section 207 of SPA provides that the minister², before designating land for community infrastructure, must be satisfied that for the development that is the subject of the proposed designation:

- (1) adequate environmental assessment has been carried out; and
- (2) in carrying out environmental assessment under paragraph (1), there was adequate public consultation; and
- (3) adequate account has been taken of issues raised during the public consultation; and
- (4) for land to which section 204³ applies—adequate account has been taken of the approved development scheme mentioned in that section.

To support consideration of adequate environmental assessment and consultation having been carried out, assessment of the proposed development is to be carried out in accordance with guidelines made by the chief executive under SPA, section 760.

These guidelines are made in accordance with section 760 of SPA.

Section 207 of SPA also identifies certain statutory processes that may also constitute adequate environmental assessment and consultation for the purpose of designation. The recognised processes are:

- the notification and decision stages under SPA integrated development assessment system (IDAS)
- the environmental impact statement (EIS) process under the SPA, chapter 9, part 2 primarily for ‘controlled actions’ under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*
- the local planning instrument making, amending or repealing process under SPA, Chapter 3, part 5
- the EIS process under division 3 of the *State Development and Public Works Organisation Act 1971*
- the EIS process under chapter 3, part 1 of the *Environmental Protection Act 1994* primarily for mining activities not regulated under IPA.

The guidelines and these statutory processes are not exclusive and the minister may choose to be satisfied that, based on additional evidence, adequate environmental assessment and consultation for the designation has been undertaken.

¹ Community infrastructure is defined by regulation as per section 200 of SPA

² For Chapter 5 of the SPA, Minister includes any Minister as defined in schedule 3 of SPA.

³ SPA Section 204 - Relationship of designation to *State Development and Public Works Organisation Act 1971*

2. Guidelines incorporate part 3 of this document and identified alternative processes

The procedures for environmental assessment and consultation that apply for designating land for community infrastructure in accordance with these guidelines are either:

- the procedures outlined in part 3 of these guidelines
- another process used by a community infrastructure provider and recognised by the chief executive, including those processes outlined in Appendix 4 and Appendix 5.

3. Environmental assessment and consultation procedures for designating land

The following steps describe procedures for environmental assessment and consultation for proposed development the subject of a proposed designation of land for community infrastructure.

These steps for environmental assessment and consultation are also illustrated in the flowchart at the end of this part.

The nature and extent of environmental effects will differ according to the type and scale of community infrastructure, whether it is linear or located on a single site, the surrounding land uses and the sensitivity or hazardous nature of the natural environment. The extent and complexity of the environmental assessment and consultation will vary in response. The level of detailed planning that has been undertaken at the time of designation will also impact on the extent of environmental assessment and consultation required.

For the purpose of these guidelines:

- a 'relevant' local government or public sector entity is one whose administrative responsibilities are likely to be affected by the proposed community infrastructure
- a 'public sector entity' has the meaning given under SPA, schedule 3
- all references to 'site' include references to multiple sites and/or corridors for linear community infrastructure such as electricity works, railway, transport and water infrastructure.

Step 1 – Preparation of initial assessment report

The Initial Assessment Report (IAR) is a detailed study investigating environmental, social and economic aspects of the proposed community infrastructure project. The findings of the IAR are intended to be used as the basis for consultation.

1.1 Description of the proposed community infrastructure and the site

The IAR needs to include the following, to the extent relevant to the proposed development:

- a description of the proposed site, including any special attributes affecting the site identified in the relevant planning scheme/s; or identified in the State Planning Policy or relevant regional plan/s where not adequately reflected in the relevant planning scheme/s

- a description of each existing use on the site and uses adjoining the site
- a description of the socio-economic characteristics of the community surrounding the proposed site
- a description of the nature, scale and intensity of each use proposed as part of the community infrastructure
- a summary of the intentions or outcomes sought for the proposed use, nature of works on the site and in the surrounding area
- a statement about consistency with the relevant planning instruments including, but not limited to, the State Planning Policy, relevant regional plan/s and relevant planning scheme/s.

In addition to that listed above, for single site developments:

- plans of the proposed community infrastructure showing the respective locations of the uses, buildings and other works, including landscaping, parking areas, driveways and access points
- a description of existing state transport infrastructure (for example public transport, pedestrian and cycle networks surrounding the site, including the location of bus stops, train stations, pedestrian paths and cycle paths) impacted on by the proposal.

And for linear developments:

- a location plan of the proposed community infrastructure along the linear corridor
- the location plan should be sufficient to identify the land involved, with the description of proposed infrastructure being general in nature and not including the technical details of individual structures or proposed uses.

The plans and description of proposed uses, and their locations, can be of a general nature and do not need to include technical details for construction purposes or details that would pose a security or safety risk.

1.2 Assessment of environmental effects and management of those effects

The IAR needs to include an assessment of:

- the environmental effects (see Appendix 1 for guidance) of development for the proposed community infrastructure
- proposed methods of managing those effects identified as relevant to the proposed development.

For the purpose of this assessment, regard is given to the following:

(1) the meaning of 'environment' under SPA, schedule 3:

'environment' includes:

- (a) ecosystems and their constituent parts including people and communities; and
- (b) all natural and physical resources; and
- (c) those qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony, and sense of community; and

-
- (d) the social, economic, aesthetic and cultural conditions affecting the matters in paragraphs (a), (b) and (c) or affected by those matters.'
 - (2) the matters listed in Appendix 1 of these guidelines
 - (3) short-term, long-term and cumulative effects specific to the project
 - (4) effects from the use and works, during both the construction phase and the operational phase of the proposed community infrastructure
 - (5) on-site and off-site effects.

For community infrastructure proposed to be designated well in advance of construction and use, identification and assessment of potential environmental effects considers, amongst any other relevant matters:

- similar existing community infrastructure
- likely changes of use on adjoining and nearby land
- broad parameters of scale, intensity, site layout, access and the like.

Paragraphs (2) to (5) must be specifically addressed in the IAR. The IAR will need to detail those matters that are of relevance as well as providing a statement as to why a matter may not be considered relevant for the purpose of the assessment.

To assist proponents in assessing potential environmental effects, Appendix 1 suggests relevant public sector entities and local governments which can provide advice and/or information on a range of matters that may need to be considered in preparing the IAR.

1.3 Identification of matters likely to be of concern to other parties

The IAR needs to include a statement identifying both:

- (1) the matters likely to be of concern to other parties affected, or likely to be affected, by development for the proposed community infrastructure
- (2) those other parties in (1) by type or organisation.

Parties to consider include:

- state public sector entities with a legislative or administrative responsibility in relation to the circumstances of the proposal
- commonwealth government agencies with a legislative or administrative responsibility in relation to the circumstances of the proposal
- local governments
- owner/s of the land
- adjoining land owner/s
- community groups
- conservation groups
- Aboriginal or Torres Strait Islander groups
- business or industry associations
- other parties with an interest in the land such as lease or licence holders.

In this guideline, 'owner' has the meaning as defined under the SPA. Further, 'adjoining land owner' has the meaning as defined under section 287 of the SPA.

1.4 Identification of state assessment requirements and applicable Commonwealth legislation

The IAR needs to include a statement identifying what assessment requirements apply to the proposed community infrastructure under state legislation (for both the integrated development assessment system (IDAS) under SPA and outside that system) as well as applicable Commonwealth legislation. Chapter 6 of SPA and the Sustainable Planning Regulation 2009 identify State assessment requirements under SPA.

The report is to also include an assessment of matters of State interest as outlined in the State Planning Policy and detailed in the State Development Assessment Provisions.

If all or part of the proposal may significantly impact upon a matter of national environmental significance, the proposal needs to be referred to the Commonwealth Department of the Environment for a determination as to whether or not it is a controlled action under section 67 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth), requiring assessment under that legislation.

Section 207 of SPA recognises the completion of an EIS under the following Acts as being adequate environmental assessment and public consultation for designation:

- SPA, chapter 9, part 2, division 2
- *State Development and Public Works Organisation Act 1971*, section 35
- *Environmental Protection Act 1994*, chapter 3, part 1.

Step 2 – Initial consultation with other parties

As a minimum, the IAR prepared in step 1 is to be provided to—

- relevant local governments; and
- relevant public sector entities.

Any other parties identified in the IAR also need to be advised that a copy of the IAR is available for viewing, purchase or access via a website. If practicable, considering the number of parties involved, advice should be given by name and in writing to each party or otherwise through an alternative means such as a public notice or a letterbox drop.

Written submissions are to be invited from all parties within a period of at least 15 business days from the date the advice is given.

For the purposes of these guidelines, a notice that is posted is taken to be given when the notice is delivered to the receiving party's last known postal address.

Any other consultation activities considered appropriate may also be undertaken.

Step 3 – Completion of the initial assessment report

The IAR prepared in step 1 is to be amended to reflect the advice and submissions received following step 2. The amended IAR should include the following:

- a list of the parties consulted (with their consent)
- a summary of all submissions
- account of how the issues raised have been considered
- any further assessment of potential environmental effects of the proposal
- any additional strategies for managing the potential environmental effects
- a statement of any matters proposed to be included in the designation under SPA, section 202
- any recommended changes to the proposed infrastructure as a result of consultation undertaken to date.

The completed IAR may, but does not need to, be in the form of an Environmental Impact Statement.

Step 4 - Public notification and second consultation with other parties

The extent of consultation with other parties and the public notification may be dependent on the type of development proposed. However, at a minimum, the following is required for consultation:

- the proposed designation of land for community infrastructure must be notified at least once in a newspaper circulating generally in the area of the relevant local government/s for the proposed development, as described below
- the owner of the land must be given the same notice as in the newspaper. Where multiple properties are under single ownership, only one notice is required
- if practicable, considering the number of parties involved, each other party notified or given a copy of the IAR in step 2 be given the same notice as placed in the newspaper, preferably by personal mail or otherwise by letterbox drop.

The notice should be given to the owner of the land and to each other party at about the same time as the notice is published in the newspaper. Written submissions are to be invited within a period of at least 15 business days taken from the day of public notification or the day the notice is given, whichever occurs later.

Public notification needs to state the following:

- a description and/or plan of the land proposed to be designated under SPA, chapter 5
- the type of proposed community infrastructure
- the name and contact details of a person (telephone, fax and email) for further information about the proposed designation of land and the community infrastructure

- the website address for further information about the proposed designation of land and the community infrastructure (if applicable)
- that written submissions including the name and address of the submitter may be made to the contact person about any aspect of the proposed designation of land and development for the community infrastructure
- the date by which submissions must be made
- that a copy of the IAR may be viewed during the consultation period, and the address where the report will be available for viewing or purchase, including a website address.

Appendix 2 provides a template for a newspaper notice.

Step 5 – Completion of assessment report for minister

Before the IAR prepared in step 3 above is finalised for the minister's consideration, any public sector entity likely to be affected by changes to the proposal arising from consultation under step 4 needs to be advised and invited to comment. A letter should also be sent to each submitter detailing how issues raised in their submission have been considered, and the intention to provide a copy of the submission and letter to the minister.

If there is a period of three months or more between giving a notice to the owner of the land under step 4 and forwarding a report to the minister under this step 5, the following also need to be considered:

- the owners' names are checked to identify any change in ownership
- each new owner is given the same notice as previously placed in the newspaper except for the date by which submissions may be made
- each new owner has at least 15 business days from the date the notice is given to make a written submission.

Following this, the final assessment report will need to incorporate:

- a summary of any changes to the proposal arising from the consultation; and
- a copy of all submissions received in step 4 and step 5
- a summary of all submissions in step 4 and step 5 and the account taken of the issues raised
- a statement of the expressed views of each relevant public sector entity and each relevant local government
- a statement of any matters proposed to be included in the designation under SPA, section 202.

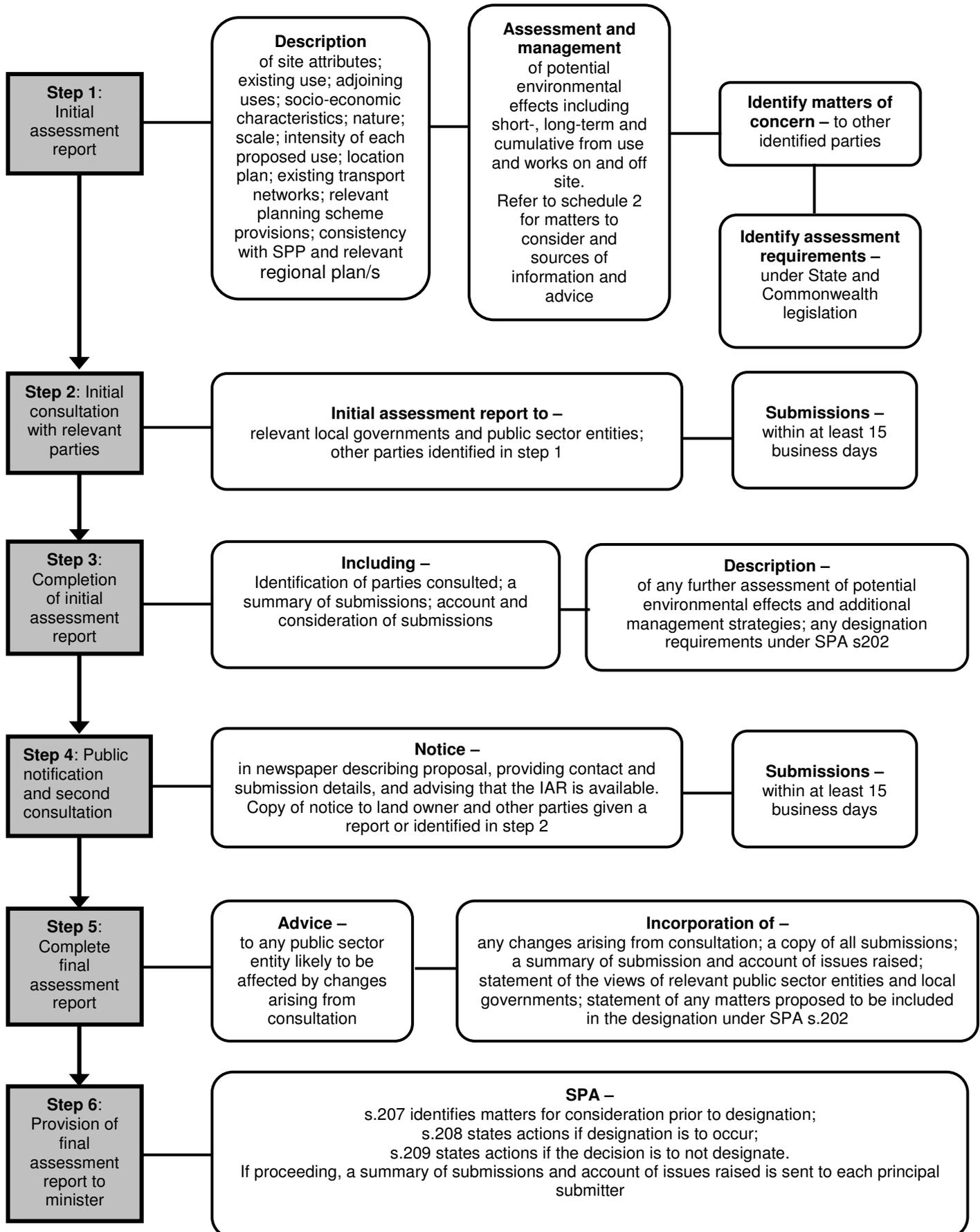
Step 6 – Provision of final assessment report to the minister to proceed under the SPA

For the minister to be able to consider the designation under section 207 of SPA, the final assessment report must be provided to the minister, taking into account all matters and consultation undertaken in the previous steps.

If the minister decides to proceed with the designation, section 208 of SPA states what the minister must do in relation to giving notice of the designation. However, section 209 outlines the process that must be taken if the minister decides not to proceed with a proposed designation.

Appendix 3 provides a template for a notice under SPA, section 208.

Flowchart summarising steps for environmental assessment and consultation



Appendix 1. Checklist for identifying relevant matters to assess environmental effects; and sources of advice or information

This checklist is designed to assist in identifying matters that may need to be addressed in the assessment of any potential environmental effects of the proposed community infrastructure, to the extent that they are relevant to the proposal.

The checklist also assists in identifying those matters requiring state assessment. However, users should be aware that this list for such matters is not exhaustive, and relevant state agencies should be consulted for further advice.

Key to abbreviations used:

DAFF	Department of Agriculture, Fisheries and Forestry
DATSIMA	Department of Aboriginal and Torres Strait Islander and Multicultural Affairs
DCCSDS	Department of Communities, Child Safety and Disability Services
DCS	Department of Community Safety
DEHP	Department of Environment and Heritage Protection
DEWS	Department of Energy and Water Supply
DJAG	Department of Justice and Attorney-General
DNRM	Department of Natural Resources and Mines
DNPRSR	Department of National Parks, Recreation, Sport and Racing
DTMR	Department of Transport and Main Roads
DTESB	Department of Tourism, Major Events, Small Business and the Commonwealth Games
DSDIP	Department of State Development, Infrastructure and Planning
QH	Queensland Health
QTT	Queensland Treasury and Trade
SPP	State Planning Policy
SPR	<i>Sustainable Planning Regulation 2009</i>

'Relevant local government' means each local government the proposed community infrastructure affects.

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
1. Soils and geology		
a) Is the proposal compatible with the geology and topography of the site?		<ul style="list-style-type: none"> • Relevant local government
b) Does the site have acid sulfate soils or potential acid sulfate soils?		<ul style="list-style-type: none"> • Relevant local government • DNRM • SPP - planning for hazards and safety (emissions and hazardous activities)
c) Does the site's soils have erosion potential or does the site have potential hillslope stability problems?		<ul style="list-style-type: none"> • Relevant local government • DNRM • SPP – planning for hazards and safety (natural hazards)
d) Is the site subject to salinity or soil degradation? Is any part of the site subject to an approved project plan for soil conservation under the <i>Soil Conservation Act 1986</i> ?		<ul style="list-style-type: none"> • Relevant local government • DNRM
2. Natural resources		
a) Does the site include land identified as strategic cropping land under the <i>Strategic Cropping Land Act 2011</i> or good quality agricultural land, or is the site adjacent to agricultural areas? If so, will the proposal be compatible with agricultural activities?		<ul style="list-style-type: none"> • Relevant local government • DNRM • DAFF • SPP – planning for economic development (agriculture)
b) Are there fisheries habitats or fish habitat areas located on or adjacent to the site? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DAFF
c) Will the proposal require the removal, destruction or damage of marine plants? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DAFF • DEHP
d) Will the proposal involve the construction of waterway barrier works in waterways, or require the construction of a fish way? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DAFF • DEHP (tidal) • DNRM (non-tidal)
e) Will the proposal involve taking, using or interfering with the flow of water on, under or adjoining any part of the site? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DNRM • DEWS
f) Is the site located in or adjacent to a State forest or timber reserve under the <i>Forestry Act 1959</i> ?		<ul style="list-style-type: none"> • DAFF • DNPRSR

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
g) Does the proposal include clearing of native vegetation? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DNRM • State Policy for Vegetation Management • Regional Vegetation Management Code
h) Does the proposal include clearing native vegetation in— <ul style="list-style-type: none"> i) a forest reserve or protected area under the <i>Nature Conservation Act 1992</i>; or ii) a State forest or timber reserve under the <i>Forestry Act 1959</i>? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DNPRSR • DAFF
i) Does the site include or is it adjacent to any identified mineral, oil, gas or extractive resources, pipelines or haul routes servicing these resources?		<ul style="list-style-type: none"> • Relevant local government • DEWS • DNRM • Relevant holder of the pipeline licence • DTMR
j) Does any part of the site include land that is part of the State Stock Route network?		<ul style="list-style-type: none"> • Relevant local government • DNRM
k) Does the site include any part of land leased, reserved, or granted in trust under the <i>Land Act 1994</i> ?		<ul style="list-style-type: none"> • DNRM
l) Is any part of the site within a port or on strategic port land?		<ul style="list-style-type: none"> • Relevant local government • DTMR • Relevant port authority
3. Natural hazards		
a) Is the site or its access at risk from natural hazards, such as flooding or drainage, bushfire, coastal hazards and landslip?		<ul style="list-style-type: none"> • Relevant local government • Relevant Local Government Natural Hazard Risk Study • DCS • SPP – planning for hazards and safety (natural hazards)
b) Is the site or its access at risk from storm surge?		<ul style="list-style-type: none"> • Relevant local government • DCS
c) Are there any declared pests in the area or is any part of the site subject to a local government pest management plan?		<ul style="list-style-type: none"> • Relevant local government • DNRM • DAFF
4. Water quality		

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
a) Will the proposal have impacts on surface or groundwater quality?		<ul style="list-style-type: none"> • Relevant local government • DNRM (groundwater) • DEHP • SPP- Planning for the environment and heritage (water quality)
b) Is the site in close proximity to a water course?		<ul style="list-style-type: none"> • Relevant local government • DNRM • DEHP • SPP- Planning for the environment and heritage (water quality)
c) Is any part of the site within a wild river area declared under the <i>Wild Rivers Act 2005</i> ? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DEHP
d) Does any part of the proposal involve development below high water mark (tidal), or within the beds and banks of a watercourse, lake or spring (non-tidal)? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government for prescribed tidal work • DEHP (tidal) • DNRM (non-tidal) • DTMR (Maritime Safety Queensland) (tidal) • Relevant port authority (within a port or on strategic port land) • SPP- Planning for the environment and heritage (water quality)
e) Will wastewater disposal or stormwater from the proposal affect water quality either by sedimentation or contamination from effluent		<ul style="list-style-type: none"> • DNRM • DEHP • SPP- Planning for the environment and heritage (water quality)
f) Will the proposal have impact on hydrology, including- i) Change to existing drainage patterns; ii) Groundwater flow?		<ul style="list-style-type: none"> • Relevant local government • DNRM • DEHP • SPP- Planning for the environment and heritage (water quality)

5. Conservation values

a) Is the site identified in the relevant regional plan and/or the Koala Conservation Plan and Management Program 2006 as any of the following? i) Koala conservation area ii) Koala sustainability area iii) Urban koala area		<ul style="list-style-type: none"> • Relevant local government • DEHP • DSDIP • South East Queensland Koala Conservation State Planning Regulatory Provision
b) Is the site in or adjacent to an area protected under the <i>Nature Conservation Act 1992</i> ?		<ul style="list-style-type: none"> • Relevant local government • DNPRSR • DEHP

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
c) Is the site in an area or adjacent to an area likely to have rare, endangered or threatened flora or fauna?		<ul style="list-style-type: none"> • DEHP • DNPRSR
d) Does the proposal involve building work on land that is partly or completely seaward of a coastal building line under the <i>Coastal Protection and Management Act 1995</i> ? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DEHP
e) Does the proposal involve work within a coastal management district under the <i>Coastal Protection and Management Act 1995</i> ? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DEHP
f) Is the site included in an area over which a State or regional coastal management plan applies		<ul style="list-style-type: none"> • DEHP
g) Is the site in or adjacent to an area protected under the <i>Marine Parks Act 1982</i> ?		<ul style="list-style-type: none"> • DNPRSR
h) Will the proposal affect the biodiversity and conservation values of the site?		<ul style="list-style-type: none"> • Relevant local government • DEHP • DNRM • DNPRSR • SPP – planning for the environment and heritage (biodiversity)
6. <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwlth) (EPBC Act)		
a) Does part or all of the proposal significantly impact upon a matter of national environmental significance? If so, the proposal needs to be referred to the Commonwealth Department of the Environment for a determination as to whether or not it is a controlled action under EPBC Act, section 67.		<ul style="list-style-type: none"> • Commonwealth Department of Sustainability, Environment, Water, Population and Communities
7. Cultural heritage		
a) Does the site involve, or is the site adjacent to, any place entered in the heritage register under the <i>Queensland Heritage Act 1992</i> , or identified as having cultural heritage significance in the relevant planning scheme. (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DEHP

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
b) Does the site contain any items on the register of the Queensland Estate, Aboriginal and Torres Strait Islander Cultural Heritage Register or Cultural Heritage Database?		<ul style="list-style-type: none"> • DATSIMA • Cultural heritage duty of care guidelines made under the <i>Aboriginal Cultural Heritage Act 2003</i> or the <i>Torres Strait Islander Cultural Heritage Act 2003</i>
c) Is it possible the site may contain areas or objects of archaeological or historic significance for Aboriginal or Torres Strait Islander cultural heritage values?		<ul style="list-style-type: none"> • DATSIMA • Cultural heritage duty of care guidelines made under the <i>Aboriginal Cultural Heritage Act 2003</i> or the <i>Torres Strait Islander Cultural Heritage Act 2003</i>
d) Does any part of the site include Aboriginal or Torres Strait Islander land, or land subject to a native title claim or Indigenous Land Use Agreement?		<ul style="list-style-type: none"> • Relevant local government • DNRM
8. Health, safety, amenity and social impacts		
a) Is the proposal an environmentally relevant activity as listed in schedule 2 of the <i>Environmental Protection Regulation 1998</i> ? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • DEHP
b) Does the site include lands recorded in the environmental management register or contaminated land register under the <i>Environmental Protection Act 1994</i> , or a notifiable activity under schedule 3 of that Act? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DEHP
c) Does the proposal have the potential to release contaminants, or include a notifiable activity under the <i>Environmental Protection Act 1994</i> , schedule 3? (SPR, schedule 3 may apply, if relevant)		<ul style="list-style-type: none"> • Relevant local government • DEHP
d) Is the proposal sensitive to air quality?		<ul style="list-style-type: none"> • DEHP
e) Are there known or potential air quality problems in the area that may affect the proposal?		<ul style="list-style-type: none"> • Relevant local government • DEHP
f) Does the proposal have the potential to create air quality problems for the area or odour emissions? If so, will the proposal affect the amenity of adjoining or nearby uses due to the times, nature, intensity and proximity of the air quality problems or odour?		<ul style="list-style-type: none"> • DEHP • SPP – Planning for hazards and safety (emissions and hazardous activities)
g) Will the proposal generate significant greenhouse gas emissions?		<ul style="list-style-type: none"> • Relevant local government • DEHP

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
h) Is the proposal a noise sensitive land use? If so, are surrounding uses compatible?		<ul style="list-style-type: none"> • Relevant local government • DEHP • DTMR
i) Does the proposal have the potential to create noise nuisance for the surrounding area? If so, will the proposal affect the amenity of adjoining or nearby uses due to the times, nature, intensity and proximity of the noise?		<ul style="list-style-type: none"> • Relevant local government • DEHP • SPP – Planning for hazards and safety (emissions and hazardous activities)
j) Will the proposal include external lighting? If so, will the proposal affect the amenity of adjoining or nearby uses due to the times, nature, intensity and proximity of external lighting?		<ul style="list-style-type: none"> • Relevant local government • DEHP
k) Will the appearance of the proposal, including the physical compatibility of the proposal (e.g. scale, height, materials, colours, site coverage) affect the amenity of adjoining or nearby uses?		<ul style="list-style-type: none"> • Relevant local government
l) Will the proposal impact on scenic values including landscape character and visual amenity?		<ul style="list-style-type: none"> • Relevant local government
m) Will the proposal generate significant amounts of traffic? If so, will the proposal affect the amenity of adjoining or nearby uses due to the times and nature of traffic generation, the location of access points, and the adequacy of on-site parking and public transport?		<ul style="list-style-type: none"> • Relevant local government • DTMR
n) Will the proposal generate significant amounts, or sensitive types, of waste? If so, will the waste affect the health, safety or amenity of adjoining or nearby uses?		<ul style="list-style-type: none"> • Relevant local government • DEHP • SPP – Planning for hazards and safety (emissions and hazardous activities)
o) Will the proposal create a need for personal safety and building security measures? If so, is there a need for crime prevention measures for users of the site and for access to the site? Would such measures affect the safety and amenity of adjoining or nearby uses?		<ul style="list-style-type: none"> • Relevant local government • Queensland Police Service
p) Is the proposal likely to have any impacts on the economic activities of the area, including: <ul style="list-style-type: none"> i) labour and markets ii) service delivery iii) local industries? 		<ul style="list-style-type: none"> • Relevant local government • DSDIP • DTESB • QTT

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
q) Is the proposal controversial or could it lead to conflict or concern in the community?		<ul style="list-style-type: none"> • Relevant local government • DCCSDS
r) Is the proposal a childcare centre? If so, building requirements under the <i>Queensland Development Code</i> , MP 5.4 may apply.		<ul style="list-style-type: none"> • Relevant local government • DCCSDS
s) Is the proposal a nursing home or hostel? If so, requirements under the <i>Health Regulation 1996</i> may apply.		<ul style="list-style-type: none"> • QH
t) Is the proposal a private health facility? If so, requirements under the <i>Queensland Development Code</i> , MP 5.5, may apply.		<ul style="list-style-type: none"> • Relevant local government • QH
u) Does the proposal involve dangerous goods for high risk plant or is the site within or adjacent to dangerous goods or a high risk plant under the <i>Work Health and Safety Act 2011</i> ?		<ul style="list-style-type: none"> • Relevant local government • DJAG • SPP – Planning for hazards and safety (emissions and hazardous activities)

9. Infrastructure

a) Does the proposal create additional demand for infrastructure, including augmentation of existing networks, for— i) water; ii) sewerage; iii) roads; iv) wastewater management; v) solid waste management; vi) energy; vii) telecommunications?		<ul style="list-style-type: none"> • Relevant local government • Relevant state agencies • Relevant supplier of infrastructure • SPP - Infrastructure
b) Is the site in the vicinity of an airport or aviation facilities, or both?		<ul style="list-style-type: none"> • SPP – Infrastructure (strategic airports and aviation facilities) • DTMR
c) Is part of the site situated in an electricity easement or within 100m of a substation site?		<ul style="list-style-type: none"> • The relevant electricity transmission or distribution entity

10. Traffic and transport

MATTER		SOURCE OF ADVICE AND/OR INFORMATION
<p>a) Will the proposal generate additional vehicle, pedestrian or cycle traffic, or increase demand for public transport? If so, is there a need to change one or more of the following in the locality to meet the needs of those using the community infrastructure—</p> <ul style="list-style-type: none"> i) traffic management arrangements; ii) public transport networks and services; iii) pedestrian and cycling networks? 		<ul style="list-style-type: none"> • Relevant local government • DTMR
<p>b) Does the location and design of the proposed community infrastructure enable connections to public transport, cycling and pedestrian networks?</p>		<ul style="list-style-type: none"> • DTMR
<p>c) Is the proposal consistent with the land use and transport planning principles detailed in relevant integrated regional transport plans?</p>		<ul style="list-style-type: none"> • DTMR
<p>d) Are changes proposed to the traffic ingress and egress for the site?</p>		<ul style="list-style-type: none"> • Relevant local government
<p>e) Does the site adjoin or gain access from a State-controlled road? Will the proposal impact on a State-controlled road?</p>		<ul style="list-style-type: none"> • DTMR
<p>f) Will the proposal impact on the provision of existing or future public passenger transport services or facilities?</p>		<ul style="list-style-type: none"> • DTMR
<p>g) Will the proposal impact on existing or future railway land or facilities?</p>		<ul style="list-style-type: none"> • DTMR
<p>h) Does the proposal involve tidal works or prescribed tidal works (SPR, schedule 3 may apply, if relevant)</p>		<ul style="list-style-type: none"> • Relevant local government for prescribed tidal work • DEHP • DTMR (Maritime Safety Queensland) • Relevant port authority (within a port or on strategic port land)

Appendix 2. Template for notice of proposed designation

This template is for a notice of proposed designation relating to step 4 in the guidelines. It provides a sample format and content of the public notice that may be used:

- in a local newspaper
- for the owner of any land to which the proposed designation applies. Where multiple properties are under single ownership, only one notice is required
- for each other party notified or given a copy of the report in step 2.

Matters addressed in the template are consistent with minimum requirements for public notification stated in step 4.

Note: This template may also be used for the purpose of SPA, section 207(4).

Notice of proposed Ministerial designation of land for community infrastructure under the *Sustainable Planning Act 2009*

Proposal for the Minister to designate land

[Name of entity proposing to provide community infrastructure] proposed to make a request to [Minister's name], Minister for [portfolio], to designate land for community infrastructure under the *Sustainable Planning Act 2009* chapter 5. [Name of entity proposing to provide community infrastructure] invites submissions about the proposed designation of land and development for the community infrastructure.

Description of the land to which the proposed designation applies

The proposed Ministerial designation applies to land located at [street number, name and suburb or commonly known name of site] [and shown in the attached plan].

The land is described as Parish of [Parish name], County of [County name] Lot [lot number] on Registered Plan [RP number], and Lot [lot number] on Registered Plan [RP number]. *If designation involves more than five parcels of land, use suggested format below – this can be amended to include easements if required.*

Type of community infrastructure for which the land is proposed to be designated

The land is proposed to be designated for [broadly describe the proposed project – e.g. the name/title of the project and its purpose (the John Smith medical school that will provide higher education and include associated teaching, research, conference and car parking facilities)].

The community infrastructure is described under the *Sustainable Planning Regulation 2009*, schedule 2 as-

[List the type/s of community infrastructure proposed, e.g.-

- Community and cultural facilities, including child care facilities, community centres, meeting halls, galleries and libraries;
- Parks and recreational facilities.]

How to view details of the proposed designation of land and development for the community infrastructure

Example 1 – A copy of the assessment report [including other details such as plans, etc] about the proposed designation of land and development for the community infrastructure may be viewed at the [name of entity] offices at [location of office], between [day month year] and [day month year].

Example 2 – A copy of the assessment report [including other details such as plans, etc] may also be downloaded from the [name of entity] website at [www.XXX].

Example 3 – Any person is also invited to attend a [insert consultation mechanism e.g. information forum] about the proposed designation of land and development for the community infrastructure.

The [information forum] will be held at [address], [time am/pm] on [day month year]

Example 4 – [details of any other consultation to be undertaken]

For further information about the proposed designation

Any questions about the proposed designation of land and development for the community infrastructure should be directed to [contact officer’s name, position, division] on telephone [XXXXXXXX] or at [email address].

Making a submission about the proposed designation

Any person or entity may make a submission about any aspect of the proposed designation of land and development for the community infrastructure. The submission should-

- Be in writing, dated and signed by each person or entity who made the submission;
- State the name and address of each person or entity who made the submission; and
- Stat the ground of the submission and the facts and circumstances relied on in support of the grounds.

Submissions are to be addressed to [contact officer name and PO Box address] and received on or before [day month year].

The following is the suggested format when the designation involves more than five parcels of land.

Description of the land to which the proposed designation applies

The proposed Ministerial designation applies to land located at [street number, name and suburb or commonly known name of site].

The land is described as Parish of [Parish name], County of [County name]-

Lot number	Registered Plan

Appendix 3. Template for notice of designation

This template is for a notice of designation relating to step 6 in the guidelines and the SPA section 208 (Procedures after designation). The template is consistent with the requirements of the notice stated under subsection 208(2).

Subsection 208(1) states that a copy of the notice must be given to each owner of the land, each affected local government and the chief executive.

In addition, subsection 208(3) states that the minister must publish a gazette notice stating that the designation has been made, the description of the land, and the type of community infrastructure for which the land has been designated.

This template may be used for notification under both subsections 208(1) and (3), although some information is not required for the gazette notice as noted.

Notice of Ministerial designation of land for community infrastructure under the *Sustainable Planning Act 2009*

A Ministerial designation has been made

I, [Minister's name], Minister for [portfolio], give notice that under the *Sustainable Planning Act 2009*, chapter 5, I made a Ministerial designation of land for community infrastructure on [day month year e.g. 5 May 2013]

The designation will take effect from [day month year e.g. 1 June 2013].

Description of the land to which the designation applies

The proposed Ministerial designation applies to land located at [street number, name and suburb or commonly known name of site] [and shown in the attached plan].

The land is described as Parish of [Parish name], County of [County name] Lot [lot number] on Registered Plan [RP number], and Lot [lot number] on Registered Plan [RP number]. *If designation involves more than five parcels of land, use suggested format below.*

Type of community infrastructure for which the land has been designated

The land has been designated for [broadly describe the proposed project –e.g. the name/title of the project and its purpose (the John Smith medical school that will provide higher education and include associated teaching, research, conference and car parking facilities)].

The community infrastructure is described under the *Sustainable Planning Regulation 2009*, schedule 2 as-

[List the type/s of community infrastructure proposed, e.g.-

- Community and cultural facilities, including child care facilities, community centres, meeting halls, galleries and libraries;
- Parks and recreational facilities.]

Matters included as part of the designation under the *Sustainable Planning Act 2009*, section 202 (What designations may include)*

The designation for community infrastructure is made subject to the following requirements-

- (1)
- (2)

[List requirements about the works or use of land for the community infrastructure, and any other requirements included in the designation that are designed to lessen the impacts or use of the land for the community infrastructure]

[Minister's Name] **MP**

Minister for [portfolio]

Dated: [day month year]

*This information is not required for the gazette notice [SPA, s208]

The following is the suggested format when the designation involves more than five parcels of land.

Description of the land to which the designation applies

The Ministerial designation applies to land located at [street number, name and suburb or commonly known name of site].

The land is described as Parish of [Parish name], County of [County name]-

Lot number	Registered Plan

Appendix 4. Powerlink Manual

POWERLINK MANUAL

Environmental Assessment and Public Consultation Procedures for Designating Land for Community Infrastructure

CONTENTS – POWERLINK MANUAL

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A Introduction

Powerlink is the trading name for the Queensland Electricity Transmission Corporation Limited, a body corporate constituted under the *Government Owned Corporations Act 1993*. Powerlink is a company government owned corporation and is a community infrastructure provider.

Powerlink's primary function is the operation, maintenance and development of the high voltage transmission network in Queensland. Powerlink is responsible for delivering power from generators to distribution corporations and major electricity users.

Powerlink's high voltage transmission network comprises—

- a) A high voltage transmission grid (linear infrastructure) extending from north of Cairns to the New South Wales border covering a distance of some 1,700 kilometres (linear infrastructure); and
- b) numerous substations and communication towers (single site infrastructure).

The high voltage transmission network is community infrastructure (namely operating works under the *Electricity Act 1994*) under schedule 2 of the *Sustainable Planning Regulation 2009 (SPR)*.

Section 760 of the *Sustainable Planning Act 2009 (SPA)* provides that the chief executive may issue guidelines about environmental assessment and public consultation procedures for designating land for community infrastructure under chapter 5, of the SPA.

This manual forms part of the guidelines issued by the chief executive pursuant to section 760 (1)(b) of the SPA called Guidelines about Environmental Assessment and Consultation Procedures for Designating Land for Community Infrastructure (**the Guidelines**).

The procedures for environmental assessment and consultation that apply for designating land for community infrastructure in accordance with the Guidelines are either:

- c) the procedures described in part 3 of the Guidelines
- d) another process used by a community infrastructure provider and recognised by the chief executive.

This manual is listed in Appendix 4 of the Guidelines and provides another process used by Powerlink (a community infrastructure provider) for environmental assessment and consultation that is recognised by the chief executive.

For the sake of clarity this manual refers only to the more complex issues associated with linear infrastructure. The process described in this manual will also apply with necessary adjustments to single site infrastructure.

Explanation of terms used in Part B

Within this guideline, several terms are used to describe different stages of Powerlink's planning process. The table below provides an overview of the definition of each of these stages.

Study Area	A broad region which defines the parameters of the need (e.g. needing to provide electricity supply between a power station and the electricity network). The extent of the study area depends on where a transmission line may be located, for example, some cases, a study area could be over 100km or more in size in a rural area. The study area is selected to ensure a range of feasible study corridors can be identified for further evaluation.
Study Corridor	A study corridor is an identified area of land typically 3km wide and is located within the broader study area. The transmission line route is located somewhere within the study corridor.
Alignment (study alignment, preferred and final alignments)	<p>The alignment refers to the specific location of the transmission line itself, representing the approximate centreline of the transmission line easement. Typically, the easement for a transmission line in Queensland is between 40 and 70 metres wide for a single line. The alignment is located within the Study Corridor.</p> <p>Powerlink's transmission line alignment goes through three developmental stages – study, preferred and final.</p> <p>A study alignment is determined based on the best overall balance of environmental, social and economic factors and taking into account preliminary engagement which may have occurred and is the alignment addressed in the Initial Assessment Report (See Step 1, Section C of this Manual).</p> <p>A preferred alignment is determined at the end of Step 5, Section C of this Manual, when Powerlink provides its final assessment report to the Minister.</p> <p>The final alignment is determined at the end of Step 6, Section C of this Manual, when the Minister approves the designation.</p>

B Pre-initial Assessment Report Stages and Preliminary Consultation

Prior to undertaking the steps as outlined in Part C of this manual, Powerlink will, where necessary, have undertaken a detailed need and corridor identification process as a pre-cursor to the identification of a potential substation site or transmission line corridor.

This will also include preliminary consultation (early engagement) with key stakeholders. Preliminary consultation with parties likely to be affected by the development of the subject of the community infrastructure designation (e.g. the local government authority and community groups) is beneficial in informing the initial assessment report and determining a Study Alignment.

New infrastructure requirements generally should include this preliminary consultation phase, however there are no statutory requirements for the form or type of preliminary consultation required or the period for consultation. Additionally, there may be some instances when the new infrastructure required does not impact a community or landholders and as such, preliminary consultation may not be required.

The level of preliminary consultation contained in this Part B of the Manual is at the discretion of the entity seeking a community infrastructure designation. Part C establishes the mandatory processes to satisfy the statutory requirements under the SPA.

The typical process to be followed is:

- a) **Need identification** – The need to take some form of corrective action to address electricity supply requirements to satisfy Powerlink’s obligations under the *Electricity Act 1994* and the National Electricity Rules is identified.
- b) **Study Area** – Powerlink and/or environmental specialists review relevant locational factors to inform the identification and assessment of an appropriate broad study area for transmission line Study Corridor options.

Preliminary consultation during the Study Area stage could be conducted with major stakeholders, including key government agencies, elected representatives, peak bodies, local councils and community groups. The input received through preliminary consultation during this phase will be used in determining an appropriate Study Corridor. The Study Corridor that achieves the best overall balance of environmental, social and economic factors is selected for further investigation.

- c) **Study Corridor** – The Study Corridor is an area of land typically 3km wide within which the transmission line route may be located. Powerlink and/or environmental specialists review specific factors related to the 3km wide Study Corridor to inform the identification and assessment of the Study Alignment.

Preliminary consultation during the Study Corridor stage could be conducted with major stakeholders (as noted in the Study Area phase above), as well as parties likely to be affected, including property owners and other stakeholders such as special interest groups. The input received through preliminary consultation during this phase will be used in determining an appropriate Study Alignment that minimises the overall impact of the proposal.

- d) **Study Alignment** – The Study Alignment is determined based on the best overall balance of environmental, social and economic factors for further investigation and taking into account preliminary consultation.

The Study Alignment is the subject of detailed environmental assessment and consultation as set out in Part C of this Manual. The final stage of the process is Ministerial approval of the designation, which is Step 6 in the process contained in Part C of this Manual.

C Environmental Assessment and Consultation Procedures for Designating Land

The following steps describe procedures for environmental assessment and consultation for development the subject of a proposed designation of land for community infrastructure.

These steps for environmental assessment and consultation are illustrated in the flowchart at the end of this manual.

The nature and extent of environmental effects will clearly differ according to the type and scale of community infrastructure, whether it is linear or located on a single site, the surrounding land uses and the sensitivity or hazardous nature of the natural environment. The extent and complexity of assessment and consultation will vary in response. They will also vary to the extent that detailed planning of the community infrastructure is possible at the time of designation.

For the purpose of this manual:

- a 'relevant' local government or public sector entity is one whose administrative responsibilities are likely to be affected by the proposed community infrastructure.
- a 'public sector entity' has the meaning given under the SPA, schedule 3, except that for this manual the term excludes local governments, as they are separately recognised.

All references to 'site' include references to multiple sites and/or corridors for linear community infrastructure.

Step 1 – Preparation of initial assessment report

The purpose of the Initial Assessment Report (IAR), which may take the form of a draft environmental impact study, is to present the findings from the first-round assessment and use these as a basis for consultation.

1.1 Description of the proposed community infrastructure and the corridor in its context

The IAR includes the following:

- a) a description of the proposed Study Alignment within the Study Corridor, including any special attributes affecting the Study Alignment identified in the relevant planning scheme/s; or identified in the State planning policy or relevant regional plan where not adequately reflected in the relevant planning scheme/s
- b) a description of each existing use on the Study Alignment and uses adjoining the Study Alignment
- c) a description of the socio-economic characteristics of the community surrounding

- the proposed site
- d) a description of the nature, scale and intensity of each use proposed as part of the community infrastructure
- e) location plan of the proposed community infrastructure along the Study Alignment;
- f) a summary of the intentions or outcomes sought for uses and works on the Study Alignment and in the surrounding area in each relevant planning scheme
- g) a statement about the consistency with the State planning policy or the regional plan, if relevant, where not adequately reflected in the relevant planning scheme.

The description of the proposed Study Alignment is sufficient to identify the land involved, and the description of the infrastructure is general in nature and does not include the technical details of individual structures. The plans and description of proposed uses, and their locations, are of a general nature and do not include technical details for construction purposes or details that would pose a security or safety risk.

1.2 Assessment of environmental effects and management of those effects

The IAR includes an assessment of:

- a) environmental effects of development for the proposed community infrastructure
- b) proposed methods of managing those effects.

Regard is given to the following:

- a) the meaning of 'environment' under the SPA, schedule 3 —

'environment' includes:

- a. *ecosystems and their constituent parts including people and communities; and*
 - b. *all natural and physical resources; and*
 - c. *those qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony, and sense of community; and*
 - d. *the social, economic, aesthetic and cultural conditions affecting the matters in paragraphs (a), (b) and (c) or affected by those matters'*
- b) the matters listed in Appendix 1 of the Guidelines
 - c) short-term, long-term and cumulative effects
 - d) effects from the use and works, during the construction phase, the operational phase and the decommissioning phase of the proposed community infrastructure
 - e) on-site and off-site effects.

For community infrastructure proposed to be designated well in advance of construction and use, identification and assessment of environmental effects considers, amongst any other relevant matters, likely changes of use on adjoining and nearby land, and broad parameters of scale, intensity, Study Alignment layout, access and the like.

Paragraphs (b) to (e) must be specifically addressed in the report but only to the extent relevant, including a statement if a matter is not relevant.

To assist Powerlink in assessing environmental effects, Appendix 1 of the Guidelines suggests relevant public sector entities and local governments as sources of advice and information on a range of matters.

1.3 Identification of matters likely to be of concern to other parties

The IAR includes a statement identifying:

- a) the matters likely to be of concern to other parties affected or likely to be affected by development for the proposed community infrastructure
- b) those other parties in (a) by type or organisation.

Parties to consider include:

- state public sector entities with a legislative or administrative responsibility in relation to the circumstances of the proposal
- Commonwealth government agencies with a legislative or administrative responsibility in relation to the circumstances of the proposal
- local governments
- owner/s of the land
- adjoining land owners
- community groups
- conservation groups
- Aboriginal or Torres Strait Islander groups
- business or industry associations
- other parties with an interest in the land such as lease or licence holders.

In this guideline, 'owner' has the meaning as defined under SPA. Further, 'adjoining land owner' has the meaning as defined under section 297(4) of the SPA.

1.4 Identification of state assessment requirements and applicable Commonwealth legislation

The IAR includes a statement identifying what assessment requirements apply to the proposed community infrastructure under state legislation (for both assessment under the integrated development assessment system (IDAS) under the SPA and outside that system) and Commonwealth legislation. The SPA, chapter 6 and the SPR identify state assessment requirements under SPA.

If all or part of the proposal may significantly impact upon a matter of national environmental significance, the proposal needs to be referred to the Commonwealth Department of the Environment for a determination as to whether or not it is a controlled action under section 67 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), requiring assessment under that legislation

Note also that SPA, section 207 recognises the completion of an EIS under the following Acts as being adequate environmental assessment and consultation for designation:

- SPA, chapter 9, part 2, division 2
- *State Development and Public Works Organisation Act 1971*, section 35
- *Environmental Protection Act 1994*, chapter 3, part 1.

Step 2 – Initial consultation with other parties

As a minimum, the IAR prepared in step 1 is given to:

- a) relevant local governments
- b) relevant public sector entities.

Any other parties identified in the IAR are also advised that a copy of that report is available for viewing, purchase or access via a website. If practicable considering the number of parties involved, advice is given by name and in writing to each party, otherwise by an alternative means such as public notice or letterbox drop.

Written submissions are invited from all parties within a period of at least 15 business days from the date the advice is given.

For the purposes of this manual, a notice that is posted is taken to be given when the notice is delivered to the receiving party's last known postal address.

Any other consultation activities considered appropriate may also be undertaken.

Step 3 – Finalisation of the initial assessment report or environmental impact study for public notification and second consultation with stakeholders

The IAR prepared in step 1 is modified and added to, as appropriate, following step 2, and includes:

- a) a list of the parties consulted (subject to their permission)
- b) a summary of all submissions and the account taken of the issues raised
- c) any further assessment of environmental effects of the proposal
- d) any additional strategies for managing the environmental effects
- e) a statement of any matters proposed to be included in the designation under the SPA, section 202
- f) any recommended changes to the Study Alignment.

The finalised IAR may, but does not need to, be in the form of an Environmental Impact Statement.

Step 4 – Public notification and second consultation with stakeholders and other parties

4.1 Consultation

Consultation may take any form or be as extensive as appropriate, but as a minimum:

- a) the proposed designation of land for community infrastructure is notified in a newspaper, as described below
- b) the owner/s of the affected land are given the same notice as in the newspaper (except that only the property of each individual owner needs to be shown) together with a plan showing the Preferred Alignment in relation to their property
- c) if practicable, considering the number of parties involved, each other party notified or given a copy of the report in step 2 is given the same notice as in the newspaper, preferably by personal mail or otherwise by letterbox drop.

The notice is given to the owner of the land and to each other party at about the same time as the notice is published in the newspaper. Written submissions are invited within a period of at least 15 business days taken from the day of public notification or the date the notice is given, whichever occurs later.

4.2 Public notification

Public notification is made at least once in a newspaper circulating generally in the area of each relevant local government, stating the following:

- a) a description or plan of the land proposed to be designated under SPA, chapter 5
- b) the type of the proposed community infrastructure
- c) the name and contact details of a person (telephone, fax and email) for further information about the proposed designation of land and the community infrastructure
- d) the website address for further information about the proposed designation of land and the community infrastructure (if applicable)
- e) that written submissions including the name and address of the submitter may be made to the contact person about any aspect of the proposed designation of land and development for the community infrastructure
- f) the date by which submissions must be made
- g) that a copy of the assessment report may be viewed during the consultation period, and the address where the report will be available for viewing or purchase, including a website address if available.

Attachment 1 of this manual provides a template for the notice for the owner and Attachment 2 of this manual provides a template for the notice in the newspaper and to other parties.

Step 5 – Preparation of the final assessment report for minister

Before the report for the minister is finalised, any public sector entity likely to be affected by any changes to the proposal arising from consultation under step 4 is advised and comments invited. A letter is also sent to each submitter advising of the account taken of the issues raised in their submission and the intention to provide a copy of the submission and the letter to the minister.

Also, if there is a period of three months or more between giving a notice to the owner of the land under step 4 and forwarding a report to the minister under this step:

- a) the owners' names are checked to identify any change in ownership
- b) each new owner is given the same notice as previously given to the former owner (except for the date by which submissions may be made)
- c) each new owner has 15 business days from the date the notice is given to make a written submission.

The final assessment report incorporates the following:

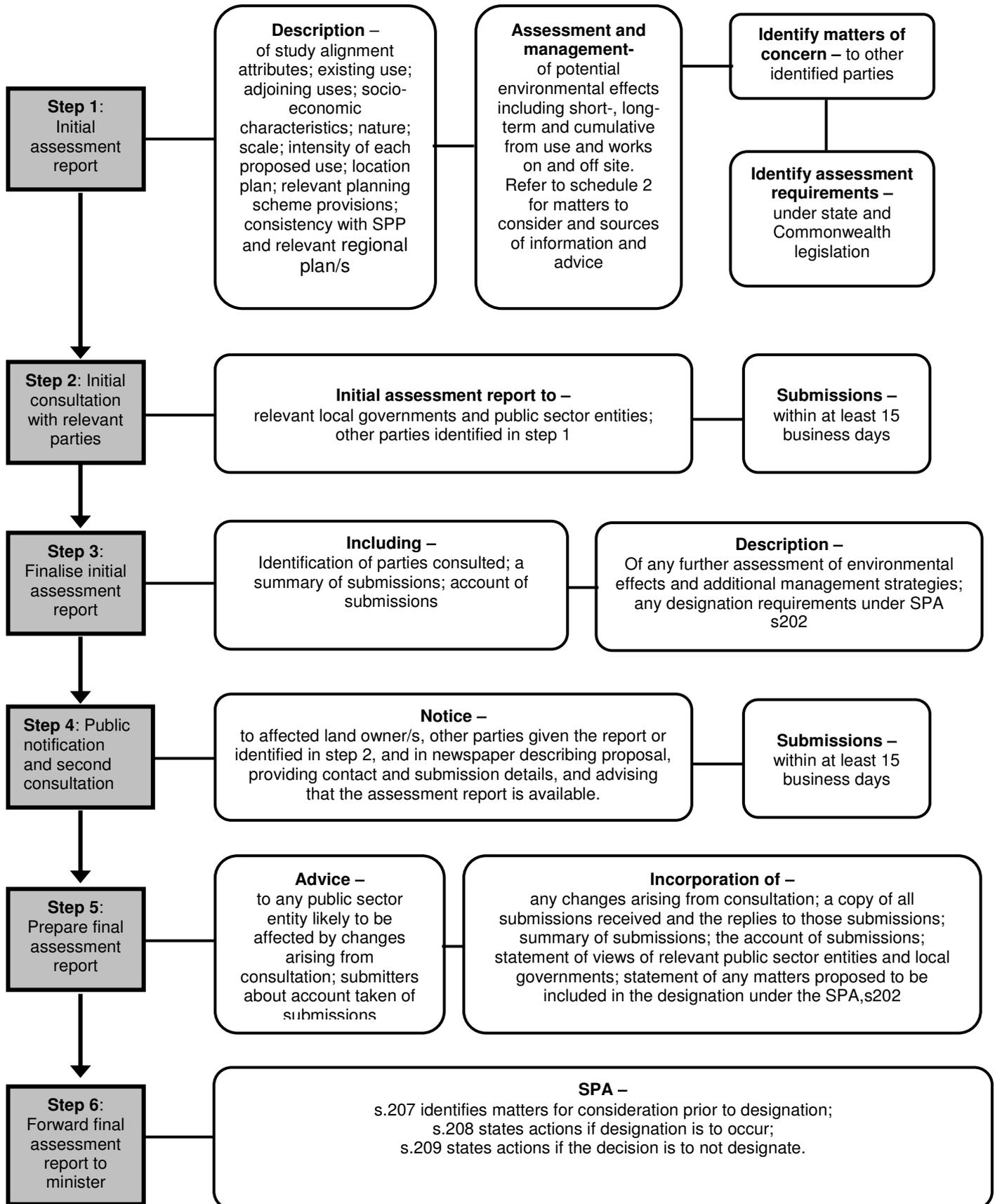
- a) a summary of any changes to the proposed designation arising from the consultation
- b) a copy of each submission received in step 4 and of each letter responding to those submissions
- c) a summary of all submissions from step 4 and the account taken of the issues raised
- d) a statement of the expressed views of each relevant public sector entity and each relevant local government
- e) a statement of any matters proposed to be included in the designation under SPA, section 202.

Step 6 – Forwarding of final assessment report to the minister to proceed under SPA

The report is forwarded to the minister for consideration under SPA, section 207. If the minister decides to designate, the SPA, section 208 states what the minister must do in relation to giving notice of the designation. Section 209 states that a notice is also to be given if the decision is not to proceed with a proposed designation.

Attachment 3 of this manual provides a template for a notice under SPA, section 208.

Flowchart summarising steps for environmental assessment and consultation for Part B of the manual



D Environmental Assessment and Consultation Procedures for a Minor Amendment of a Designated Corridor

The following describes procedures for environmental assessment and consultation for a minor amendment of a designated corridor.

A 'minor amendment' of a designated corridor means an amendment within the Study Corridor to take account of detailed site planning for construction of the community infrastructure.

An amendment of a designated corridor involves the removal of some land from an earlier designation, or the inclusion of other land, or both.

Having regard to the *Acts Interpretation Act 1954*, section 24AA, the amendment to the designation is made by following the same process as for the earlier designation specified under SPA, chapter 5.

Step 1 – Preparation of initial report on proposed amendment of existing designation

The purpose of the report is to assess the environmental effects of making a minor amendment to a designated corridor and to explain the basis for the amendment. The report includes the following:

- a) a description of any land to be removed from the designated corridor and any land to be included in the corridor
- b) based on the final assessment report for the earlier designation, a summary statement of any change in environmental effects arising from the amendment
- c) the reasons for making the amendment.

Step 2 – Public notification and consultation with stakeholders and other parties

A notice about the proposed amendment of the corridor is given to:

- a) each owner affected by the proposed amendment together with a plan showing the amendment in relation to their property
- b) each party notified or given a copy of the report for the earlier designation (for step 2 in part (B) affected by the proposed amendment) preferably by personal mail or otherwise by letterbox drop.

Written submissions are invited within a period of 15 days taken from the date the notice is given.

The notice states the following:

- a) that a corridor of land designated earlier for community infrastructure is proposed to be amended under SPA, chapter 5, by removing some land from the earlier designation, including other land, or both, as applicable, and as shown on accompanying plan/s
- b) the type of the proposed community infrastructure
- c) the name and contact details of a person (telephone, fax and email) for further information about the proposed amendment of the designated corridor
- d) that written submissions including name and address of the submitter may be made to the contact person about the proposed amendment of the designated corridor;
- e) the date by which submissions must be made
- f) that a copy of the report about the proposed amendment may be viewed during the consultation period, including a website address if available.

Attachment 4 of this manual provides a template for this notice.

Step 3 – Preparation of a report to the minister

Before the report for the minister is finalised, any public sector entity likely to be affected by any changes to the proposed amendment arising from consultation under step 2 is advised and comments invited. A letter is also sent to each submitter advising of the account taken of the issues raised in their submission.

The report for the minister incorporates the following:

- a) a request to amend a designated corridor by removing some land from the earlier designation, including other land, or both, as applicable
- b) a copy of each submission received on the amendment and of each letter responding to those submissions
- c) a summary of all submissions on the amendment and the account taken of the issues raised
- d) a statement of the expressed views of any relevant public sector entity and each relevant local government
- e) a statement of the matters proposed to be included in the designation under SPA, section 202.

Step 4 – Forwarding to minister

The report is forwarded to the minister for consideration under SPA, section 207. If the minister decides to designate, SPA, section 208, states what the minister must do in relation to giving notice of the designation. Section 209 states that a notice is also to be given if the decision is not to proceed with a proposed designation.

Attachment 5 of this manual provides a template for a notice of amendment of a designation.

ATTACHMENT 1—TEMPLATE FOR NOTICE OF PROPOSED DESIGNATION TO LAND OWNER

This template is for a notice of a proposed designation relating to step 4 in part B of the manual. It provides a sample format and content of the public notice that may be used for the owner of any land affected by the proposed designation.

Matters addressed in the template are consistent with minimum requirements for public notification to land owners stated in part B, step 4.

<p>Powerlink logo</p> <p>Notice of proposed ministerial designation of land for community infrastructure under the Sustainable Planning Act 2009</p>				
<p>Proposal for Minister to designate land</p> <p>Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland proposes to make a request to [Minister's name], Minister for [insert title of Minister administering the <i>Electricity Act 1994</i>], to designate land for community infrastructure under the <i>Sustainable Planning Act 2009</i> chapter 5. Powerlink Queensland invites submissions about the proposed designation.</p>				
<p>Description of the land to which the proposed designation applies</p> <p>The accompanying plan/s shows how the proposed designation affects your property described below—</p>				
Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government
<p>Type of community infrastructure for which the land is proposed to be designated</p> <p>The land is proposed to be designated for Powerlink Queensland's proposed [name of transmission line] project which comprises [list components, e.g. substations, a transmission line, an access track].</p> <p>This community infrastructure is described under the <i>Sustainable Planning Regulation 2009</i> schedule 2 as—</p> <p>(k) operating works under the <i>Electricity Act 1994</i>.</p>				

How to view details of the proposed designation of land and development for the community infrastructure

A copy of the assessment report [including other details such as plans, etc] about the proposed designation of land and development for the community infrastructure may be viewed at the office of **Powerlink Queensland, 33 Harold Street, Virginia, Brisbane** between [**date month year** (show in bold)] and [**date month year** (show in bold)] or contact Powerlink Queensland for a copy of the assessment report in CD format.

A copy of the assessment report [including other details such as plans, etc] may also be downloaded from the [Powerlink's or name other] website at [www.xxx.com.au].

For further information about the proposed designation

Any questions about the proposed designation of land and development for the community infrastructure should be directed to [contact officer's name, position] at Powerlink Queensland on telephone [(07) **XXXX XXXX** (show in bold)], fax [(07) **XXXX XXXX** (show in bold)] or at email address [xxx.@powerlink.com.au (show in bold)].

Making a submission about the proposed designation

Any person or entity may make a submission about any aspect of the proposed designation of land and development for the community infrastructure. The submission should—

- be in writing, dated and signed by each person or entity who made the submission;
- state the name and address of each person or entity who made the submission; and
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Submissions are to be addressed to [contact officer's name, position] **Powerlink Queensland, PO Box 1193, Virginia, QLD 4014** and received on or before [**day month year** (show in bold)].

Any submissions will be considered by Powerlink Queensland, and a response given to each submitter on the issues raised, before a report is given to the Minister for the Minister's decision on the proposed designation.

ATTACHMENT 2—TEMPLATE FOR NOTICE OF PROPOSED DESIGNATION FOR NEWSPAPER AND PARTIES OTHER THAN OWNERS

This template is for a notice of a proposed designation relating to step 4 in part B of the manual. It provides a sample format and content of the public notice that may be used:

- in a local newspaper
- for each other party other than the land owner notified or given a copy of the report in step 2 of part B (Initial consultation with other parties).

Matters addressed in the template are consistent with the minimum public notification requirements for the newspaper and parties other than land owners stated in part B, step 4.

Powerlink logo

**Notice of proposed Ministerial designation of land
for community infrastructure
under the Sustainable Planning Act
2009**

Proposal for Minister to designate land
Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland proposes to make a request to [Minister's name], Minister for [insert title of Minister administering the *Electricity Act 1994*], to designate land for community infrastructure under the *Sustainable Planning Act 2009*, chapter 5. Powerlink Queensland invites submissions about the proposed designation.

Description of the land to which the proposed designation applies
The proposed Ministerial designation applies to [easements or land or existing easements or whole lots] described in the table below. This land is located at [refer to locality, significant geographical features, e.g. roads, forest, existing substation.]³

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Type of community infrastructure for which the land is proposed to be designated
The land is proposed to be designated for Powerlink Queensland's proposed [name of transmission line] project which comprises [list components, e.g. substations, a transmission line, an access track].

² This second sentence is only included if appropriate having regard to the extent of land affected.

This community infrastructure is described under the *Sustainable Planning Regulation 2009*, schedule 2 as—

(k) operating works under the *Electricity Act 1994*.

How to view details of the proposed designation of land and development for the community infrastructure

A copy of the assessment report [including other details such as plans, etc] about the proposed designation of land and development for the community infrastructure may be viewed at the office of **Powerlink Queensland, 33 Harold Street, Virginia, Brisbane** or at the library of any local government listed above between [date month year (show in bold)] and [date month year (show in bold)].

A copy of the assessment report [including other details such as plans, etc] may also be downloaded from the [Powerlink's or name other] website at [www.xxx.com.au].

For further information about the proposed designation

Any questions about the proposed designation of land and development for the community infrastructure should be directed to [contact officer's name, position] at Powerlink Queensland on telephone [(07) XXXX XXXX (show in bold)], fax [(07) XXXX XXXX (show in bold)] or at email address [xxx.@powerlink.com.au (show in bold)].

Making a submission about the proposed designation

Any person or entity may make a submission about any aspect of the proposed designation of land and development for the community infrastructure. The submission should—

- be in writing, dated and signed by each person or entity who made the submission;
- state the name and address of each person or entity who made the submission; and
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Submissions are to be addressed to [contact officer's name, position] **Powerlink Queensland, PO Box 1193, Virginia, QLD 4014** and received on or before [day month year (show in bold)].

Any submissions will be considered by Powerlink Queensland, and a response given to each submitter on the issues raised, before a report is given to the Minister for the Minister's decision on the proposed designation.

ATTACHMENT 3—TEMPLATE FOR NOTICE OF DESIGNATION

This template is for a notice of designation relating to step 6 in part B of the manual, and to the SPA, section 208 (Procedures after designation). The template is consistent with the requirements of the notice stated under subsection (2).

Subsection (1) states that a copy of the notice must be given to each owner of the land, each local government given a notice under section 207 (4)(b) and the chief executive.

In addition, subsection (3) states that the minister must publish a gazette notice stating that the designation has been made, the description of the land, and the type of community infrastructure for which the land has been designated.

This template may be used for notification under both subsections (1) and (3), although some information is not required for the gazette notice as noted in footnote 4.

<p>Powerlink logo</p> <p>Notice of proposed Ministerial designation of land for community infrastructure under the Sustainable Planning Act 2009</p>					
<p>A Ministerial designation has been made</p> <p>I, [Minister's name], Minister for [insert title of Minister administering the <i>Electricity Act 1994</i>], give notice that under the <i>Sustainable Planning Act 2009</i>, chapter 5, I made a Ministerial designation of land for community infrastructure on [day month year e.g. 5 May 2004]. The designation is in respect of land on which Queensland Electricity Transmission Corporation Limited (trading as Powerlink Queensland) proposes to build community infrastructure.</p> <p>[The designation will take effect from [day month year e.g. 28 June 2004]]⁴</p>					
<p>Description of the land to which the designation applies</p> <p>The Ministerial designation applies to [whole lots, proposed new easements, existing easements and areas of land] described in the table below—</p>					
	Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

³ Only include this sentence if designation does not take effect on day the designation is notified in the gazette. Under the SPA, section 210 (b)(ii) a designation may commence on a date later than the date the designation is notified in the gazette.

Type of community infrastructure for which the land has been designated

The land has been designated for Powerlink Queensland's proposed [name of transmission line] project which comprises [list components, e.g. substations, a transmission line, an access track].

This community infrastructure is described under the *Sustainable Planning Regulations 2009*, schedule 2 as—

(k) operating works under the *Electricity Act 1994*.

Matters included as part of the designation under the Sustainable Planning Act 2009, section 202 (What designations may include) ⁵

The designation for community infrastructure is made subject to the following requirements—

1.....

2.....

[List requirements about the works or use of land for the community infrastructure, and any other requirements included in the designation that are designed to lessen the impacts or use of the land for community infrastructure.].

[MINISTER'S NAME] MP

Minister for [insert title of Minister administering the Electricity Act 1994]

Dated: [date month year]

² Only include this statement if such matters are part of the designation. However, this information is not required for the gazette notice. [SPA, s 208 (3).]

ATTACHMENT 4—TEMPLATE FOR NOTICE OF PROPOSED

AMENDMENT OF A CORRIDOR

This template is for a notice of a proposed amendment of a corridor relating to step 2 in part C of the manual. It provides a sample format and content of the public notice that may be used:

- for the owner affected by the proposal
- for each other party notified or given a copy of the report in step 2 in part B (Initial consultation with other parties) affected by the proposed amendment.

Matters addressed in the template are consistent with minimum public notification requirements stated in part C, step 2.

<p>Powerlink logo</p> <p>Notice of proposed amendment of land designated for community infrastructure under the Sustainable Planning Act 2009</p>
<p>Proposal for Minister to amend land designated for community infrastructure</p> <p>Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland proposes to make a request to [Minister's name], Minister for [insert title of Minister administering the <i>Electricity Act 1994</i>], to amend a corridor of land designated earlier for community infrastructure under the <i>Sustainable Planning Act 2009</i>, chapter 5, by—</p> <ul style="list-style-type: none"> • removing some land from the earlier designation; and • designating additional land ⁶.
<p>Submissions are invited about the proposed amendment.</p>
<p>The affected land is described below and shown on the accompanying plan/s.</p>
<p>Type of community infrastructure for which the additional land is proposed to be designated</p> <p>The land is proposed to be designated for the same purpose as the existing designation being Powerlink Queensland's proposed [name of transmission line] project which comprises [list components, e.g. substations, a transmission line, an access track].</p>
<p>This community infrastructure is described under the <i>Sustainable Planning Regulation 2009</i>, schedule 2 as—</p> <p>(k) operating works under the <i>Electricity Act 1994</i>.</p>

³ Modify this and later sections, as appropriate, if the amendment does not involve both the removal and addition of land.

Description of the land proposed to be removed from the earlier designation

It is proposed that the following [easements] will no longer be subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Description of the additional land proposed to be included in the earlier designation

It is proposed that the following [easements] will be designated and made subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Reason for the proposed amendment

The reason for the proposed amendment to the earlier designation is that [state reason e.g. parts of the previously designated route for the transmission line have been realigned].

How to view details of the proposed amendment to designated land

The report [including other details such as plans, etc] about the proposal to amend a corridor of land designated earlier for electricity operating works is enclosed in CD format.

For further information about the proposed amendment to designated land

Any questions about the proposal to amend a corridor of land designated earlier for electricity operating works should be directed to [**contact officer's name, position**, (show in bold)] on telephone [(07) **XXXX XXXX** (show in bold)], fax [(07) **XXXX XXXX** (show in bold)] or at email address [**xxx@powerlink.com.au** (show in bold)].

Making a submission about the proposed amendment to designated land

Any person or entity may make a submission about any aspect of the proposed amendment to the designation of land and development for the community infrastructure. The submission should—

- be in writing, dated and signed by each person or entity who made the submission;
- state the name and address of each person or entity who made the submission; and
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Submissions are to be addressed to [**contact officer's name, position**] **Powerlink Queensland, PO Box 1193, Virginia, QLD 4014** and received on or before [**day month year** (show in bold)].

Any submissions will be considered by Powerlink Queensland, and a response given to each submitter on the issues raised, before a report is given to the Minister for the Minister's decision on the proposed amendment to an earlier designation.

ATTACHMENT 5— TEMPLATE FOR NOTICE OF AMENDMENT OF A DESIGNATED CORRIDOR

This template is for a notice of an amendment of a corridor relating to step 4 in part C of the manual, and to the SPA, section 208 (Procedures after designation). The template is consistent with the requirements of the notices stated under section 208 (2).

Subsection (1) states that a copy of the notice must be given to each owner of the land, each local government given a notice under section 207(4)(b) and the chief executive. In addition, subsection (3) states that the minister must publish a gazette notice stating that the designation has been made, the description of the land, and the type of community infrastructure for which the land has been designated. This template may be used for notification under both subsections (1) and (3), although some information is not required for the gazette notice as noted in footnote 9.

<p style="text-align: center;">Powerlink logo</p> <p style="text-align: center;">Notice of proposed Ministerial designation of land for community infrastructure under the Sustainable Planning Act 2009</p> <p>An amendment of land designated for community infrastructure has been made by a Minister I, [Minister's name], Minister for [insert title of Minister administering the <i>Electricity Act 1994</i>], give notice that under the <i>Sustainable Planning Act 2009</i>, chapter 5, I have amended a corridor of land designated earlier for community infrastructure by—</p> <ul style="list-style-type: none">• removing some land from the earlier designation; and• designating additional land ⁷. <p>[The designation will take effect from [day month year e.g. 28 June 2004]⁸.</p> <p>Reason for amendment The reason for the amendment to the earlier designation is [state reason, e.g. that the transmission line has been realigned and the designated corridor has been amended accordingly].</p> <p>Type of community infrastructure for which the additional land is designated The land is designated for the same purpose as the earlier designation, being the proposed [name of transmission line] project comprising [list components, e.g. substations, a transmission line, an access track]. This is a project of the Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland.</p>
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⁴ Modify this and later sections, as appropriate, if the amendment does not involve both the removal and addition of land.

⁵ Only include this sentence if designation does not take effect on day the designation is notified in the gazette. Under the SPA, section 210 (b)(ii) a designation may commence on a date later than the date the designation is notified in the gazette.

This community infrastructure is described under the *Sustainable Planning Regulations 2009*, schedule 2 as—

(k) operating works under the *Electricity Act 1994*.

Details of the amendment to the earlier designation

The following [easements or areas] are no longer subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

The following [easements or areas] have now been designated and are subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Matters included as part of the designation under the Sustainable Planning Act 2009, section 202 (What designations may include) ⁹

The designation for community infrastructure is made subject to the following requirements—

- 1.....
- 2
- .
- ...
- .
- .

[List requirements about the works or use of land for the community infrastructure, and any other requirements included in the designation that are designed to lessen the impacts or use of the land for community infrastructure.].

[MINISTER'S NAME] MP

Minister for [insert title of Minister administering the Electricity Act 1994]

Dated: [date month year]

⁶ Only include this statement if such matters are part of the designation. However, this information is not required for the gazette notice. [SPA, s 208 (3).]

Appendix 5. Distributor Manual

MANUAL FOR ELECTRICITY DISTRIBUTORS IN UNDERTAKING ENVIRONMENTAL ASSESSMENT AND CONSULTATION PROCEDURES FOR DESIGNATING LAND FOR COMMUNITY INFRASTRUCTURE

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PART A INTRODUCTION

The provision of reliable electricity supply is paramount to Queensland's future. Electricity reliability and security standards are mandated by State and Commonwealth legislation, policies and codes. Therefore it is crucial that the planning system supports both the protection of existing assets as well as providing and accommodating future electricity needs. Queensland is growing and over the next ten years is expected to welcome an additional two million people across the state. This growth will bring increased demand and expectation on essential infrastructure including electricity.

The purpose of this manual is to outline the procedures for electricity distributors in seeking designation for community infrastructure. In using this manual, the term "electricity distributors" means Energex Limited (Energex) and Ergon Energy Corporation Limited (Ergon Energy). Both Energex and Ergon Energy are government owned corporations as constituted under the *Government Owned Corporations Act 1993* and are providers of community infrastructure.

In accordance with chapter 5 of the SPA, operating works under the *Electricity Act 1994* are deemed to be community infrastructure. As per section 12 (3) of the *Electricity Act* operating works for a distribution entity are defined as – *the supply network and other property used for operating or managing the supply network*.

The primary function of electricity distributors' is the development, operation and maintenance of the electricity distribution networks in Queensland. The electricity distributors are responsible for delivering electricity from the high voltage transmission grid operated by Queensland Electricity Transmission Corporation Limited (trading as Powerlink Queensland) to commercial, industrial and domestic customers in Queensland.

Energex's distribution network spans more than 25,000 square kilometres throughout South East Queensland (SEQ) and, includes 56,000 kilometres of overhead and underground electric lines and cables, approximately 220 substations and 39,000 transformers.

Ergon Energy's distribution area covers the remaining 98% of Queensland, and includes over 150,000 kilometres of overhead electric lines and one million power poles, along with associated infrastructure such as major substations and power transformers.

To support the delivery and management of the supply network, section 760 of the SPA provides that the chief executive may make guidelines about environmental assessment and public consultation procedures for designating land for community infrastructure under chapter 5 of the SPA.

This manual forms part of the guidelines issued by the chief executive pursuant to section 207 of the SPA called "*Guidelines about Environmental Assessment and Public Consultation Procedures for Designating Land for Community Infrastructure April 2014*" (**the CID Guidelines**).

As per Part 2 of the CID Guidelines the procedures for environment assessment and consultation that apply for designating land for community infrastructure are either:

- (a) the procedures described in part 3 of the CID Guidelines
- (b) another process used by a community infrastructure provider recognised by the chief executive including those processes outlined in Appendix 4 and 5,

This manual provides 'another process' used by the electricity distributors (as community infrastructure providers) for environmental assessment and consultation that is recognised by the chief executive. For clarity this manual deals with procedures outside the process identified in Part 3 of the CID Guidelines and for a minor amendment of a designated a site or corridor by way of removal or inclusion of land or both for an existing designation.

PART B NEED IDENTIFICATION AND PRE-CONSULTATION ACTIVITIES

Prior to undertaking the steps as outlined in either Part C or Part D of this manual, the electricity distributor will have undertaken a detailed need identification and area selection process as a precursor to the selection of a new substation site or power line corridor. This Part B outlines a typical process that may be followed. Need Identification is guided by, and required under, State and Commonwealth legislation and policies and codes. These include mandated security and reliability standards.

- a) **Identification of Need** – Through forecasting, a need to take some form of action to maintain reliable and/or secure electricity supply to Queensland consumers is identified.
- b) **Area Selection** – The electricity distributors identify and assess all feasible area options that will meet the identified need. This may take many forms, but involves a base mapping exercise to identify opportunities and constraints and come up with a series of site and/or corridor options for further analysis. Area selection may also occur as part of broader Government planning exercises (e.g making planning schemes, Local Plans, Structure Plans, Priority Development Area etc.).

General discussions are conducted with major stakeholders, such as key government agencies, elected representatives and relevant local governments. The aim of these discussions is to obtain as much of the base data needed to analyse all of the potential site/corridor options within the **Study Area**. ('Study Area' means an area within which either a site proposed for the construction of a new substation, or a corridor proposed for the construction of a new sub-transmission line or distribution line may be located.)

For projects involving either the upgrade of an existing site or the expansion of an existing site, verification of the suitability of the expansion/upgrade may be undertaken instead of the broader area selection process.

This Part B is provided for context and background to the processes electricity distributors undertake prior to seeking designation. Part B is at the discretion of the electricity distributor. Part B is not a mandatory step for the processes under the SPA. The steps contained in Part D are the mandatory processes to satisfy statutory requirements under the SPA.

PART C SITE/CORRIDOR SELECTION AND PRELIMINARY CONSULTATION

Once the Area Selection process has been completed, the electricity distributor will have identified a number of site/corridor options for analysis.

For line corridors, preliminary consultation then commences with stakeholders. Both Ergon Energy and Energex understand that preliminary consultation with parties likely to be affected by a proposed community infrastructure designation, including the relevant local government, can be beneficial in informing the initial assessment report, particularly where there is flexibility around the location of land to be designated. This consultation can be used to inform the various location constraints and alignment/design of the development, better identify affected parties and better identify potential environmental impacts and revise the preliminary corridor if warranted.

There are no statutory requirements for the form or type of preliminary consultation required or the period for consultation. The consultation could take the form of:

- meetings with the relevant local government, state and Commonwealth public sector entities
- community forums in the local area
- a discussion paper distributed to parties likely to be affected for comment
- meetings with parties likely to be affected
- internet, phone or social media based feedback forms.

To remove any doubt, the level of preliminary consultation contained in this Part C is at the discretion of the entity seeking a community infrastructure designation.

Following the preliminary consultation, the site or revised corridor (the **Study Site/Corridor**) is the subject of detailed environmental assessment and consultation as set out in Part 3 of the CID Guidelines.

For corridors, the final alignment is not identified until Step 6 of the process contained in Part 3 of the CID Guidelines.

PART D - PROCEDURES FOR DESIGNATING LAND

The procedures for environment assessment and consultation by which an electrical distributor will seek a designation are as per Part 3 of the CID Guidelines.

PART E PROCEDURES FOR A MINOR AMENDMENT OF A DESIGNATED SITE/CORRIDOR

The following describes procedures for environmental assessment and consultation for a minor amendment of a designated site/corridor.

A 'minor amendment' of a designated site/corridor means an amendment within the Study Area to take account of detailed site planning for construction of the community infrastructure.

An amendment of a designated site/corridor involves the removal of some land from an earlier designation, or the inclusion of other land, or both.

Having regard to the *Acts Interpretation Act 1954*, section 24AA, the amendment to the designation is made by following the following process:

Step 1 Initial assessment report on proposed amendment to existing designation

The purpose of the report is to assess the environmental effects (as identified in Appendix 1 of the CID Guidelines) of making a minor amendment to a designated site/corridor and to explain the basis for the amendment.

The report includes the following—

- (a) a description of any land to be removed from the designated site/corridor and/or any land to be included in the site/corridor
- (b) based on the final assessment report for the approved designation, a summary statement of any change in environmental effects arising from the amendment
- (c) the reasons for making the amendment.

Step 2 Public notification and consultation with stakeholders and other parties

As per previous designations, public notification and consultation with stakeholders is also required for any proposed amendment to the designation. This is to include:-

- (a) providing a notice about the proposed amendment of the site/corridor to each owner affected by the proposed amendment together with a plan showing the amendment in relation to their property;
- (b) providing a copy of the IAR as prepared in Step 1 to each of the affected owners as well as any party where a report for the existing designation was provided prior to the amendment being sought.

The notice and report provided in (a) and (b) above is to be provided by mail or letterbox drop.

Written submissions are invited within a period of 15 days taken from the date the notice is given.

The notice states the following—

- (c) that a site/corridor of land designated earlier for community infrastructure under the SPA chapter 5 is proposed to be amended by removing some land from the earlier designation
- (d) including other new land, or both, as applicable, and as shown on accompanying plan/s
- (e) the type of the proposed community infrastructure
- (f) the name and contact details of a person (telephone and email) for further information about the proposed amendment of the designated site/corridor

- (g) that written submissions including name and address of the submitter may be made to the contact person about the proposed amendment of the designated site/corridor
- (h) the date by which submissions must be made
- (i) that a copy of the report about the proposed amendment may be viewed during the consultation period, including a website address if available.

Attachment 1 of this manual provides a template for this notice.

Step 3 Preparation of a report to the minister

Before the report for the minister is finalised, any public sector entity likely to be affected by any changes to the proposed amendment arising from consultation under step 2 is advised. A letter is also sent to each submitter advising of how the issues raised in their submission have been considered, and the intention to provide a copy of the submission and letter to the minister.

The report for the minister incorporates the following—

- (a) a request to amend a designated site/corridor by removing some land from the earlier designation, including other new land, or both, as applicable
- (b) a copy of each submission received on the amendment and of each letter responding to those submissions
- (c) a summary of all submissions on the amendment and the account taken of the issues raised
- (d) a statement of the expressed views of any relevant public sector entity and each relevant local government
- (e) a statement of the matters proposed to be included in the designation under the SPA, section 202.

Step 4 Forwarding to minister

The report is forwarded to the minister for consideration under the section 207 of the SPA. If the minister decides to amend the designation, SPA, section 208, states what the minister must do in relation to giving notice of the designation. Section 209 states that a notice is also to be given if the decision is not to proceed with a proposed designation.

Attachment 2 of this manual provides a template for a notice of amendment of a designation.

ATTACHMENT 1—TEMPLATE FOR NOTICE OF PROPOSED AMENDMENT OF A SITE/CORRIDOR

This template is for a notice of a proposed amendment of a site/corridor relating to step 2 in Part E of the manual. It provides a sample format and content of the public notice that may be used—

- for the owner affected by the proposal
- for each other party notified or given a copy of the report in step 2 in Part 3 (Initial consultation with other parties) affected by the proposed amendment.

Matters addressed in the template are consistent with minimum public notification requirements stated in Part D, step 2.

Electricity distributor's logo

Notice of proposed amendment of land designated for community infrastructure under the *Sustainable Planning Act 2009*

Proposal for Minister to amend land designated for community infrastructure
[name of electricity distributor] proposes to make a request to [Minister's name], Minister for [insert title of Minister administering the *Electricity Act 1994*], to amend a [site/corridor] of land designated earlier for community infrastructure under chapter 5 of the Sustainable Planning Act 2009, by—

- removing some land from the earlier designation; and/or
- designating additional land.⁶

Submissions are invited about the proposed amendment.

The affected land is described below and shown on the accompanying plan/s.

Type of community infrastructure for which the additional land is proposed to be designated
The land is proposed to be designated for the same purpose as the existing designation being [name of electricity distributor's] proposed [name of project] project which comprises [list components, e.g. a substation, a line, an access track].

This community infrastructure is described under the *Sustainable Planning Regulation 2009*, Schedule 2 as—

(k) operating works under the *Electricity Act 1994*.

⁶ Modify this and later sections, as appropriate, if the amendment does not involve both the removal and addition of land.

Description of the land proposed to be removed from the earlier designation

It is proposed that the following [easements] will no longer be subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Description of the additional land proposed to be included in the earlier designation

It is proposed that the following [easements] will be designated and made subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Reason for the proposed amendment

The reason for the proposed amendment to the earlier designation is that [state reason e.g. parts of the previously designated route for the distribution line have been realigned].

How to view details of the proposed amendment to designated land

The report [including other details such as plans, etc] about the proposal to amend a [site/corridor] of land designated earlier for electricity operating works is enclosed in CD format.

For further information about the proposed amendment to designated land

Any questions about the proposal to amend a [site/corridor] of land designated earlier for electricity operating works should be directed to [contact officer's name, position, (show in bold)] on telephone [(07) XXXX XXXX (show in bold)], or at email address [xxx.@xxx.com.au (show in bold)].

Making a submission about the proposed amendment to designated land

Any person or entity may make a submission about any aspect of the proposed amendment to the designation of land and development for the community infrastructure. The submission should—

- be in writing, dated and signed by each person or entity who made the submission;
- state the name and address of each person or entity who made the submission; and
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Submissions are to be addressed to [contact officer's name, position] [name of electricity distributor and full address] and received on or before [day month year (show in bold)].

Any submissions will be considered by [name of electricity distributor], and a response given to each submitter on the issues raised, before a report is given to the Minister for the Minister's decision on the proposed amendment to an earlier designation.

ATTACHMENT 2— TEMPLATE FOR NOTICE OF AMENDMENT OF A DESIGNATED SITE/CORRIDOR

This template is for a notice of an amendment of a site/corridor relating to step 4 in Part E of the manual, and to the SPA, section 208 (Procedures after designation). The template is consistent with the requirements of the notices stated under section 208 (2).

Subsection (1) states that a copy of the notice must be given to each owner of the land, each local government given a notice under section 207(4) and the chief executive. In addition, section 208 (3) states that the Minister must publish a gazette notice stating that the designation has been made, the description of the land, and the type of community infrastructure for which the land has been designated. This template may be used for notification under both subsections (1) and (3), although some information is not required for the gazette notice as noted in footnote 9.

INSERT LOGO

**Notice of amendment of land designated for
community infrastructure under the
*Sustainable Planning Act 2009***

An amendment of land designated for community infrastructure has been made by a Minister

I, [Minister's name], Minister for [insert title of Minister administering the *Electricity Act 1994*], give notice that I have amended a [site/corridor] of land designated earlier for community infrastructure under the *Sustainable Planning Act 2009 Chapter 5*, by—

- removing some land from the earlier designation; and /or
- designating additional land ⁷.

[The designation will take effect from [day month year e.g. 28 June 2013]]⁸.

Reason for amendment

The reason for the amendment to the earlier designation is [state reason, e.g. that the distribution line has been realigned and the designated site/corridor has been amended accordingly].

Type of community infrastructure for which the additional land is designated

The land is designated for the same purpose as the earlier designation, being the proposed [name of project] project comprising [list components, e.g. a substation, a line, an access track]. This is a project of [name of electricity distributor].

⁷ Modify this and later sections, as appropriate, if the amendment does not involve both the removal and addition of land.

⁸ Only include this sentence if designation does not take effect on day the designation is notified in the gazette. Under the SPA, section 210 (b)(ii) a designation may commence on a date later than the date the designation is notified in the gazette.

This community infrastructure is described under the *Sustainable Planning Regulation 2009*, schedule 2 as—

(k) operating works under the *Electricity Act 1994*.

Details of the amendment to the earlier designation

The following [easements or areas] are no longer subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

The following [easements or areas] have now been designated and are subject to the earlier designation—

Easement /Area Reference	Easement /Area Plan No.	Lot number	Survey Plan No.	Local Government

Matters included as part of the designation under the *Sustainable Planning Act 2009*, section 202 (What designations may include) ⁹

The designation for community infrastructure is made subject to the following requirements—

- 1.....
- 2.....

[List requirements about the works or use of land for the community infrastructure, and any other requirements included in the designation that are designed to lessen the impacts or use of the land for community infrastructure.]

[MINISTER'S NAME] MP

Minister for [insert title of Minister administering the *Electricity Act 1994*]

Dated: [date month year]

⁹ Only include this statement if such matters are part of the designation. However, this information is not required for the gazette notice. [SPA, s208 (3).]