

Question on Notice

No. 633

Asked on 21 April 2006

MR CALTABIANO asked the Minister for Transport and Main Roads (MR LUCAS) –

QUESTION:

Will he provide a detailed breakdown of the total cost and funding structures for the following aspects of the Tugun Bypass Project as set out below:

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Questions on Notice asked on Friday, 21 April 2006

	\$ Cost	\$ Funding		
		Local	State	Federal
Planning:				
• Route				
• Environment				
• Other matters				
Design:				
• Roads				
• Tunnels				
• Bridges				
• Environmental features				
• Other matters				
Construction:				
• Roads				
• Tunnels				
• Bridges				
• Road furniture				
• Environmental treatments				
• Land acquisition				
• Other matters				
Maintenance:				
• Roads				
• Structures				
• Landscaping				
• Other matters				

ANSWER:

I thank the Honourable Member for his question.

With respect to the breakdown in funding, there is no local government contribution. The Federal Government contribution is a lump sum contribution to the total project, not a series of contributions for specific aspects/items.

In March 2003, the Federal Government matched a \$120m by the Queensland Government. The basis of the Federal Government contribution was that it was a capped amount. It should be noted that the Federal Government has not paid a cent towards the cost of the Tugun Bypass at this stage.

This was the last major allocation the Federal Government has provided for Gold Coast roads, despite the Liberal Party holding four safe seats there. Between July 2003 and June 2006, the Queensland Government will have provided \$350m for Gold Coast roads. It is disappointing that in the May 9 Budget, the Gold Coast was again neglected. Over the next four years, Queensland has committed \$1.16b to Gold Coast roads, including our commitment to planning for the upgrade of the Pacific Motorway which links in with the Tugun Bypass.

The Federal Treasurer announced an extra \$160m matching funding for the Pacific Highway in New South Wales on top of the existing commitment of \$160m over 10 years. I would urge the Honourable Member, as Shadow Transport spokesperson, to work harder with his Federal and State coalition members on the Gold Coast to convince Canberra to provide a fair share of funding to one of the fastest growing areas in Queensland.

Following an exhaustive environmental impact assessment and approvals process, the estimated total cost of the project is now \$543m. For the benefit of the Honourable Member, I attach the Federal Government's conditions on which approval for the project was given. Managing the project's environmental aspects and the costs associated with these have built into the project's various components. Project increases have also been brought about by the sharp rise in construction costs during this phase. While the Federal Government's contribution currently remains at \$120m, the Queensland Government has stepped up to the mark and will provide the additional funding to ensure this important piece of infrastructure is delivered, not only for the people of Queensland, but also for the people of New South Wales and all Australians.

The Department of Main Roads has provided the following costings.

Attachment A

	Cost \$m (\$2005) State \$423m Federal \$120m
Planning & Preliminary Design	31
Stewart Road Interchange Completed and opened to traffic Dec 2004	18
Design & Construction	
• Design	14
• Roads	136
• Tunnels	198
• Bridges	18
• Environmental treatments	11
• Land acquisition & GCAL compensation	45
• Project insurance	7
• Project legal & contract agreements	1.5
• Contract administration	26
• Project verification	8
Risk & Contingency Reserve	29

28 FEB 2006



SENATOR THE HON IAN CAMPBELL
Minister for the Environment and Heritage
Senator for Western Australia

Hon. Paul Lucas MP
Minister for Transport and Main Roads
GPO Box 2644
BRISBANE QLD 4001

16 FEB 2006

Dear Minister

Paul,

Thank you for your letter of 20 January 2006 concerning the Tugun Bypass.

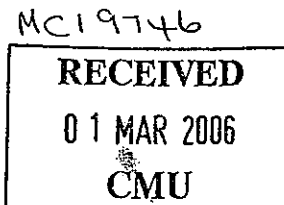
I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* and have decided to grant an approval. The proposal must be undertaken in accordance with the conditions specified in the approval, which I have attached for your information.

I have written separately to the Department of Main Roads and the NSW Roads and Traffic Authority to advise them of my decision.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Ian Campbell'.

IAN CAMPBELL



COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION TO APPROVE THE TAKING OF AN ACTION

Pursuant to section 133 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, IAN GORDON CAMPBELL, Minister for the Environment and Heritage, approve the taking of the following action:

The proposed action to construct and operate the Tugun Bypass, extending from Stewart Road, Currumbin, Queensland, through the Gold Coast Airport, to Kennedy Drive, Tweed Heads, New South Wales, and associated infrastructure and activities (EPBC 2004/1861).

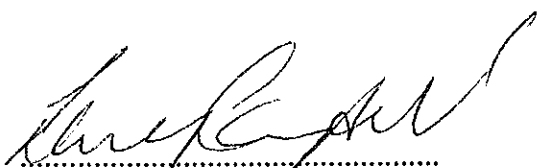
by the Queensland Department of Main Roads and the New South Wales Roads and Traffic Authority subject to the conditions set out in ANNEXURE 1.

This approval has effect for:

Sections 18 and 18A (Listed threatened species and communities); and
Sections 26 and 27A (Protection of the environment from actions involving Commonwealth land) of the *Environment Protection and Biodiversity Conservation Act 1999*

This approval has effect until 31 December 2016.

Dated this 16TH day of FEBRUARY, 2006 .


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IAN GORDON CAMPBELL

ANNEXURE 1

1. The person taking the action must prepare and implement plans addressing the requirements outlined below. The plans must be submitted to the Minister for approval, and construction may not commence until the Minister approves them. A review from the Environmental Management Representative (EMR) must be attached to each plan when it is submitted, outlining the adequacy of the measures in the plan to protect the environment, as required under paragraph 3.

(a) A Soil and Water Management Plan that:

- identifies the environmental features that may be adversely impacted by deterioration in surface water quality;
- identifies the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site;
- describes management methods to minimise soil erosion or discharge of sediment or water pollutants from the site including a strategy to minimise the area of bare surfaces during construction;
- describes the location and capacity of erosion and sediment control measures;
- describes design measures to mitigate impacts on water quality from sedimentation and water pollution during the operation of the Bypass;
- identifies the timing and conditions under which construction stage controls will be decommissioned;
- includes contingency plans to be implemented for events such as fuel and chemical spills;
- identifies how the effectiveness of the sediment and erosion control system will be monitored, reviewed and updated;
- includes a program for monitoring water quality before, during and after construction. The program must specify the parameters to be monitored, acceptable levels (based on the ANZECC 2000 Water Quality Guidelines for Fresh and Marine Water Quality), the response thresholds and the response activities.

(b) A Groundwater Management Plan detailing:

- objectives for groundwater management;
- proposed measures to achieve those objectives;
- uncertainties in meeting the objectives and how they will be addressed through further testing and/or modeling;
- monitoring of groundwater levels and quality before, during and after construction, including methodology, parameters to be monitored, and responsibility for interpreting monitoring results; and
- proposed threshold triggers based on groundwater levels and water quality parameters and response measures for managing dewatering and re-injection during construction and ensuring the cross-drains in the tunnel are functioning correctly during operation of the Tugun Bypass.

- (c) An Acid Sulfate Soils Management Plan which includes:
- details of baseline surveys to establish background trends in groundwater geochemistry;
 - the site-specific criteria derived from baseline surveys, taking into account the need to maintain existing low pH conditions suitable for 'acid' frogs in the south of the Gold Coast Airport;
 - measures to manage acid sulfate soil and leachate;
 - the proposed testing regime to ensure pH levels and rates of acid generation are within criteria;
 - a contingency plan to deal with the unexpected discovery of actual or potential acid sulfate soils.
2. The person taking the action must prepare and implement plans addressing the requirements outlined below for the conservation of the Long-nosed Potoroo and the Wallum Sedge Frog. The plans must be submitted to the Minister for approval, and construction may not occur until the Minister approves them.
- (a) Long-nosed Potoroo:
- installation of animal proof fencing along the boundary of potoroo habitat and the road proposal;
 - initiation and maintenance of a fox control program on NSW Crown land adjoining the identified Potoroo habitat;
 - preparation and implementation of a fire management plan for the NSW Crown land taking into account the habitat requirements of the potoroo by prescribing a mosaic of 'patch' burning and the prevention of catastrophic wildfires;
 - implementation of a monitoring program to determine the effectiveness of the management plan and to monitor the status of the population with annual reporting to relevant government agencies; and
 - a requirement for a five year public review of the management plan.
- (b) Wallum Sedge Frog:
- measures to prevent frog mortality during construction and a translocation protocol. These measures must provide for a trial of temporary frog fencing and, if successful, the establishment of a permanent frog fence;
 - construction of at least three purpose built frog ponds during the construction of the Tugun Bypass. The specifications for these ponds must be consistent with those set out in Appendix A of the Compensatory Habitat report, September 2005 (Appendix H of the Supplement to the Draft EIS);
 - construction of culverts to maintain connectivity between areas of Wallum Sedge Frog habitat on either side of the alignment. The plan must demonstrate how the design of the culverts will maximise their use by Wallum Sedge Frogs;
 - a Wallum Sedge Frog monitoring program to measure the effectiveness of ponds, fencing and underpasses and to monitor the status of the population with annual reporting to relevant government agencies for the first five years;
 - a process for reviewing monitoring information and developing any remedial action; and
 - a requirement for a five year public review of the management plan.

3. The person taking the action must appoint an Environmental Management Representative (EMR) before construction commences.

The role of the EMR is to :

- (a) consider and advise the Minister and the person taking the action on matters specified in these conditions of approval, and compliance with such;
- (b) review the plans required under paragraph 1;
- (c) periodically monitor the activities on the site of the action to evaluate compliance with the plans required under paragraph 1. Periodic monitoring must involve site inspections of active work sites at least fortnightly;
- (d) provide a written report to the person taking the action of any non-compliance with the plans required under paragraph 1 observed or identified by the EMR. Non compliance must be managed as identified in the plans required under paragraph 1;
- (e) issue a recommendation to the person taking the action to stop work immediately, if in the view of the EMR an unacceptable impact on the environment is occurring or is likely to occur. The stop work recommendation may be limited to specific activities causing an impact, if the EMR can easily identify those activities. The EMR may also recommend that the person taking the action initiate actions to avoid or minimise adverse impacts;
- (f) review corrective and preventative actions to monitor the implementation of recommendations made from audits and site inspections; and
- (g) provide regular (as agreed with the Minister) reports to the Minister on matters relevant to carrying out the EMR role including notifying the Minister of any stop work recommendations.

The EMR must immediately advise the person taking the action and the Minister of any incidents relevant to these conditions resulting from construction that were not dealt with expediently or adequately by the person taking the action.

4. The person taking the action must submit a Pre-Construction Compliance Report to the Minister at least four weeks before construction commences (or within any other time agreed to by the Minister).

The Pre-Construction Compliance Report must include:

- (a) details of how the conditions of approval, required to be addressed before construction commences, were complied with; and
- (b) the time when each relevant condition of approval was complied with, including dates of submission of any required reports and/or approval dates.

5. The person taking the action must provide the Minister with Construction Compliance Reports. A review from the Environmental Management Representative (EMR) must be attached to the reports when provided, noting any shortcomings in the implementation of measures to protect the environment.

The first Construction Compliance Report must report on the first six months of construction and be submitted a maximum six weeks after expiry of that period (or at any other time interval agreed to by the Minister). The second, and subsequent, Construction Compliance Reports must be submitted at maximum intervals of six months from the date of submission of the first Construction Compliance Report (or at any other time interval agreed to by the Minister) for the duration of construction.

The Construction Compliance Reports must include information on:

- (a) compliance with the plans required under condition 1 and other relevant conditions of approval;
- (b) the implementation and effectiveness of environmental controls. The assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the plans required under condition 1;
- (c) environmental monitoring results, presented as a results summary and analysis;
- (d) the number and details of any complaints, including a summary of main areas of complaint, action taken, response given and intended strategies to reduce recurring complaints;
- (e) details of any review and proposed amendments to the plans required under condition 1, resulting from construction during the reporting period; and
- (f) any other matter relating to compliance with the conditions of approval or as requested by the Minister.

6. The person taking the action must submit an Environmental Impact Audit Report - Construction to the Minister a maximum three months after construction is complete (or at any other time interval agreed to by the Minister).

The Environmental Impact Audit Report – Construction must:

- (a) identify the major environmental controls used during construction and assess their effectiveness;
- (b) summarise the main environmental management plans and processes implemented during construction and assess their effectiveness;
- (c) identify any innovations in construction methodology used to improve environmental management; and
- (d) discuss the lessons learnt during construction, including recommendations for future activities.

The Construction Compliance Reports must be made publicly available.

7. The person taking the action must implement compensatory habitat measures consistent with the commitments in 'Tugun Bypass – Compensatory Habitat, September 2005' (Appendix H of the Supplement to the Draft EIS), prior to operation unless otherwise agreed by the Minister.
8. The person taking the action must submit a Pre-Operation Compliance Report to the Minister at least four weeks before operation commences (or within any other time agreed to by the Minister).

The Pre-Operation Compliance Report must include:

- (a) details of how the proponent complied with conditions of approval that are required to be addressed before operation; and
 - (b) the time when each relevant condition of approval was complied with, including dates of submission of any required reports and/or approval dates.
9. The person taking the action must submit an Environmental Impact Audit Report - Operations to the Minister a maximum 24 months after the project begins operation and at any additional periods that the Minister may require.

The Environmental Impact Audit Report - Operation must:

- (a) be certified by an independent person at the expense of the person taking the action;
 - (b) compare the operation impact predictions made in the Final EIS and any supplementary studies with the actual impacts;
 - (c) assess the effectiveness of implemented mitigation measures and safeguards;
 - (d) assess compliance with the systems for operation maintenance and monitoring;
 - (e) discuss the results of consultation with the local community particularly any feedback or complaints; and
 - (f) be made publicly available.
10. The person taking the action may submit for the Minister's approval a revised version of any plan approved under paragraphs 1 or 2. If the Minister approves such a revised plan, that plan must be implemented in place of the plan as originally approved.
11. If the Minister believes that it is necessary or desirable for the better protection of the listed threatened species and ecological communities or for the protection of the environment from activities involving Commonwealth land, the Minister may request that the person taking the action make specified revisions to a plan or plans approved pursuant to paragraphs 1 or 2 and to submit the revised plan for the Minister's approval. The person taking the action must comply with any such request. If the Minister approves a revised plan pursuant to this condition, the person taking the action must implement that plan instead of the plan as originally approved.
12. If, at any time after 5 years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of construction of the Tugun Bypass, construction of the Tugun Bypass must not thereafter be commenced.

Definitions

Construction – Includes all works in respect of the action other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing site compounds (in locations meeting the criteria of the conditions), or other activities determined by the Minister to have minimal environmental impact.

Operation – Means the operation of the action but does not include commissioning of trials of equipment or temporary use of parts of the action during construction.

Acid frogs – Means those that occupy 'Wallum' or Wallum-equivalent habitat.