



Dedicated to a better Brisbane

23 April 2015

Mr Barry Broe
Coordinator-General
Department of State Development
PO Box 15517
City East Queensland 4002

Dear Mr Broe 

**Legacy Way Project (formerly Northern Link Road Tunnel)
Application for Project Change - Environmental Management Reporting and Operational
Phase groundwater and surface water**

The Legacy Way project has entered the final phase of construction and is anticipated to be open to traffic in the middle of 2015.

During the coming months Transcity will be commissioning the tunnel, which includes the Water Treatment Plant for the operational discharge of groundwater and surface water directly into the Council Stormwater System. In addition, preparations are being made to streamline the reporting requirements as the project transitions into Operation and Maintenance phase.

The implementation of imposed operation and maintenance conditions has revealed two conditions that require clarification to remove duplication and reflect current water quality standards. Recent discussions with representatives of your Office about these conditions confirmed the requirement to submit a change application to correct nomenclature and to properly clarify condition meaning.

Council requests your consideration of its application for a proposed change to the Legacy Way Project in accordance with Part 4 Division 3A of the *State Development and Public Works Organisation Act 1971 (QLD)*. Please see attachment 1 for details of the proposed change application. Correspondence from key stakeholders in support of this change application has also been enclosed to assist your consideration.

As required, Council has processed a payment of \$1143 to support lodgement of the change application and arrangements have been made for this to be paid via direct bank deposit.

Should you require further information please contact Jim Hefferan via email at Jim.hefferan@brisbane.qld.gov.au or by phone on 3893 7280.

Yours sincerely


Scott Stewart
**DIVISIONAL MANAGER
BRISBANE INFRASTRUCTURE**

Brisbane City Council ABN 72 002 765 795
Encl Attachment 1 - Proposed changes to Northern Link Road Tunnel (Legacy Way) Project Conditions
EHP Letter dated 20 Jan 2014
BCC Letter Development Assessment dated 18 June 2014
BCC Letter Manager Asset Management dated 29 October 2014
EHP Letter O&M EMP dated 30 Jan 2015

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Proposed changes to Northern Link Road Tunnel (Legacy Way) Project Conditions

Proposed amendment to Operation Phase

Environmental Management

Appendix 1: Schedule 3, Part 1, Condition 3

Appendix 1: Schedule 3, Part 3, Condition 29(d)(ix)

- Council requests that O&M EMP: Appendix 1, Schedule 3, Part 1, Condition 3 be changed on the basis of regulatory duplication, as release/event notifications are managed by administering authority (DEHP).
- During the Design and Construction (D&C) project phase, imposed general conditions were placed on the project to report releases or events, monthly environmental monitoring and half yearly audits. D&C EMP reporting under Appendix 1, Schedule 3, Part 2, Condition 15(xi)), specifically referenced these D&C imposed general conditions (Appendix 1, Schedule 3, Part 1, Conditions 3, 4 and 5).
- The same D&C general conditions were again referenced under the Operational and Maintenance (O&M) EMP: Appendix 1, Schedule 3, Part 3, Condition 29(d)(ix).
- Council requests that O&M EMP: Appendix 1, Schedule 3, Part 3, Condition 29(d)(ix) be changed on the basis of duplication and clarity.
- The proposed change removes the duplicate reference to the requirement for monthly environmental monitoring reports that relates only to the construction phase of the project (Appendix 1, Schedule 3, Part 2, Condition 4) and will provide certainty that the condition only relates to the O&M EMP.

Current Condition Coordinator-General Evaluation Report (December 2010)	Proposed Condition Coordinator-General Change Report No. 8
General Conditions Appendix 1: Schedule 3, Part 1, Condition 3 – Reporting of releases or events (a) The proponent must notify the Coordinator-General and the relevant nominated entity as soon as practicable after becoming aware of any release or event that occurs otherwise then in accordance with these conditions, or any event where environmental harm (as defined by the <i>Environmental Protection Act 1994</i>) is caused or threatened.	General Conditions Appendix 1: Schedule 3, Part 1, Condition 3 – Reporting of releases or events Delete/Insert (a) The proponent must notify the relevant nominated entity as soon as practicable after becoming aware of any release or event that occurs otherwise then in accordance with these conditions, or any event where environmental harm (as defined by the <i>Environmental Protection Act 1994</i>) is caused or threatened.

Current Condition Coordinator-General Evaluation Report (December 2010)	Proposed Condition Coordinator-General Change Report No. 8
<p>(b) Within 14 days following any notification in accordance with condition 3(a), written advice detailing the following information must be provided to the Coordinator-General and relevant nominated entity:</p> <ul style="list-style-type: none"> (i) name of the operator of the activity and the persons responsible for the activity (ii) name and telephone number of a designated contact person (iii) location of the release/event (iv) date and time of the release/event (v) time the operator became aware of the release/event (vi) suspected cause of the release/event (vii) a description of the resulting effects of the release/event (viii) results of any sampling or monitoring performed in relation to the release/event (ix) actions taken to mitigate any environmental harm (including environmental nuisance) caused by the release/event (x) proposed actions to prevent a recurrence of the release/event, responsibility and timing for implementation. 	<p>(b) Within 14 days following any notification in accordance with condition 3(a), written advice detailing the following information must be provided to the relevant nominated entity:</p> <ul style="list-style-type: none"> (i) name of the operator of the activity and the persons responsible for the activity (ii) name and telephone number of a designated contact person (iii) location of the release/event (iv) date and time of the release/event (v) time the operator became aware of the release/event (vi) suspected cause of the release/event (vii) a description of the resulting effects of the release/event (viii) results of any sampling or monitoring performed in relation to the release/event (ix) actions taken to mitigate any environmental harm (including environmental nuisance) caused by the release/event (x) proposed actions to prevent a recurrence of the release/event, responsibility and timing for implementation.
<p>Operation Phase - Environmental Management Appendix 1: Schedule 3, Part 3, Condition 29(d)(ix) - Reporting</p> <p>Reporting - a mechanism for reporting on compliance must be established in the Construction EMP consistent with the reporting requirements of conditions 3, 4 and 5.</p>	<p>Operation Phase – Environmental Management Appendix 1: Schedule 3, Part 3, Condition 29(d)(ix) - Reporting</p> <p>Delete/Insert Reporting - a mechanism for reporting on compliance must be established in the Construction EMP consistent with the reporting requirements of conditions 3 and 5.</p>

Rationale

- The condition relates to the release of ground water and surface water from the Legacy Way project to receiving waters during the O&M phase. In preparing the design of the projects Water Treatment Plant it has become apparent that Table 16 associated with this condition is not consistent with the relevant documents outlined in the project's conditioned schedules for water quality management.
- In designing the Water Treatment Plant, Transcity has followed the relevant legislation and standards and guidelines for water quality management as required and set out in Appendix 1, Schedule 7: *Standards and guidelines for environmental management* of the Coordinator-General's Evaluation Report for the Legacy Way Project.
- Transcity has consulted with both the Department of Environment and Heritage Protection (EHP) and Brisbane City Council through its Development Assessment and Asset Management Branches in developing their design and operational plan. EHP is the referral agency for issues relating to ground water and surface water quality and management as outlined in the project conditions (Schedule 4). Through this consultation Transcity reached an in principle support from EHP (see attached EHP correspondence), to both the limits and trigger levels for treated ground and surface water to be discharged during operations.
- On this basis, Transcity have received approval from Council's Development Assessment and Asset Management branches to discharge into the Council Stormwater System and the relevant approval correspondence is attached for your information.
- Once opened to traffic the tunnel will be operated under the Operational and Maintenance Phase Environmental Management Plan (EMP). The proposed water quality objectives and management procedures are outlined within the EMP, EMP sub-plans and procedures. Transcity has received final certification of the EMP from the Environmental Management Representative. As part of this review, EHP did not raise any comments to the operational EMP.
- For completeness we request that Operation Phase: Appendix 1: Schedule 3, Part 3, Condition 32 - Table 16 be changed to reflect the approval from EHP.

Current Condition**Coordinator-General Evaluation Report (December 2010)**

Operation Phase - Groundwater and surface water: Appendix 1: Schedule 3, Part 3, Condition 32

Ground water and surface water

- (a) Ground water and surface water must not be released from the project to receiving waters in exceedence of the water quality measures in Table 16 as measured at the release point.

Table 16: Operational water quality release measures

Water Quality Parameter	Value
<i>Physico-Chemical</i>	
pH	6.5-8.5
Dissolved Oxygen	80-100% saturation
Total phosphorus	0.06 mg/L
Total nitrogen	0.45 mg/L
Chlorophyll-a	0.01 mg/L
Turbidity	<20 NTL
Suspended Solids (combined wet and dry flows)	50 mg/L
Suspended Solids (wet weather flow)	90%ile < 100mg/L
<i>Toxicants</i>	
Total dissolved iron	0.0005 if Secchi >1m NR < 1m
Total arsenic	0.05 mg/L
Total cadmium	0.002 mg/L
Total chromium	0.05 mg/L
Total copper	0.005 mg/L
Total nickel	0.015 mg/L
Total lead	0.005 mg/L
Total zinc	0.05 mg/L
Oils and Grease	no visual films or odour
Polycyclic aromatic hydrocarbon (PAH)	0.003 mg/L
Total chlorine	0.02 mg/L

Proposed Condition**Coordinator-General Change Report No. 8**

Operation Phase - Groundwater and surface water: Appendix 1: Schedule 3, Part 3, Condition 32

Delete/Insert**Ground water and surface water**

- (a) Ground water and surface water must not be released from the project to receiving waters in exceedence of the water quality measures in Table 16 as measured at the release point.

Table 16: Operational water quality release measures

Water Quality Parameter	Value
<i>Physico-Chemical</i>	
pH	6.5-8.5
Dissolved Oxygen	80-100% saturation
Total phosphorus	0.55 mg/L
Total nitrogen	2.1 mg/L
Chlorophyll-a	No Criteria
Turbidity	63ntu
Suspended Solids (combined wet and dry flows)	100 mg/L
Suspended Solids (wet weather flow)	No Criteria
<i>Toxicants</i>	
Total dissolved iron	0.3 mg/L
Total arsenic	0.05 mg/L (dissolved)
Total cadmium	0.002 mg/L (dissolved)
Total chromium	0.05 mg/L (dissolved)
Total copper	0.005 mg/L (dissolved)
Total nickel	0.015 mg/L (dissolved)
Total lead	0.005 mg/L (dissolved)
Total zinc	0.05 mg/L (dissolved)
Oils and Grease	no visual films or odour
Polycyclic aromatic hydrocarbon (PAH)	0.05 mg/L
Total chlorine	1 mg/L

Current Condition Coordinator-General Evaluation Report (December 2010)	Proposed Condition Coordinator-General Change Report No. 8
<p>(a) All determinations of the quality of ground water and surface water released must be:</p> <ul style="list-style-type: none"> (I) made in accordance with the methods prescribed in the latest edition of <i>Monitoring and Sampling Manual 2009 Environmental Protection (Water) Policy 2009</i> (Queensland Government) (II) carried out on samples that are representative of the discharge. <p>(b) Where water quality monitoring indicates an exceedence of the water quality release measures:</p> <ul style="list-style-type: none"> (III) corrective actions and mitigation measures must be implemented immediately to avoid further exceedences (IV) an incident report must be prepared within two days of the exceedence, together with a statement describing the corrective actions and mitigations measures implemented to ensure no further exceedence occurs. Such incident report must be provided to the nominated entity and posted on the project website as soon as the report is prepared. <p>(c) Measures must be initiated in the instance of an emergency or hazardous situation, to collect wastewater for subsequent removal and disposal to an authorised release point.</p> <p>(d) Where there is an identified potential risk of groundwater movement (including drawdown) as a result of the project impacting on any property all reasonable and practicable measures must be taken to avoid, or mitigate and manage the impacts. These measures must be developed in consultation with owners and occupants of potentially-affected property prior to the commencement of works that have the potential to impact on</p>	<p>(b) All determinations of the quality of ground water and surface water released must be:</p> <ul style="list-style-type: none"> (I) made in accordance with the methods prescribed in the latest edition of <i>Monitoring and Sampling Manual 2009 Environmental Protection (Water) Policy 2009</i> (Queensland Government) (II) carried out on samples that are representative of the discharge. <p>(c) Where water quality monitoring indicates an exceedence of the water quality release measures:</p> <ul style="list-style-type: none"> (I) corrective actions and mitigation measures must be implemented immediately to avoid further exceedences (II) an incident report must be prepared within two days of the exceedence, together with a statement describing the corrective actions and mitigations measures implemented to ensure no further exceedence occurs. Such incident report must be provided to the nominated entity and posted on the project website as soon as the report is prepared. <p>(d) Measures must be initiated in the instance of an emergency or hazardous situation, to collect wastewater for subsequent removal and disposal to an authorised release point.</p> <p>(e) Where there is an identified potential risk of groundwater movement (including drawdown) as a result of the project impacting on any property, all reasonable and practicable measures must be taken to avoid, or mitigate and manage the impacts. These measures must be developed in consultation with owners and occupants of potentially affected property prior to the commencement of works that have the potential to impact on the property.</p>

Current Condition Coordinator-General Evaluation Report (December 2010)	Proposed Condition Coordinator-General Change Report No. 8
<p>the property.</p> <p>(e) Where it is identified that property damage has occurred to premises as a consequence of the project, such damage must be repaired as soon as practicable at no cost to the property owners. Such repairs must be undertaken in consultation with the property owners and occupants and must return the premises at least to the condition existing prior to the commencement of construction works.</p> <p>(f) A specific, targeted monitoring program must be adopted to monitor groundwater flows during the first twenty years of the operation of the project including, but not limited to, in locations where predictive modelling suggests that there is a potential for groundwater draw-down.</p> <p>(g) Reporting of the results of groundwater monitoring must be made available on the project's website and be updated not less frequently than monthly.</p>	<p>(f) Where it is identified that property damage has occurred to premises as a consequence of the project, such damage must be repaired as soon as practicable at no cost to the property owners. Such repairs must be undertaken in consultation with the property owners and occupants and must return the premises at least to the condition existing prior to the commencement of construction works.</p> <p>(g) A specific, targeted monitoring program must be adopted to monitor groundwater flows during the first twenty years of the operation of the project including, but not limited to, in locations where predictive modelling suggests that there is a potential for groundwater draw-down.</p> <p>(h) Reporting of the results of groundwater monitoring must be made available on the project's website and be updated not less frequently than monthly.</p>



Department of
**Environment and
Heritage Protection**

Enquiries: Sarah Rowe
Telephone: (07) 3330 5368
Your Ref: SOR113575
Our Ref: 00010502

Transcity
PO Box 711
TOOWONG QLD 4066

Attention: Mr Jay Venkat

Our reference: SOR113575

Dear Mr Venkat

Re: Water Treatment Plant Discharge Monitoring

I refer to your letter dated 24 October 2013, (referenced as 000010502), requesting the department of Environment and Heritage Protection (EHP) continue to accept the discharge criteria, as set out in the correspondence dated 3 September 2012 (attached), for the operational phase of the Legacy Way Project.

The correspondence dated 3 September 2012 (attached) gives in principle support to both the limits and trigger levels set out in Transcity's correspondence dated 27 August 2012 (referenced as COR-01-00004843) for treated discharges of construction wastewater from tunnel boring activities and any groundwater ingress associated with these activities.

As per correspondence on 3 September 2013, EHP has had the criteria limits reviewed, and continues to accept the discharge criteria; however, a change to the discharge criteria associated with the operational phase of the Legacy Way Tunnel, will require an application to the "Coordinator-General's Report on Project Changes".

If you require more information, please contact Sarah Rowe, on the telephone number listed below.

Yours sincerely

Shari Murphy
Manager (Brisbane North)
Environmental Services South
South East Region
Regional Service Delivery
Department of Environment and Heritage Protection
Date: 20 January 2014

Enquiries:
Environmental Services
South East Region
400 George Street
GPO Box 2454
BRISBANE 4001

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ABN 46 640 294 485



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18 June 2014

Transcity Joint Venture
80 - 88 Jephson Street
TOOWONG QLD 4066

Application Reference: A003878631
Address of Site: 200 MT COOT-THA RD MOUNT COOT-THA QLD 4066

Dear Transcity Joint Venture

RE: Legacy Way Tunnel Water Operational Discharge Criteria and Point of Discharge

Thank you for your correspondence of 23 May and 23 June 2014 in which you seek clarification from Development Assessment as to if any further development permits are required for the ongoing discharge of Tunnel Water during the operational phase of the Legacy Way Tunnel Project.

Following review of the information provided from your office that the quality and quantity satisfactorily meets best practice, I can confirm that on behalf of development assessment, no further permits are required to be submitted for the ongoing discharge of water to Councils stormwater system.

I wish Transcity well in the completion and ongoing operation of the tunnel.

Please phone Mr Phil Herron or myself on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Beau Reichert
Manager Engineering Compliance and Assessment
Development Assessment Engineering Services
Phone: (07) 3403 8888
Development Assessment Branch
Brisbane City Council



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04 NOV 2014

29 October 2014

Jose Antonio Sanchez
Project Director
Legacy Way Project
P.O. Box 711
Toowong QLD 4006

Dear Jose,

I refer to your request of 1 August 2014 for approval to permanently discharge treated groundwater from the Legacy Way tunnel to the Brisbane River via Council's piped drainage network.

I understand you have had a series of discussions and meetings with Council staff from the Asset Management branch to agree on the way forward.

I am pleased to provide approval and attached are Council conditions for your reference.

Should you have further queries regarding this matter please feel free to contact Inga Condric on phone: 3403 5059.

Joe Bannan
Manager Asset Management
Brisbane Infrastructure

Attachments – 1 Conditions of approval
2 Annexure – Items for MMP

Ref [SOR113575 107633071-466-L-Rev0]

[Jim Hefferan, Brisbane City Council
80-88 Jephson Street
Toowong
QLD 4066]

Date 30 January 2015



Department of
**Environment and
Heritage Protection**

Dear Mr Hefferan

Re: EMR Preliminary Certification of Operation and Maintenance Environmental Management Plan and EMP Sub-Plans

The Department of Environment and Heritage Protection (the Department) on 22 December 2014 received Legacy Way's 'Operation and Maintenance (O&M) Environmental Management Plan (EMP)' in accordance with condition 29(a), Part 3, schedule 3, appendix 2 of the Coordinator-General's Report on Project Changes (Legacy Way) dated December 2010 via email. The department also received the following EMP Sub-Plans:

- Air Quality;
- Geology and Soils;
- Hazard and Risk;
- Noise and Vibration;
- Waste Management;
- Surface Water;
- Groundwater and Hydrogeology; and
- Flora and Fauna.

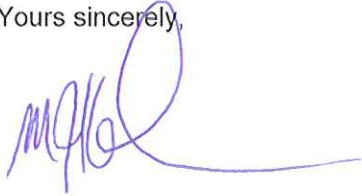
The Department notes that as required by condition 29(b), the EMP and Sub-plans have been reviewed by the Environmental Management Representative (EMR). The department recognises a suitably qualified EMR has provided, reviewed and provided endorsement of the O&M EMP and EMP sub-plans. The Department has also undertaken a review of the O&M EMP and EMP sub-plans. In accordance with the department's regulatory strategy which recognises the review and endorsement of the reports by a suitably qualified and experienced third party, the Department has no additional comments regarding the information contained in the O&M EMP and EMP sub-plans. A copy of the Regulatory Strategy has been included for your reference.

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Website www.ehp.qld.gov.au
ABN 46 640 294 485

Further Information

Should you have any queries in relation to the notice, please contact Sarah Rowe on telephone number (07) 3330 5368.

Yours sincerely,



Matt Karle

A/Manager

South Queensland Compliance – Brisbane Moreton Bay

Environmental Services and Regulation

Department of Environment and Heritage Protection |

Enclosed:

Regulatory Strategy |