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From: RAO Radhika
Sent: Thursday, 10 December 2015 11:20 AM
To: 73(2) ecoz.com.au
Cc: Petroleum and Gas EA Applications; BREAKER Kylie
Subject: NEGI Pipeline - EPPG03497815
Attachments: 151209_Final EA EPPG03497815_PPL2015.pdf; is-bi-internal-rev-appeal-land-court-em1157.pdf

Importance: High

Dear



Please find attached environmental authority (EA) EPPG03497815 for the North East Gas Interconnector (NEGI) pipeline, application received by the administering authority on 25 September 2015, in regards to petroleum pipeline licence (PPL) 2015.

Also attached is an information sheet regarding your internal review and appeal rights.

Please note that you will not be sent a hardcopy of the EA and as such, please acknowledge receipt of this email.

Thank you.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

This environmental authority is issued by the administering authority under Chapter 5 of the *Environmental Protection Act 1994*.

Permit¹ number: EPPG03497815

Project Name: North East Gas Interconnector (NEGI)

Environmental authority takes effect when the relevant tenure is granted.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

The environmental authority is subject to the attached schedules of conditions.

Environmental authority holder(s)	Registered address
Jemena Queensland Gas Pipeline (1) Pty Ltd ACN: 083 050 284	321 Ferntree Gully Road, Mount Waverley, VIC 3149

Environmentally Relevant Activity(ies)	Relevant Tenure
Resource activity that is a petroleum activity and which includes the following: Item 5, Schedule 2A of the Environmental Protection Regulation 2008 - constructing a new pipeline of more than 150km under a petroleum authority; and Item 8, Schedule 2A of the Environmental Protection Regulation 2008 - a petroleum activity or GHG storage activity, other than an activity mentioned in items 1 to 7, that includes 1 or more activities mentioned in schedule 2 for which an aggregate environmental score is stated.	Petroleum Pipeline Licence (PPL): 2015

Permit

Environmental authority EPPG03497815

49-Sch4 - Signature

9/12/15

✓

Signature

Date

Jackie McKeay

Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:

Petroleum and Gas
Department of Environment and Heritage Protection
Level 7, 400 George Street, BRISBANE QLD 4000
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Additional Information for Applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994*.

Contaminated land and notifiable activities

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994*.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to think about these issues:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of the successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty, however maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - the activity has caused the unauthorised connection of 2 or more aquifers.

For more information on the duty to notify requirements refer to the guideline *Duty to notify of environmental harm (EM467)*.

Some Relevant Offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is environmental harm that is not trivial or negligible in nature. It may be great in extent or context or it may cause actual or potential loss or damage to property. The difference between material and serious harm relates to the costs of damages or the costs required to either prevent or minimise the harm or to rehabilitate the environment. Serious environmental harm may have irreversible or widespread effects or it may be caused in an area of high conservation significance. Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

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Some Relevant Offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 L or more) at a place. Illegal dumping can also include abandoned vehicles.

Responsibilities under Other Legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other State and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

An environmental authority for petroleum activities is not an authority to impact on water levels or pressure heads in groundwater aquifers in or surrounding formations. There are obligations to minimise or mitigate any such impact under other Queensland Government and Commonwealth Government legislation.



Environmental Authority Conditions

This environmental authority consists of the following Schedules:

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Schedule A – Authorised activities

- (A1) This environmental authority authorises the carrying out of the following resource activity(ies):
- (a) the petroleum activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities* to the extent they are carried out in accordance with the activity's corresponding scale and intensity; and
 - (b) the following specified relevant activities when carried out as an incidental activity:
 - i. Sewage treatment– operating sewage treatment works, other than no-release works, with a total daily peak design capacity of less than 300 equivalent persons (EP).
 - (c) Incidental activities that are not otherwise specified relevant activities.

Schedule A, Table 1 – Scale and Intensity for the Activities

Tenure	Petroleum Activity	Scale (number of activities)	Intensity (Maximum Disturbance)
PPL2015	Pipeline <u>right of way</u> (ROW)	165km	495ha
	Temporary construction camp	1	8.75ha
	Access tracks (new - temporary)	-	25.90ha
	Access tracks (new – permanent)	-	8ha
	Access track turn-off Barkly Highway	30m	0.53ha
	Access track turn-off to ROW	30m	0.81ha
	Vehicle turnarounds	33	3.96
	Explosives storage area	1	0.02ha
	Existing access tracks	-	1.74ha
	Major <u>watercourse</u> crossings	-	0.83ha
	Minor <u>watercourse</u> crossings	-	0.88ha
	Buried pipeline crossing	-	0.13ha
	Low consequence <u>dams</u>	2 x 3ML	0.5ha
		2 x 8ML	0.6ha
	Sewage Treatment Plant(s) that discharge treated effluent to an infiltration trench or through an irrigation scheme	300EP	4ha
	Compressor station	1	9ha
	Mainline Valve	1	0.25ha
	Cathodic protection station	1	0.04ha

- (A2) The following types of petroleum activities are not authorised:
- (a) processing or storing petroleum or petroleum by-products that are not necessarily associated with pipeline construction or operation;

- (b) extracting earthen materials (other than drilling waste rock or trench spoil) of more than 100,000t/year;
 - (c) extracting by dredging more than 1000t/year of material from the bed of naturally occurring surface waters;
 - (d) construction of power lines (either above or below ground) outside the right of way necessary for the pipeline, except where authorised in this EA.
- (A3) Only low impact petroleum activities can be undertaken within category A environmentally sensitive areas (ESAs) or category B ESAs or category C ESAs or within the ESAs' primary protection zone.
- (A4) Notwithstanding condition (A3), the following petroleum activities are permitted within state forests or timber reserves and within the primary protection zone of state forests or timber reserves:
- (a) linear infrastructure;
 - (b) pipeline construction corridor not exceeding 30m in width; and
 - (c) turn around and work areas associated with pipeline construction not exceeding 50m in width.
- (A5) Non-linear infrastructure is permitted within the secondary protection zone of ESAs provided the location is justified given other constraints and cannot be avoided and it can be demonstrated that there will be no negative impacts on the ESA.
- (A6) Records demonstrating compliance with condition (A5) must be kept.



Schedule B – Protecting environmental values

- (B1) Petroleum activities that cause significant disturbance to land must not be carried out until financial assurance has been given to the administering authority as security for compliance with the environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the *Environmental Protection Act 1994*.
- (B2) This environmental authority does not authorise petroleum activities to cause environmental nuisance at a sensitive place other than where an alternative arrangement is in place for noise.
- (B3) Contaminants must not be directly or indirectly released to land or air except for those releases specifically authorised by conditions of the environmental authority.
- (B4) Petroleum activities must:
- (a) firstly, avoid, then minimise, then mitigate any negative impacts on areas of vegetation or other areas of ecological value
 - (b) minimise disturbance to land that may otherwise result in land degradation
 - (c) minimise isolation, fragmentation or dissection of tracts of vegetation that would lead to a reduction in the current level of ecosystem functioning or ecological connectivity
 - (d) minimise clearing of mature or hollow bearing trees.
- (B5) Where significant disturbance to land is to occur, records demonstrating compliance with condition (B4) must be kept.



Schedule C – General conditions

Documentation

- (C1) All plans, procedures and reports must:
- (a) be certified by a suitably qualified person
 - (b) be kept on record for a minimum of 5 years.
- (C2) All plans and procedures required to be developed must be implemented.

Plant and equipment

- (C3) All plant and equipment reasonably necessary to ensure compliance with the conditions must be installed.
- (C4) All plant and equipment must be maintained and operated in their proper and effective condition.
- (C5) All measures reasonably necessary to ensure compliance with the conditions must be implemented.

Contingency and emergency response

- (C6) Petroleum activities involving significant disturbance to land or which have the potential to cause environmental harm can only commence after the development of written contingency procedures which address the risks of non-compliance with conditions of the environmental authority.
- (C7) The contingency procedures must include, but not necessarily be limited to:
- (a) environmental nuisance and complaint management procedures including:
 - i. a description of the petroleum activities that might result in non-compliance with conditions of the environmental authority standard conditions and what mitigation measures are required to be implemented; and
 - ii. the action that will be undertaken when a member of the public makes a valid complaint.
 - (b) management procedures including details of what actions will be taken to protect environmental values and minimise potential environmental harm from petroleum activities as a result of floods, severe storms and fires.
 - (c) environmental emergency management procedures including details of the response and mitigation measures that will be actioned to reduce negative impacts to environmental values in the event of a non-compliance with conditions of the environmental authority.

Soil management

- (C8) Measures must be implemented and maintained to minimise stormwater entry onto significantly disturbed land.



- (C9) Sediment and erosion control measures to prevent soil loss and deposition beyond significantly disturbed land must be implemented and maintained.
- (C10) The measures required by conditions (C8) and (C9) must be in accordance, to the greatest practicable extent, with the International Erosion Control Association (IECA) *Best Practice Erosion and Sediment Control (BPESC) document* and/or the Australian Pipeline Industry Association (APIA) *Code of Environmental Practice: Onshore Pipelines* (2009).

Chemical storage

- (C11) Chemicals and fuels on the relevant tenures must be stored in, or serviced by, an effective containment system that meets Australian Standards, where such a standard is relevant.

Waste management

- (C12) Measures must be implemented so that waste is managed in accordance with the waste and resource management hierarchy and the waste and resource management principles.
- (C13) For waste fluids that can be stored in a container that is other than a low consequence dam, the container must either be an above ground container or a structure which contains the wetting front.
- (C14) Waste, including waste fluids, must be transported off-site for lawful re-use, remediation, recycling or disposal unless the waste is specifically authorised by conditions of the environmental authority to be disposed of or used on-site.
- (C15) Green waste may be used on-site for rehabilitation and/or sediment and erosion control purposes.

Treated sewage effluent

- (C16) Treated sewage effluent or greywater can be released to land provided it:
- (a) meets or exceeds secondary treated class B standards for a treatment system with a daily peak design capacity of between 150 EP and 1500 EP; or
 - (b) meets or exceeds secondary treated class C standards for a treatment system with a daily peak design capacity of less than 150 EP.
- (C17) The release of treated sewage effluent or greywater authorised in condition (C16) must:
- (a) be to a fenced and signed contaminant release area(s);
 - (b) not contain any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm;
 - (c) not result in pooling or run-off or aerosols or spray drift or vegetation die-off
 - (d) minimise deep drainage below the root zone of any vegetation;
 - (e) not adversely affect the quality of shallow aquifers;



- (f) not adversely impact soil quality;
- (g) be to a contaminant release area(s) that is kept vegetated with groundcover, that is:
 - i. not a declared pest species;
 - ii. kept in a viable state for transpiration and nutrient uptake; and
 - iii. grazed or harvested and removed from the contaminant release area as needed, but not less than every three months.

Financial assurance

- (C18) Prior to any changes in petroleum activities which would result in an increase to the maximum disturbance since the last financial assurance calculation was submitted, the holder of the environmental authority must submit, and the administering authority must have approved, an application to amend the financial assurance.

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Schedule D – Pipeline planning

Site planning

- (D1) Pipeline planning must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Planning for land disturbance

- (D2) Notwithstanding condition (D1), the pipeline construction corridor must:
- (a) be minimised in width to the greatest practicable extent
 - (b) not exceed 30m in width
 - (c) not include turn around and work areas associated with pipeline construction that exceed 50m in width.
 - (d) be preferentially located alongside existing linear infrastructure.

Biodiversity

- (D3) Prior to undertaking activities that result in significant disturbance to land in areas of native vegetation, confirmation of on-the-ground biodiversity values of the native vegetation communities at that location must be undertaken by a suitably qualified person.
- (D4) A suitably qualified person must develop and certify a methodology so that condition (D3) can be complied with and which is appropriate to confirm on-the-ground biodiversity values.
- (D5) Where mapped biodiversity values differ from those confirmed under conditions (D3) and (D4), petroleum activities may proceed in accordance with the conditions of the environmental authority based on the confirmed on-the-ground biodiversity value.
- (D6) Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority.
- (D7) Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:
- (a) completed by a suitably qualified person; and
 - (b) kept for the life of the environmental authority.

Schedule E – Construction conditions

- (E1) Pipeline construction must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Activities in watercourses, wetlands, lakes and springs

- (E2) Petroleum activities that require earthworks, vegetation clearing and/or placing fill, other than that associated with the construction of linear infrastructure, are not permitted in or within:
- (a) 200 metres of any wetland, lake or spring; or
 - (b) 100 metres of the outer bank of any other watercourse.
- (E3) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland, lake, spring or watercourse must be conducted in accordance with the following order of preference. Conducting works:
- (a) firstly, in times where there is no water present.
 - (b) secondly, in times of no flow.
 - (c) thirdly, in times of flow, but in a way that does not impede low flow.
- (E4) Petroleum activities must not result in water turbidity increases of more than 10% in high ecological value waters outside contained construction or maintenance areas.
- (E5) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a lake, spring or watercourse must be designed and undertaken by a suitably qualified person in accordance with the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.
- (E6) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland must be designed and undertaken by a suitably qualified person taking into consideration sections 5 and 6 of the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.

Fauna management

- (E7) Measures to prevent fauna entrapment must be implemented during the construction of pipelines in pipe sections and pipeline trenches and operation of dams.

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Waste

- (E8) Pipeline waste water may be released to land provided that it:
- (a) can be demonstrated to meet the acceptable standards for release to land.
 - (b) is released in a way that does not cause visible scouring or erosion.
- (E9) If hydrostatic testing water quality does not or cannot be treated to meet the requirements of condition (E8), it must be managed in accordance with conditions (C13) or (C14).

Blasting

- (E10) A Blast Management Plan must be developed for each blasting activity in accordance with Australian Standard 2187.
- (E11) Blasting operations must be designed to not exceed an airblast overpressure level of 120dB (linear peak) at any time, when measured at or extrapolated to any sensitive place.
- (E12) Blasting operations must be designed to not exceed a ground-borne vibration peak particle velocity of 10mm/s at any time, when measured at or extrapolated to any sensitive place.

Structures that are dams or levees

- (E13) Regulated structures are not permitted.
- (E14) The consequence category of any structure to be used in carrying out petroleum activities must be assessed in accordance with the Queensland Government *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams* prior to the design and construction of the structure.
- (E15) A consequence assessment report and certification must be prepared for each structure assessed and the report may include a consequence assessment for more than one structure.
- (E16) Certification must be provided by the suitably qualified and experienced person who undertook the assessment, in the form set out in the *Manual for Assessing Consequence Categories and Hydraulic Performance of Structures*.
- (E17) Low consequence dams must be:
- (a) constructed, operated and maintained in accordance with accepted engineering standards currently appropriate for the purpose for which the dam is intended to be used; and
 - (b) designed with a floor and sides made of material that will contain the wetting front and any entrained contaminants within the bounds of the containment system during both its operational life and including any period of decommissioning and rehabilitation.
- (E18) All low consequence dams must be monitored for early signs of loss of structural or hydraulic integrity as specified in the initial hazard assessment.

(E19) When no longer required all low consequence dams must be decommissioned to no longer accept inflow from the petroleum activities and be either:

- (a) rehabilitated; or
- (b) agreed to in writing by the administering authority and the landholder to remain in situ following the cessation of the petroleum activity(ies) associated with the dam, with the contained water of a quality suitable for the intended ongoing uses(s) by that landholder.

Pipeline reinstatement and revegetation

(E20) Pipeline trenches must be backfilled and topsoils reinstated within 3 months after pipe laying.

(E21) Reinstatement and revegetation of the pipeline right of way must commence within 6 months after completion of petroleum activities for the purpose of pipeline construction.

(E22) Backfilled, reinstated and revegetated pipeline trenches and right of way must be:

- (a) a stable landform.
- (b) re-profiled to a level consistent with surrounding soils.
- (c) re-profiled to original contours and established drainage lines.
- (d) vegetated with groundcover which is not a declared pest species, and which is established and self- sustaining.

Schedule F – Post-construction conditions including operations, maintenance and decommissioning

- (F1) Pipeline operation and maintenance must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS2885.3:2012.
- (F2) Written procedures must be developed to ensure operations and maintenance of the pipeline complies with the conditions of the environmental authority.
- (F3) Pipeline waste water may be released to land provided that it meets the requirements of condition (E8).

Rehabilitation planning

- (F4) A Rehabilitation Plan must be developed by a suitably qualified person and must include the:
- (a) rehabilitation goals; and
 - (b) procedures to be undertaken for rehabilitation that will:
 - i. achieve the requirements of conditions (F5) to (F8), inclusive; and
 - ii. provide for appropriate monitoring and maintenance.

Transitional rehabilitation

- (F5) Significantly disturbed areas that are no longer required for the on-going petroleum activities, must be rehabilitated within 12 months (unless an exceptional circumstance in the area to be rehabilitated (e.g. a flood event) prevents this timeframe being met) and be maintained to meet the following acceptance criteria:
- (a) contaminated land resulting from petroleum activities is remediated and rehabilitated
 - (b) the areas are:
 - i. non-polluting
 - ii. a stable landform
 - iii. re-profiled to contours consistent with the surrounding landform
 - (c) surface drainage lines are re-established
 - (d) top soil is reinstated; and
 - (e) either:
 - i. groundcover, that is not a declared pest species, is growing; or
 - ii. an alternative soil stabilisation methodology that achieves effective stabilisation is implemented and maintained.

Final rehabilitation acceptance criteria

- (F6) All significantly disturbed areas caused by petroleum activities which are not being or intended to be utilised by the landholder or overlapping tenure holder, must be rehabilitated to meet the following final acceptance criteria measured either against the highest ecological value adjacent land use or the pre-disturbed land use:



- (a) greater than or equal to 70% of native ground cover species richness
- (b) greater than or equal to the total per cent of ground cover
- (c) less than or equal to the per cent species richness of declared plant pest species; and
- (d) where the adjacent land use contains, or the pre-clearing land use contained, one or more regional ecosystem(s), then at least one regional ecosystem(s) from the same broad vegetation group, and with the equivalent biodiversity status or a biodiversity status with a higher conservation value as any of the regional ecosystem(s) in either the adjacent land or pre-disturbed land, must be present.

Continuing conditions

- (F7) Conditions (F5) and (F6) continue to apply after this environmental authority has ended or ceased to have effect.

Remaining dams

- (F8) Where there is a dam (including a low consequence dam) that is being or intended to be utilised by the landholder or overlapping tenure holder, the dam must be decommissioned to no longer accept inflow from the petroleum activity(ies) and the contained water must be of a quality suitable for the intended on-going uses(s) by the landholder or overlapping tenure holder.

Schedule G – Monitoring and reporting conditions

Monitoring

- (G1) All monitoring must be undertaken by a suitably qualified person.
- (G2) If requested by the administering authority in relation to investigating a valid complaint, monitoring must be undertaken within 10 business days.
- (G3) All laboratory analyses and tests must be undertaken by a laboratory that has NATA accreditation for such analyses and tests, except as otherwise authorised in writing by the administering authority.
- (G4) Notwithstanding condition (G3), where there are no NATA accredited laboratories available to test for a specific analyte or substance, then duplicate samples must be sent to separate laboratories for independent testing or evaluation.

Sampling

- (G5) The methods of surface water sampling must comply with that set out in the Queensland Government's *Monitoring and Sampling Manual 2009 – Environmental Protection (Water) Policy 2009*.
- (G6) The methods of groundwater sampling must comply with the Australian Government's *Groundwater Sampling and Analysis – A Field Guide* (2009:27 GeoCat #6890.1).
- (G7) Noise must be measured in accordance with the prescribed standards in the *Environmental Protection Regulation 2008*.
- (G8) The method of measurement of ambient air quality or point source contaminant releases to air must comply with the *Queensland Air Quality Sampling Manual* and/or Australian Standard 4323.1:1995 *Stationary source emissions method 1: Selection of sampling positions*, whichever is appropriate for the relevant measurement.

Notification

- (G9) In addition to the requirements under Chapter 7, Part 1, Division 2 of the Environmental Protection Act 1994, the administering authority must be notified through the Pollution Hotline and in writing, as soon as possible, but within 48 hours of becoming aware of any of the following events:
 - (a) any unauthorised significant disturbance to land.
 - (b) potential or actual loss of structural or hydraulic integrity of a dam.
 - (c) unauthorised releases of any volume of prescribed contaminants to waters.
 - (d) unauthorised releases of volumes of contaminants, in any mixture, to land greater than:
 - i. 200 L of hydrocarbons; or
 - ii. 5 000 L of raw sewage; or
 - iii. 10 000 L of treated sewage effluent.
 - (e) monitoring results where two out of any five consecutive samples do not comply with the relevant limits in the environmental authority.



Reporting

- (G10) The annual return must include an Update Report detailing activities during the annual return period, demonstrating:
- (a) significant disturbance during the period.
 - (b) rehabilitation undertaken.
 - (c) a list of all valid complaints relating to environmental issues made including the date, source, reason for the complaint and a description of investigations undertaken in resolving the complaint.
 - (d) the results of all monitoring undertaken.

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Schedule H – Definitions

Explanatory note: Where a term is not defined in this document, the definition in the *Environmental Protection Act 1994*, its regulations and environmental protection policies, then the *Acts Interpretation Act 1954* then the *Macquarie Dictionary* should be used in that order.

"acceptable standards for release to land" means wastewater of the following quality as determined by monitoring results or by characterisation:

- (a) electrical conductivity (EC) not exceeding 3000µS/cm
- (b) sodium adsorption ratio (SAR) not exceeding 8
- (c) pH between 6.0 and 9.0
- (d) heavy metals (measured as total) meets the respective short term trigger value in section 4.2.6, Table 4.2.10—Heavy metals and metalloids in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC) 2000
- (e) does not contain biocides.

"accepted engineering standards" in relation to dams, means those standards of design, construction, operation and maintenance that are broadly accepted within the profession of engineering as being good practice for the purpose and application being considered. In the case of dams, the most relevant documents would be publications of the *Australian National Committee on Large Dams* (ANCOLD), guidelines published by Queensland government departments and relevant Australian and New Zealand Standards.

"adjacent land use(s)" means the ecosystem function adjacent to an area of significant disturbance, or where there is no ecosystem function, the use of the land. An adjacent land use does not include an adjacent area that shows evidence of edge effect.

"administering authority" has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

"alternative arrangement" means a written agreement between the holder of this environmental authority and an affected or potentially affected person at a sensitive receptor for a defined noise nuisance impact and may include an agreed period of time for which the arrangement is in place. An agreement for alternative arrangements may include, but not necessarily be limited to a range of noise abatement measures to be installed at a sensitive receptor and / or provision of alternative accommodation for the duration of the defined noise nuisance impact.

"analogue site(s)" means an area of land which contains values and characteristics representative of an area to be rehabilitated prior to disturbance. Such values must encompass land use, topographic, soil, vegetation and other ecological characteristics. Analogue sites can be the pre-disturbed site of interest where significant surveying effort has been undertaken to establish benchmark parameters.

"analyte(s)" means a chemical parameter determined by either physical measurement in the field or by laboratory analysis.

"annual return period" means the most current 12-month period between 2 anniversary dates.

"aquifer" means an identifiable stratigraphic formation that has the potential to produce useful flows of water.

"Australian Standard 2187" means Australian Standard 2187.0:1998 Explosives—Storage, transport and use, Part 0, Australian Standard 2187.1:1998 Explosives—Storage, transport and use Part 1 and Australian Standard 2187.2:2006 Explosives—Storage and use, Part 2 or any updated versions that becomes available from time to time.

"Australian Standard 2885" means Australian Standard 2885.0:2008 Pipelines – Gas and Liquid Petroleum General Requirements, Australian Standard 2885.0-2008/Amdt 1-2012 Pipelines - Gas and Liquid Petroleum General Requirements, Australian Standard 2885.1:2012 Pipelines – Gas and Liquid Petroleum Design and Construction and Australian Standard 2885.3:2012 Pipelines – Gas and Liquid Petroleum Operation and Maintenance, or any updated versions that become available from time to time.

"bed" of any waters, has the meaning in Schedule 12 Part 2 of the Environmental Protection Regulation 2008.

"being or intended to be utilised by the landholder or overlapping tenure holder" for significantly disturbed land, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use of the land such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

For dams, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use for the dam such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

"biodiversity values" for the purposes of this environmental authority, means environmentally sensitive areas, prescribed environmental matters and wetlands.

"business day" has the meaning in section 36 of the *Acts Interpretation Act 1954*.

"category A ESA" means any area listed in Schedule 12, Section 1 of the Environmental Protection Regulation 2008.

"category B ESA" means any area listed in Schedule 12, Section 2 of the Environmental Protection Regulation 2008.

"category C ESA" means any of the following areas:

- nature refuges as defined in the conservation agreement for that refuge under the *Nature Conservation Act 1992*
- koala habitat areas as defined under the Nature Conservation (Koala) Conservation Plan 2006
- State forests or timber reserves as defined under the *Forestry Act 1959*
- regional parks (previously known as resource reserves) under the *Nature Conservation Act 1992*
- an area validated as 'essential habitat' or 'essential regrowth habitat' from ground-truthing surveys in accordance with the *Vegetation Management Act 1999* for a species of wildlife listed as endangered or vulnerable under the *Nature Conservation Act 1992*
- 'of concern regional ecosystems' that are remnant vegetation and identified in the database called 'RE description database' containing regional ecosystem numbers and descriptions.

"certification" means assessment and approval must be undertaken by a suitably qualified and experienced person in relation to any assessment or documentation required by this Manual, including design plans, 'as constructed' drawings and specifications, construction, operation or an annual report regarding regulated structures, undertaken in accordance with the Board of Professional Engineers of Queensland Policy Certification by RPEQs (ID: 1.4 (2A)).

"certified" in relation to any matter other than a design plan, 'as constructed' drawings or an annual report regarding dams means, a Statutory Declaration by a suitably qualified person or suitably qualified third party accompanying the written document stating:

- the person's qualifications and experience relevant to the function
- that the person has not knowingly included false, misleading or incomplete information in the document
- that the person has not knowingly failed to reveal any relevant information or document to the administering authority
- that the document addresses the relevant matters for the function and is factually correct; and
- that the opinions expressed in the document are honestly and reasonably held.

"clearing" has the meaning in the dictionary of the *Vegetation Management Act 2000*.

"consequence assessment" of a dam, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit of the assessment:

- (a) exactly what has been assessed and the precise nature of that determination;

(b) the relevant legislative, regulatory and technical criteria on which the assessment has been based;
(c) the relevant data and facts on which the assessment has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
(d) the reasoning on which the assessment has been based using the relevant data and facts, and the relevant criteria.

"consequence category" means a category, either low, significant or high, into which a dam is assessed as a result of the application of tables and other criteria in the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635).

"daily peak design capacity" for sewage treatment works, has the meaning in Schedule 2, section 63(4) of the Environmental Protection Regulation 2008 as the higher equivalent person (EP) for the works calculated using each of the formulae found in the definition for EP.

"dam(s)" means a land-based structure or a void that is designed to contain, divert or control flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and associated works. A dam does not mean a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container.

"declared pest species" has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a live animal or plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the animal or plant.

"declared plant pest species" has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the plant.

"decommissioning" in relation to pipelines means the actions undertaken in accordance with the requirements of Australian Standard 2885, as amended from time to time, to prepare the pipeline and peripheral facilities for pending suspension or abandonment.

"documents" has the meaning in section 36 of the *Acts Interpretation Act 1954*.

"ecological connectivity" is a measure of ecological condition and means the flow or connection of organisms and ecological processes across landscapes at multiple scales. Ecological connectivity has a positive relationship with landscape connectivity and habitat connectivity and effects vary between species. It includes connectivity by stepping stone or contiguous bioregional/local corridor networks.

"ecosystem function" means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

"ecosystem functioning" means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

"environmental harm" has the meaning in section 14 of the *Environmental Protection Act 1994*.

"environmental nuisance" has the meaning in section 15 of the *Environmental Protection Act 1994* and means unreasonable interference or likely interference with an environmental value caused by—

- (a) aerosols, fumes, light, noise, odour, particles or smoke; or
- (b) an unhealthy, offensive or unsightly condition because of contamination; or
- (c) another way prescribed by regulation.

"environmental value(s)" has the meaning in section 9 of the *Environmental Protection Act 1994*.



"environmentally relevant activity or ERA" has the meaning in section 18 of the *Environmental Protection Act 1994*.

"equivalent person or EP" has the meaning under section 3 of the Planning Guidelines For Water Supply and Sewerage, 2005, published by the Queensland Government. It is calculated in accordance with Schedule 2, Section 63(4) of the Environmental Protection Regulation 2008 where:

- $EP = V/200$ where V is the volume, in litres, of the average dry weather flow of sewage that can be treated at the works in a day; or
- $EP = M/2.5$ where M is the mass, in grams, of phosphorus in the influent that the works are designed to treat as the inlet load in a day.

"financial assurance" for an environmental authority, means financial assurance given for the authority under Chapter 5, part 12, division 2 of the *Environmental Protection Act 1994*.

"flowable substance" means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substance can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids fluids or solids either in solution or suspension.

"green waste" means waste that is grass cuttings, trees, bushes, shrubs, material lopped from trees, untreated timber or other waste that is similar in nature but does not include declared pest species.

"greywater" means wastewater generated from domestic activities such as laundry, dishwashing, and bathing. Greywater does not include sewage.

"high ecological value waters" means Queensland waters that are scheduled waters under the Environmental Protection (Water) Policy 2009 as high value ecological waters.

"hydraulic integrity" refers to the capacity of a dam to contain or safely pass flowable substances based on its design.

"incidental activity" for this environmental authority means an activity that is not a specified relevant activity and is necessary to carry out the activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities*.

"lake" means:

- a lagoon, swamp or other natural collection of water, whether permanent or intermittent; and
- the bed and banks and any other element confining or containing the water.

"levee" means an embankment that only provides for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of water or flowable substances at any other times.

"linear infrastructure" means powerlines, pipelines, roads and access tracks.

"low consequence dam" means any dam that is not classified as high or significant as assessed using the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures, published by the administering authority, as amended from time to time.

"low impact petroleum activities" means petroleum activities which do not result in the clearing of native vegetation, cause disruption to soil profiles through earthworks or excavation or result in significant disturbance to land which cannot be rehabilitated immediately using hand tools after the activity is completed. Examples of such activities include but are not necessarily limited to soil surveys (excluding test pits), topographic surveys, cadastral surveys and ecological surveys, may include installation of monitoring equipment provided that it is within the meaning of low impact and traversing land by car or foot via existing access tracks or routes or in such a way that does not result in permanent damage to vegetation.

"month" has the meaning in section 36 of the *Acts Interpretation Act 1954*.

"NATA accreditation" means accreditation by the National Association of Testing Authorities Australia.

"non-linear infrastructure" means infrastructure that is other than a powerline, a pipeline, a road, an access track and includes only the following:

- workers camps
- maintenance facilities
- no-release sewage treatment plants
- laydown areas
- structures (i.e. dams or levees)
- tanks
- sediment and erosion control measures
- above ground containers and chemical / fuel storages
- water pumps and generators
- stockpiles
- compressor station capable of burning less than 500kg/hr of fuel

"outer bank" has the meaning in section 5A of the *Water Act 2000*.

"pipeline waste water" means hydrostatic testing water, flush water or water from low point drains.

"pre-disturbed land use" means the function or use of the land as documented prior to significant disturbance occurring at that location.

"prescribed contaminants" has the meaning in section 440ZD of the *Environmental Protection Act 1994* and means:

- (a) earth; or
- (b) a contaminant prescribed under section 440ZF.

"prescribed environmental matters" has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significance listed in schedule 2 of the Environmental Offsets Regulation 2014.

"primary protection zone" means an area within 200 metres from the boundary of any Category A, B or C environmentally sensitive area.

"regional ecosystem" has the meaning in the Methodology for Surveying and Mapping of Regional Ecosystems and Vegetation Communities in Queensland (Version 3.2 August 2012) and means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil. Regional ecosystems of Queensland were originally described in Sattler and Williams (1999). The Regional Ecosystem Description Database (Queensland Herbarium 2013) is maintained by Queensland Herbarium and contains the current descriptions of regional ecosystems.

"regulated structure" includes land-based containment structures, levees, bunds and voids, but not a tank or container designed and constructed to an Australian Standard that deals with strength and structural integrity.

"rehabilitation or rehabilitated" means the process of reshaping and revegetating land to restore it to a stable landform and in accordance with acceptance criteria and, where relevant, includes remediation of contaminated land. For the purposes of pipeline rehabilitation, rehabilitation includes reinstatement, revegetation and restoration.

"reinstated or reinstatement" means the process of bulk earth works and structural replacement of pre-existing conditions of a site (i.e. soil surface typography, watercourses, culverts, fences and gates and other

landscape(d) features) and is detailed in the APIA Code of Environmental Practice: Onshore Pipelines (2009).

"release, releases , released" has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

"resource activity(ies)" has the meaning in section 107(d) of the *Environmental Protection Act 1994*.

"restoration" means the replacement of structural habitat complexity, ecosystem processes, services and function from a disturbed or degraded site to that of a pre-determined or analogue site. For the purposes of pipelines, restoration applies to final rehabilitation after pipeline decommissioning.

"revegetation or revegetating or revegetate" means to actively re-establish vegetation through seeding or planting techniques in accordance with site specific management plans.

"right of way" means the linear construction footprint required to install pipelines.

"secondary protection zone" in relation to a Category A or Category B environmentally sensitive area means an area within 100 metres from the boundary of the primary protection zone.

"secondary treated class B standards" means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 1000cfu per 100mL, maximum 10 000cfu per 100mL.

"secondary treated class C standards" means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. Release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-Coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 10 000cfu per 100mL, maximum 100 000cfu per 100mL.

"sensitive place" means:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution
- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads

"sensitive receptor" means an area or place where noise (including low frequency, vibration and blasting) is measured investigate whether nuisance impacts are occurring and includes:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution

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- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads.

"significant residual impact" has the meaning in section 8 of the *Environmental Offsets Act 2014*.

"significantly disturbed or significant disturbance or significant disturbance to land or areas" has the meaning in Schedule 12, section 4 of the Environmental Protection Regulation 2008. Land is significantly disturbed if—

- (a) it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it—
 - (i) to a condition required under the relevant environmental authority; or
 - (ii) if the environmental authority does not require the land to be rehabilitated to a particular condition—to the condition it was in immediately before the disturbance.

"species richness" means the number of different species in a given area.

"specified relevant activities" for this environmental authority means an activity that:

- (a) but for being carried out as a resource activity, would otherwise be an activity prescribed under section 19 of the *Environmental Protection Act 1994* as an environmentally relevant activity; or
- (b) stimulation activities; or
- (c) extracting material other than by dredging.

"spring(s)" has the meaning in Schedule 4 of the *Water Act 2000*

"stable" has the meaning in Schedule 5 of the Environmental Protection Regulation 2008 and, for a site, means the rehabilitation and restoration of the site is enduring or permanent so that the site is unlikely to collapse, erode or subside.

"structure" means a dam or levee.

"suitably qualified person" means a person who has qualifications, training, skills and experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

"top soil" means the surface (top) layer of a soil profile, which is more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

"trench spoil" means soil from the pipeline trench.

"valid complaint" means a complaint that is not considered by the administering authority or holder of the environmental authority to be frivolous, vexatious or based on mistaken belief.

"waste and resource management hierarchy" has the meaning provided in section 9 of the *Waste Reduction and Recycling Act 2011*.

"waste and resource management principles" has the meaning provided in section 4(2)(b) of the *Waste Reduction and Recycling Act 2011*.

"waters" means all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.

"**watercourse**" has the meaning provided in Schedule 4 of the *Environmental Protection Act 1994*.

"**wetland**" means a wetland as defined under the Queensland Wetlands Program and are areas of permanent or periodic/intermittent inundation, with water that is static or flowing fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed 6 metres. To be classified as a wetland, the area must have one or more of the following attributes:

- at least periodically, the land supports plants or animals that are adapted to and dependent on living in wet conditions for at least part of their life cycle; or
- the substratum is predominantly undrained soils that are saturated, flooded or ponded long enough to develop anaerobic conditions in the upper layers; or
- the substratum is not soil and is saturated with water, or covered by water at some time.

For the purposes of petroleum activities, wetlands do not include springs and watercourses and those wetlands that are defined in the Wetland Mapping and Classification Methodology (2005) published by the Queensland Government as:

- H2M1 Riverine or ex-riverine (lacustrine) water bodies associated with dams and weirs located in a channel
- H2M3p Ponded pastures
- H2M5 Palustrine/lacustrine water bodies where ecological character has changed due to gross mechanical disturbance (e.g. cropping)
- H2M6 Palustrine/lacustrine water bodies that have been converted, completely or mostly, to a ring tank or other controlled storage
- H2M7 Riverine water bodies that have been converted mostly to canals or irrigation channels
- H3C1 Artificial stand-alone water storages not within a natural water body or channel; or
- H3C2 Artificial Channel drain/canal – bore drains, swales, bores and irrigation channel overflows/ponding.

Explanatory note: This definition has been amended from the Queensland Wetlands Program definition so that low value wetlands and man-made water bodies are excluded.

"**year(s)**" has the meaning in s36 of the *Acts Interpretation Act 1954*.

END OF CONDITIONS

Internal review and appeal to Land Court

This information sheet forms part of an information notice under the Environmental Protection Act 1994. It gives a summary of the process for review and appeal under the Environmental Protection Act and subordinate legislation. Refer to ss. 519 to 530 and Part 1 of Schedule 2 of the Environmental Protection Act for complete information about the process for internal review and appeal to the Land Court.

Introduction

The *Environmental Protection Act 1994* (EP Act) provides for a right of internal review and appeal of certain decisions made under the EP Act. Decisions that can be internally reviewed are listed in Schedule 2 of the EP Act.

The EP Act also provides that a dissatisfied person for an original decision listed in Part 1 of Schedule 2 of the EP Act may appeal against the decision to the Land Court.

Summary of the process for internal review and appeal to the Land Court

This section of the document represents a direct copy of relevant sections of the EP Act regarding the review and appeal process. Any words presented in italics and underlined have been added to clarify the content of an EP Act section.

Chapter 11, Part 3 of the EP Act

Division 1—Interpretation

Section 519 Original decisions

- 1) A decision mentioned in schedule 2 is an 'original decision'.
- 2) A decision under an environmental protection policy or regulation that the policy or regulation declares to be a decision to which this part applies is also an original decision.

Section 520 Dissatisfied person

This section nominates the dissatisfied person for an original or review decision. Refer to section 520 in the EP Act for details.

Division 2—Internal review of decisions

Section 521 Procedure for review

- 1) A dissatisfied person may apply for a review of an original decision.
- 2) The application must—
 - a) be made in the approved form to the administering authority within—
 - i) 10 business days¹ after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the 'review date'); or
 - ii) the longer period the authority in special circumstances allows; and

- b) be supported by enough information to enable the authority to decide the application.
- 3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision—
 - a) notice of the application (the 'review notice');
 - b) a copy of the application and supporting documents.
- 4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 5 business days (the 'submission period') after the application is made to the authority.
- 5) If the administering authority is satisfied the applicant has complied with subsections (2) and (3), the authority must, within the decision period—
 - a) review the original decision;
 - b) consider any submissions properly made by a recipient of the review notice; and
 - c) make a decision (the 'review decision') to—
 - i) confirm or revoke the original decision; or
 - ii) vary the original decision in a way the administering authority considers appropriate.
- 6) The application does not stay (*i.e. suspend or stop*) the original decision
- 7) The application must not be dealt with by—
 - a) the person who made the original decision; or
 - b) a person in a less senior office than the person who made the original decision.
- 8) Within 10 business days after making the review decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- 9) The notice must—
 - a) include the reasons for the review decision; and
 - b) inform the persons of their right of appeal against the decision.
- 10) If the administering authority does not comply with subsection (5) or (8), the authority is taken to have made a decision confirming the original decision.
- 11) Subsection (7) applies despite the *Acts Interpretation Act 1954*, s. 27A.
- 12) This section does not apply to an original decision made by—
 - a) for a matter, the administration and enforcement of which has been devolved to a local government—the local government itself or the chief executive officer of the local government personally; or
 - b) for another matter—the chief executive personally.
- 13) Also, this section does not apply to an original decision to issue a clean-up notice.
- 14) In this section—

decision period means—

- a) If a submission is received within the submission period—15 business days after the administering authority receives the application; or
- b) If no submissions are received within the submission period—10 business days after the administering authority receives the application.

Section 522 Stay of operation of particular original decisions

- 1) If an application is made for review of an original decision mentioned in schedule 2, part 1 or 2, the applicant may immediately apply for a stay of the decision to—
 - a) for an original decision mentioned in schedule 2, part 1—the Land Court; or
 - b) for an original decision mentioned in schedule 2, part 2—the Court.
- 2) The Land Court or the Court may stay the decision to secure the effectiveness of the review and any later appeal to the Land Court or the Court.
- 3) A stay may be given on conditions the Land Court or the Court considers appropriate and has effect for the period stated by the Land Court or the Court.
- 4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the Land Court or the Court allows the applicant to enable the applicant to appeal against the review decision.

Division 3—Appeals

Subdivision 1—Appeals to Land Court

Section 523 Review decisions subject to Land Court appeal

This subdivision applies if the administering authority makes an original decision mentioned in Schedule 2, Part 1.

Section 524 Right of appeal

A dissatisfied person who is dissatisfied with the decision may appeal against the decision to the Land Court.

Section 525 Appeal period

- 1) The appeal must be started within 22 business days after the appellant receives notice of the decision.
- 2) However, the Land Court may at any time extend the time for starting the appeal.

Section 526 Land Court mediation

- 1) Any party to the appeal may, at any time before the appeal is decided, ask the Land Court to conduct or provide mediation for the appeal.
- 2) The mediation must be conducted by the Land Court or a mediator chosen by the Land Court².

Section 527 Nature of appeal

The appeal is by way of rehearing, unaffected by the review decision.

Section 528 Land Court's powers for appeal

In deciding the appeal, the Land Court has the same powers as the administering authority.

Section 530 Decision for appeals

- 1) In deciding the appeal, the Land Court may—

- a) confirm the decision;
 - b) set aside the decision and substitute another decision; or
 - c) set aside the decision and return the matter to the administering authority who made the decision, with directions the Land Court considers appropriate.
- 2) In setting aside or substituting the decision, the Land Court has the same powers as the authority unless otherwise expressly stated.
- 3) However, this part does not apply to a power exercised under subsection (2).
- 4) If the Land Court substitutes another decision, the substituted decision is taken for this Act, other than this subdivision, to be the authority's decision.

¹ Under the *Environmental Protection Act 1994* business days—'generally, does not include a day between 20 December in a year and 5 January in the following year'.

² For information on how to start the appeal, see the *Land Court Rules 2000*. For information on the conduct of the mediation, see the *Land Court Act 2000*. Information is also available on the Land Court website at <www.landcourt.qld.gov.au>.

Disclaimer

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Heritage Protection should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved By

Justin Carpenter

Signature

13/08/2015

Date

Director, Resource Sector Regulation and Support
Department of Environment and Heritage Protection

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HALING Narelle

From: NAYLOR Gillian
Sent: Monday, 9 November 2015 2:24 PM
To: MCLEOD Pippa; BREAKER Kylie; RAO Radhika
Subject: 'No impact' offset conditions

Ladies,

Thinking that these could be the conditions:

Biodiversity 1.

Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority.

Biodiversity 2.

Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:

- (a) completed by an appropriately qualified person; and
- (b) kept for the life of the environmental authority.

"Appropriately qualified person" means a person who has professional qualifications, training or skills or experience relevant to the nominated subject matters and can give authoritative assessment, advice and analysis about performance relevant to the subject matters using relevant protocols, standards, methods or literature.

"Prescribed environmental matters" has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the Environmental Offsets Regulation 2014.

"Significant residual impact" has the meaning in section 8 *Environmental Offsets Act 2014*.

This is what I'm nominated for the standards ERA EAs as well.

Cheers,
Gill



Gillian Naylor

Principal Environmental Officer

Resource Sector Regulation and Support | Petroleum, Gas and Compliance

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HALING Narelle

From: RAO Radhika
Sent: Wednesday, 9 December 2015 10:04 AM
To: 73(2) coz.com.au
Cc: BREAKER Kylie;
Subject: PPL2015 EA
Attachments: PPL2015_Draft_EA.docx

Importance: High

Good morning



Thank you for your email.

The Department of Environment and Heritage Protection (EHP) has reviewed Jemena's comments on the revised draft environmental authority (EA) and does not accept the proposed changes to conditions (C10), (D1), (D2), (E1), (F1) and (F5) as discussed over the phone this morning. The reasons why EHP does not accept the proposed changes are outlined below:

- Conditions (C10), (D1), (D2), (E1) and (F1) are standard conditions for petroleum pipeline activities which have been developed for the petroleum industry; and
- Condition (F5) is a streamline model condition for transitional rehabilitation which requires that rehabilitated areas must be maintained until that acceptance criteria (a-e) is met. Inserting additional wording as proposed by Jemena, changes the intent of the transitional rehabilitation condition. Also, as there is no defined term for 'final rehabilitation', this will lead to compliance ambiguity.

Please advise whether Jemena agrees to the proposed conditions in the revised draft EA by 12pm **9 December 2015**.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

-----Original Message-----

From: 73(2) coz.com.au

Sent: Wednesday, 9 December 2015 7:45 AM

To: RAO Radhika; BREAKER Kylie

Cc:

Subject: PPL2015 EA

Gday Radhika,

Jemena legal have requested a few changes within the draft EA, these changes are marked up in the attached document.

If these changes are made Jemena agrees to the proposed conditions in the draft EA.

Give me a ring if you need to discuss.

Thanks and regards,

73(2)

EHP RTI DL Release

This environmental authority is issued by the administering authority under Chapter 5 of the *Environmental Protection Act 1994*.

Permit¹ number: EPPG03497815

Project Name: North East Gas Interconnector (NEGI)

Environmental authority takes effect when the relevant tenure is granted.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

The environmental authority is subject to the attached schedules of conditions.

Environmental authority holder(s)	Registered address
Jemena Queensland Gas Pipeline (1) Pty Ltd ACN: 083 050 284	321 Ferntree Gully Road, Mount Waverley, VIC 3149

Environmentally Relevant Activity(ies)	Relevant Tenure
Resource activity that is a petroleum activity and which includes the following: Item 5, Schedule 2A of the Environmental Protection Regulation 2008 - constructing a new pipeline of more than 150km under a petroleum authority; and Item 8, Schedule 2A of the Environmental Protection Regulation 2008 - a petroleum activity or GHG storage activity, other than an activity mentioned in items 1 to 7, that includes 1 or more activities mentioned in schedule 2 for which an aggregate environmental score is stated.	Petroleum Pipeline Licence (PPL): 2015

Signature

Jackie McKeay

Delegate of the administering authority
Environmental Protection Act 1994

Date

Enquiries:

Petroleum and Gas
Department of Environment and Heritage Protection
Level 7, 400 George Street, BRISBANE QLD 4000
GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Fax: (07) 3330 5634

EHP RTI DL Release

Additional Information for Applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994*.

Contaminated land and notifiable activities

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994*.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to think about these issues:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of the successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty, however maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - o the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - o the activity has caused the unauthorised connection of 2 or more aquifers.

For more information on the duty to notify requirements refer to the guideline *Duty to notify of environmental harm (EM467)*.

Some Relevant Offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is environmental harm that is not trivial or negligible in nature. It may be great in extent or context or it may cause actual or potential loss or damage to property. The difference between material and serious harm relates to the costs of damages or the costs required to either prevent or minimise the harm or to rehabilitate the environment. Serious environmental harm may have irreversible or widespread effects or it may be caused in an area of high conservation significance. Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some Relevant Offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 L or more) at a place. Illegal dumping can also include abandoned vehicles.

Responsibilities under Other Legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other State and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

An environmental authority for petroleum activities is not an authority to impact on water levels or pressure heads in groundwater aquifers in or surrounding formations. There are obligations to minimise or mitigate any such impact under other Queensland Government and Commonwealth Government legislation.

Environmental Authority Conditions

This environmental authority consists of the following Schedules:

Schedule A – Authorised activities	7
Schedule B – Protecting environmental values.....	9
Schedule C – General conditions	10
Schedule D – Pipeline planning	13
Schedule E – Construction conditions.....	14
Schedule F – Post-construction conditions including operations, maintenance and decommissioning	17
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Schedule A – Authorised activities

(A1) This environmental authority authorises the carrying out of the following resource activity(ies):

- (a) the petroleum activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities* to the extent they are carried out in accordance with the activity's corresponding scale and intensity; and
- (b) the following specified relevant activities when carried out as an incidental activity:
 - i. Sewage treatment– operating sewage treatment works, other than no-release works, with a total daily peak design capacity of less than 300 equivalent persons (EP).
- (c) Incidental activities that are not otherwise specified relevant activities.

Schedule A, Table 1 – Scale and Intensity for the Activities

Tenure	Petroleum Activity	Scale (number of activities)	Intensity (Maximum Disturbance)
PPL2015	Pipeline <u>right of way</u> (ROW)	165km	495ha
	Temporary construction camp	1	8.75ha
	Access tracks (new - temporary)	-	25.90ha
	Access tracks (new – permanent)	-	8ha
	Access track turn-off Barkly Highway	30m	0.53ha
	Access track turn-off to ROW	30m	0.81ha
	Vehicle turnarounds	33	3.96
	Explosives storage area	1	0.02ha
	Existing access tracks	-	1.74ha
	Major <u>watercourse</u> crossings	-	0.83ha
	Minor <u>watercourse</u> crossings	-	0.88ha
	Buried pipeline crossing	-	0.13ha
	Low consequence <u>dams</u>	2 x 3ML	0.5ha
		2 x 8ML	0.6ha
	Sewage Treatment Plant(s) that discharge treated effluent to an infiltration trench or through an irrigation scheme	300EP	4ha
	Compressor station	1	9ha
	Mainline Valve	1	0.25ha
	Cathodic protection station	1	0.04ha

(A2) The following types of petroleum activities are not authorised:

- (a) processing or storing petroleum or petroleum by-products that are not necessarily associated with pipeline construction or operation;

- (b) extracting earthen materials (other than drilling waste rock or trench spoil) of more than 100,000t/year;
 - (c) extracting by dredging more than 1000t/year of material from the bed of naturally occurring surface waters;
 - (d) construction of power lines (either above or below ground) outside the right of way necessary for the pipeline, except where authorised in this EA.
- (A3) Only low impact petroleum activities can be undertaken within category A environmentally sensitive areas (ESAs) or category B ESAs or category C ESAs or within the ESAs' primary protection zone.
- (A4) Notwithstanding condition (A3), the following petroleum activities are permitted within state forests or timber reserves and within the primary protection zone of state forests or timber reserves:
- (a) linear infrastructure;
 - (b) pipeline construction corridor not exceeding 30m in width; and
 - (c) turn around and work areas associated with pipeline construction not exceeding 50m in width.
- (A5) Non-linear infrastructure is permitted within the secondary protection zone of ESAs provided the location is justified given other constraints and cannot be avoided and it can be demonstrated that there will be no negative impacts on the ESA.
- (A6) Records demonstrating compliance with condition (A5) must be kept.

Schedule B – Protecting environmental values

- (B1) Petroleum activities that cause significant disturbance to land must not be carried out until financial assurance has been given to the administering authority as security for compliance with the environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the *Environmental Protection Act 1994*.
- (B2) This environmental authority does not authorise petroleum activities to cause environmental nuisance at a sensitive place other than where an alternative arrangement is in place for noise.
- (B3) Contaminants must not be directly or indirectly released to land or air except for those releases specifically authorised by conditions of the environmental authority.
- (B4) Petroleum activities must:
- (a) firstly, avoid, then minimise, then mitigate any negative impacts on areas of vegetation or other areas of ecological value
 - (b) minimise disturbance to land that may otherwise result in land degradation
 - (c) minimise isolation, fragmentation or dissection of tracts of vegetation that would lead to a reduction in the current level of ecosystem functioning or ecological connectivity
 - (d) minimise clearing of mature or hollow bearing trees.
- (B5) Where significant disturbance to land is to occur, records demonstrating compliance with condition (B4) must be kept.

Schedule C – General conditions

Documentation

- (C1) All plans, procedures and reports must:
 - (a) be certified by a suitably qualified person
 - (b) be kept on record for a minimum of 5 years.
- (C2) All plans and procedures required to be developed must be implemented.

Plant and equipment

- (C3) All plant and equipment reasonably necessary to ensure compliance with the conditions must be installed.
- (C4) All plant and equipment must be maintained and operated in their proper and effective condition.
- (C5) All measures reasonably necessary to ensure compliance with the conditions must be implemented.

Contingency and emergency response

- (C6) Petroleum activities involving significant disturbance to land or which have the potential to cause environmental harm can only commence after the development of written contingency procedures which address the risks of non-compliance with conditions of the environmental authority.
- (C7) The contingency procedures must include, but not necessarily be limited to:
 - (a) environmental nuisance and complaint management procedures including:
 - i. a description of the petroleum activities that might result in non-compliance with conditions of the environmental authority standard conditions and what mitigation measures are required to be implemented; and
 - ii. the action that will be undertaken when a member of the public makes a valid complaint.
 - (b) management procedures including details of what actions will be taken to protect environmental values and minimise potential environmental harm from petroleum activities as a result of floods, severe storms and fires.
 - (c) environmental emergency management procedures including details of the response and mitigation measures that will be actioned to reduce negative impacts to environmental values in the event of a non-compliance with conditions of the environmental authority.

Soil management

- (C8) Measures must be implemented and maintained to minimise stormwater entry onto significantly disturbed land.

- (C9) Sediment and erosion control measures to prevent soil loss and deposition beyond significantly disturbed land must be implemented and maintained.
- (C10) The measures required by conditions (C8) and (C9) must be in accordance, to the greatest practicable extent, with the International Erosion Control Association (IECA) *Best Practice Erosion and Sediment Control (BPESC) document* and/or the Australian Pipeline Industry Association (APIA) *Code of Environmental Practice: Onshore Pipelines* (2009).

Chemical storage

- (C11) Chemicals and fuels on the relevant tenures must be stored in, or serviced by, an effective containment system that meets Australian Standards, where such a standard is relevant.

Waste management

- (C12) Measures must be implemented so that waste is managed in accordance with the waste and resource management hierarchy and the waste and resource management principles.
- (C13) For waste fluids that can be stored in a container that is other than a low consequence dam, the container must either be an above ground container or a structure which contains the wetting front.
- (C14) Waste, including waste fluids, must be transported off-site for lawful re-use, remediation, recycling or disposal unless the waste is specifically authorised by conditions of the environmental authority to be disposed of or used on-site.
- (C15) Green waste may be used on-site for rehabilitation and/or sediment and erosion control purposes.

Treated sewage effluent

- (C16) Treated sewage effluent or greywater can be released to land provided it:
- (a) meets or exceeds secondary treated class B standards for a treatment system with a daily peak design capacity of between 150 EP and 1500 EP; or
 - (b) meets or exceeds secondary treated class C standards for a treatment system with a daily peak design capacity of less than 150 EP.
- (C17) The release of treated sewage effluent or greywater authorised in condition (C16) must:
- (a) be to a fenced and signed contaminant release area(s);
 - (b) not contain any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm;
 - (c) not result in pooling or run-off or aerosols or spray drift or vegetation die-off
 - (d) minimise deep drainage below the root zone of any vegetation;
 - (e) not adversely affect the quality of shallow aquifers;

- (f) not adversely impact soil quality;
- (g) be to a contaminant release area(s) that is kept vegetated with groundcover, that is:
 - i. not a declared pest species;
 - ii. kept in a viable state for transpiration and nutrient uptake; and
 - iii. grazed or harvested and removed from the contaminant release area as needed, but not less than every three months.

Financial assurance

- (C18) Prior to any changes in petroleum activities which would result in an increase to the maximum disturbance since the last financial assurance calculation was submitted, the holder of the environmental authority must submit, and the administering authority must have approved, an application to amend the financial assurance.

Schedule D – Pipeline planning

Site planning

- (D1) Pipeline planning must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Planning for land disturbance

- (D2) Notwithstanding condition (D1), the pipeline construction corridor must:
- (a) be minimised in width to the greatest practicable extent
 - (b) not exceed 30m in width
 - (c) not include turn around and work areas associated with pipeline construction that exceed 50m in width.
 - (d) be preferentially located alongside existing linear infrastructure.

Biodiversity

- (D3) Prior to undertaking activities that result in significant disturbance to land in areas of native vegetation, confirmation of on-the-ground biodiversity values of the native vegetation communities at that location must be undertaken by a suitably qualified person.
- (D4) A suitably qualified person must develop and certify a methodology so that condition (D3) can be complied with and which is appropriate to confirm on-the-ground biodiversity values.
- (D5) Where mapped biodiversity values differ from those confirmed under conditions (D3) and (D4), petroleum activities may proceed in accordance with the conditions of the environmental authority based on the confirmed on-the-ground biodiversity value.
- (D6) Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority.
- (D7) Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:
- (a) completed by a suitably qualified person; and
 - (b) kept for the life of the environmental authority.

Schedule E – Construction conditions

- (E1) Pipeline construction must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Activities in watercourses, wetlands, lakes and springs

- (E2) Petroleum activities that require earthworks, vegetation clearing and/or placing fill, other than that associated with the construction of linear infrastructure, are not permitted in or within:
- (a) 200 metres of any wetland, lake or spring; or
 - (b) 100 metres of the outer bank of any other watercourse.
- (E3) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland, lake, spring or watercourse must be conducted in accordance with the following order of preference. Conducting works:
- (a) firstly, in times where there is no water present.
 - (b) secondly, in times of no flow.
 - (c) thirdly, in times of flow, but in a way that does not impede low flow.
- (E4) Petroleum activities must not result in water turbidity increases of more than 10% in high ecological value waters outside contained construction or maintenance areas.
- (E5) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a lake, spring or watercourse must be designed and undertaken by a suitably qualified person in accordance with the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.
- (E6) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland must be designed and undertaken by a suitably qualified person taking into consideration sections 5 and 6 of the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.

Fauna management

- (E7) Measures to prevent fauna entrapment must be implemented during the construction of pipelines in pipe sections and pipeline trenches and operation of dams.

Waste

- (E8) Pipeline waste water may be released to land provided that it:
- (a) can be demonstrated to meet the acceptable standards for release to land.
 - (b) is released in a way that does not cause visible scouring or erosion.
- (E9) If hydrostatic testing water quality does not or cannot be treated to meet the requirements of condition (E8), it must be managed in accordance with conditions (C13) or (C14).

Blasting

- (E10) A Blast Management Plan must be developed for each blasting activity in accordance with Australian Standard 2187.
- (E11) Blasting operations must be designed to not exceed an airblast overpressure level of 120dB (linear peak) at any time, when measured at or extrapolated to any sensitive place.
- (E12) Blasting operations must be designed to not exceed a ground-borne vibration peak particle velocity of 10mm/s at any time, when measured at or extrapolated to any sensitive place.

Structures that are dams or levees

- (E13) Regulated structures are not permitted.
- (E14) The consequence category of any structure to be used in carrying out petroleum activities must be assessed in accordance with the Queensland Government *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams* prior to the design and construction of the structure.
- (E15) A consequence assessment report and certification must be prepared for each structure assessed and the report may include a consequence assessment for more than one structure.
- (E16) Certification must be provided by the suitably qualified and experienced person who undertook the assessment, in the form set out in the *Manual for Assessing Consequence Categories and Hydraulic Performance of Structures*.
- (E17) Low consequence dams must be:
- (a) constructed, operated and maintained in accordance with accepted engineering standards currently appropriate for the purpose for which the dam is intended to be used; and
 - (b) designed with a floor and sides made of material that will contain the wetting front and any entrained contaminants within the bounds of the containment system during both its operational life and including any period of decommissioning and rehabilitation.
- (E18) All low consequence dams must be monitored for early signs of loss of structural or hydraulic integrity as specified in the initial hazard assessment.

- (E19) When no longer required all low consequence dams must be decommissioned to no longer accept inflow from the petroleum activities and be either:
- (a) rehabilitated; or
 - (b) agreed to in writing by the administering authority and the landholder to remain in situ following the cessation of the petroleum activity(ies) associated with the dam, with the contained water of a quality suitable for the intended ongoing uses(s) by that landholder.

Pipeline reinstatement and revegetation

- (E20) Pipeline trenches must be backfilled and topsoils reinstated within 3 months after pipe laying.
- (E21) Reinstatement and revegetation of the pipeline right of way must commence within 6 months after completion of petroleum activities for the purpose of pipeline construction.
- (E22) Backfilled, reinstated and revegetated pipeline trenches and right of way must be:
- (a) a stable landform.
 - (b) re-profiled to a level consistent with surrounding soils.
 - (c) re-profiled to original contours and established drainage lines.
 - (d) vegetated with groundcover which is not a declared pest species, and which is established and self- sustaining.

Schedule F – Post-construction conditions including operations, maintenance and decommissioning

- (F1) Pipeline operation and maintenance must be in accordance, to the greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS2885.3:2012.
- (F2) Written procedures must be developed to ensure operations and maintenance of the pipeline complies with the conditions of the environmental authority.
- (F3) Pipeline waste water may be released to land provided that it meets the requirements of condition (E8).

Rehabilitation planning

- (F4) A Rehabilitation Plan must be developed by a suitably qualified person and must include the:
 - (a) rehabilitation goals; and
 - (b) procedures to be undertaken for rehabilitation that will:
 - i. achieve the requirements of conditions (F5) to (F8), inclusive; and
 - ii. provide for appropriate monitoring and maintenance.

Transitional rehabilitation

- (F5) Significantly disturbed areas that are no longer required for the on-going petroleum activities, must be rehabilitated within 12 months (unless an exceptional circumstance in the area to be rehabilitated (e.g. a flood event) prevents this timeframe being met) and be maintained to meet the following acceptance criteria:
 - (a) contaminated land resulting from petroleum activities is remediated and rehabilitated
 - (b) the areas are:
 - i. non-polluting
 - ii. a stable landform
 - iii. re-profiled to contours consistent with the surrounding landform
 - (c) surface drainage lines are re-established
 - (d) top soil is reinstated; and
 - (e) either:
 - i. groundcover, that is not a declared pest species, is growing; or
 - ii. an alternative soil stabilisation methodology that achieves effective stabilisation is implemented and maintained.

Final rehabilitation acceptance criteria

- (F6) All significantly disturbed areas caused by petroleum activities which are not being or intended to be utilised by the landholder or overlapping tenure holder, must be rehabilitated to meet the following final acceptance criteria measured either against the highest ecological value adjacent land use or the pre-disturbed land use:

- (a) greater than or equal to 70% of native ground cover species richness
- (b) greater than or equal to the total per cent of ground cover
- (c) less than or equal to the per cent species richness of declared plant pest species; and
- (d) where the adjacent land use contains, or the pre-clearing land use contained, one or more regional ecosystem(s), then at least one regional ecosystem(s) from the same broad vegetation group, and with the equivalent biodiversity status or a biodiversity status with a higher conservation value as any of the regional ecosystem(s) in either the adjacent land or pre-disturbed land, must be present.

Continuing conditions

- (F7) Conditions (F5) and (F6) continue to apply after this environmental authority has ended or ceased to have effect.

Remaining dams

- (F8) Where there is a dam (including a low consequence dam) that is being or intended to be utilised by the landholder or overlapping tenure holder, the dam must be decommissioned to no longer accept inflow from the petroleum activity(ies) and the contained water must be of a quality suitable for the intended on-going uses(s) by the landholder or overlapping tenure holder.

Schedule G – Monitoring and reporting conditions

Monitoring

- (G1) All monitoring must be undertaken by a suitably qualified person.
- (G2) If requested by the administering authority in relation to investigating a valid complaint, monitoring must be undertaken within 10 business days.
- (G3) All laboratory analyses and tests must be undertaken by a laboratory that has NATA accreditation for such analyses and tests, except as otherwise authorised in writing by the administering authority.
- (G4) Notwithstanding condition (G3), where there are no NATA accredited laboratories available to test for a specific analyte or substance, then duplicate samples must be sent to separate laboratories for independent testing or evaluation.

Sampling

- (G5) The methods of surface water sampling must comply with that set out in the Queensland Government's *Monitoring and Sampling Manual 2009 – Environmental Protection (Water) Policy 2009*.
- (G6) The methods of groundwater sampling must comply with the Australian Government's *Groundwater Sampling and Analysis – A Field Guide* (2009:27 GeoCat #6890.1).
- (G7) Noise must be measured in accordance with the prescribed standards in the *Environmental Protection Regulation 2008*.
- (G8) The method of measurement of ambient air quality or point source contaminant releases to air must comply with the *Queensland Air Quality Sampling Manual* and/or Australian Standard 4323.1:1995 *Stationary source emissions method 1: Selection of sampling positions*, whichever is appropriate for the relevant measurement.

Notification

- (G9) In addition to the requirements under Chapter 7, Part 1, Division 2 of the Environmental Protection Act 1994, the administering authority must be notified through the Pollution Hotline and in writing, as soon as possible, but within 48 hours of becoming aware of any of the following events:
 - (a) any unauthorised significant disturbance to land.
 - (b) potential or actual loss of structural or hydraulic integrity of a dam.
 - (c) unauthorised releases of any volume of prescribed contaminants to waters.
 - (d) unauthorised releases of volumes of contaminants, in any mixture, to land greater than:
 - i. 200 L of hydrocarbons; or
 - ii. 5 000 L of raw sewage; or
 - iii. 10 000 L of treated sewage effluent.
 - (e) monitoring results where two out of any five consecutive samples do not comply with the relevant limits in the environmental authority.

Reporting

- (G10) The annual return must include an Update Report detailing activities during the annual return period, demonstrating:
- (a) significant disturbance during the period.
 - (b) rehabilitation undertaken.
 - (c) a list of all valid complaints relating to environmental issues made including the date, source, reason for the complaint and a description of investigations undertaken in resolving the complaint.
 - (d) the results of all monitoring undertaken.

Schedule H – Definitions

Explanatory note: Where a term is not defined in this document, the definition in the *Environmental Protection Act 1994*, its regulations and environmental protection policies, then the *Acts Interpretation Act 1954* then the *Macquarie Dictionary* should be used in that order.

“acceptable standards for release to land” means wastewater of the following quality as determined by monitoring results or by characterisation:

- (a) electrical conductivity (EC) not exceeding 3000µS/cm
- (b) sodium adsorption ratio (SAR) not exceeding 8
- (c) pH between 6.0 and 9.0
- (d) heavy metals (measured as total) meets the respective short term trigger value in section 4.2.6, Table 4.2.10—Heavy metals and metalloids in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC) 2000
- (e) does not contain biocides.

“accepted engineering standards” in relation to dams, means those standards of design, construction, operation and maintenance that are broadly accepted within the profession of engineering as being good practice for the purpose and application being considered. In the case of dams, the most relevant documents would be publications of the *Australian National Committee on Large Dams* (ANCOLD), guidelines published by Queensland government departments and relevant Australian and New Zealand Standards.

“adjacent land use(s)” means the ecosystem function adjacent to an area of significant disturbance, or where there is no ecosystem function, the use of the land. An adjacent land use does not include an adjacent area that shows evidence of edge effect.

“administering authority” has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

“alternative arrangement” means a written agreement between the holder of this environmental authority and an affected or potentially affected person at a sensitive receptor for a defined noise nuisance impact and may include an agreed period of time for which the arrangement is in place. An agreement for alternative arrangements may include, but not necessarily be limited to a range of noise abatement measures to be installed at a sensitive receptor and / or provision of alternative accommodation for the duration of the defined noise nuisance impact.

“analogue site(s)” means an area of land which contains values and characteristics representative of an area to be rehabilitated prior to disturbance. Such values must encompass land use, topographic, soil, vegetation and other ecological characteristics. Analogue sites can be the pre-disturbed site of interest where significant surveying effort has been undertaken to establish benchmark parameters.

“analyte(s)” means a chemical parameter determined by either physical measurement in the field or by laboratory analysis.

“annual return period” means the most current 12-month period between 2 anniversary dates.

“aquifer” means an identifiable stratigraphic formation that has the potential to produce useful flows of water.

“Australian Standard 2187” means Australian Standard 2187.0:1998 Explosives—Storage, transport and use, Part 0, Australian Standard 2187.1:1998 Explosives—Storage, transport and use Part 1 and Australian Standard 2187.2:2006 Explosives—Storage and use, Part 2 or any updated versions that becomes available from time to time.

“Australian Standard 2885” means Australian Standard 2885.0:2008 Pipelines – Gas and Liquid Petroleum General Requirements, Australian Standard 2885.0-2008/Amdt 1-2012 Pipelines - Gas and Liquid Petroleum General Requirements, Australian Standard 2885.1:2012 Pipelines – Gas and Liquid Petroleum Design and Construction and Australian Standard 2885.3:2012 Pipelines – Gas and Liquid Petroleum Operation and Maintenance, or any updated versions that become available from time to time.

“**bed**” of any waters, has the meaning in Schedule 12 Part 2 of the Environmental Protection Regulation 2008.

“**being or intended to be utilised by the landholder or overlapping tenure holder**” for significantly disturbed land, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use of the land such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

For dams, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use for the dam such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

“**biodiversity values**” for the purposes of this environmental authority, means environmentally sensitive areas, areas of State significant biodiversity value and wetlands.

“**business day**” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“**category A ESA**” means any area listed in Schedule 12, Section 1 of the Environmental Protection Regulation 2008.

“**category B ESA**” means any area listed in Schedule 12, Section 2 of the Environmental Protection Regulation 2008.

“**category C ESA**” means any of the following areas:

- nature refuges as defined in the conservation agreement for that refuge under the *Nature Conservation Act 1992*
- koala habitat areas as defined under the Nature Conservation (Koala) Conservation Plan 2006
- State forests or timber reserves as defined under the *Forestry Act 1959*
- regional parks (previously known as resource reserves) under the *Nature Conservation Act 1992*
- an area validated as ‘essential habitat’ or ‘essential regrowth habitat’ from ground-truthing surveys in accordance with the *Vegetation Management Act 1999* for a species of wildlife listed as endangered or vulnerable under the *Nature Conservation Act 1992*
- ‘of concern regional ecosystems’ that are remnant vegetation and identified in the database called ‘RE description database’ containing regional ecosystem numbers and descriptions.

“**certification**” means assessment and approval must be undertaken by a suitably qualified and experienced person in relation to any assessment or documentation required by this Manual, including design plans, ‘as constructed’ drawings and specifications, construction, operation or an annual report regarding regulated structures, undertaken in accordance with the Board of Professional Engineers of Queensland Policy Certification by RPEQs (ID: 1.4 (2A)).

“**certified**” in relation to any matter other than a design plan, ‘as constructed’ drawings or an annual report regarding dams means, a Statutory Declaration by a suitably qualified person or suitably qualified third party accompanying the written document stating:

- the person’s qualifications and experience relevant to the function
- that the person has not knowingly included false, misleading or incomplete information in the document
- that the person has not knowingly failed to reveal any relevant information or document to the administering authority
- that the document addresses the relevant matters for the function and is factually correct; and
- that the opinions expressed in the document are honestly and reasonably held.

“**clearing**” has the meaning in the dictionary of the *Vegetation Management Act 2000*.

“**consequence assessment**” of a dam, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit of the assessment:

- (a) exactly what has been assessed and the precise nature of that determination;

(b) the relevant legislative, regulatory and technical criteria on which the assessment has been based;
(c) the relevant data and facts on which the assessment has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
(d) the reasoning on which the assessment has been based using the relevant data and facts, and the relevant criteria.

“consequence category” means a category, either low, significant or high, into which a dam is assessed as a result of the application of tables and other criteria in the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635).

“daily peak design capacity” for sewage treatment works, has the meaning in Schedule 2, section 63(4) of the Environmental Protection Regulation 2008 as the higher equivalent person (EP) for the works calculated using each of the formulae found in the definition for EP.

“dam(s)” means a land-based structure or a void that is designed to contain, divert or control flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and associated works. A dam does not mean a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container.

“declared pest species” has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a live animal or plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the animal or plant.

“declared plant pest species” has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the plant.

“decommissioning” in relation to pipelines means the actions undertaken in accordance with the requirements of Australian Standard 2885, as amended from time to time, to prepare the pipeline and peripheral facilities for pending suspension or abandonment.

“documents” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“ecological connectivity” is a measure of ecological condition and means the flow or connection of organisms and ecological processes across landscapes at multiple scales. Ecological connectivity has a positive relationship with landscape connectivity and habitat connectivity and effects vary between species. It includes connectivity by stepping stone or contiguous bioregional/local corridor networks.

“ecosystem function” means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

“ecosystem functioning” means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

“environmental harm” has the meaning in section 14 of the *Environmental Protection Act 1994*.

“environmental nuisance” has the meaning in section 15 of the *Environmental Protection Act 1994* and means unreasonable interference or likely interference with an environmental value caused by—

- (a) aerosols, fumes, light, noise, odour, particles or smoke; or
- (b) an unhealthy, offensive or unsightly condition because of contamination; or
- (c) another way prescribed by regulation.

“environmental value(s)” has the meaning in section 9 of the *Environmental Protection Act 1994*.

“environmentally relevant activity or ERA” has the meaning in section 18 of the *Environmental Protection Act 1994*.

“equivalent person or EP” has the meaning under section 3 of the Planning Guidelines For Water Supply and Sewerage, 2005, published by the Queensland Government. It is calculated in accordance with Schedule 2, Section 63(4) of the Environmental Protection Regulation 2008 where:

- $EP = V/200$ where V is the volume, in litres, of the average dry weather flow of sewage that can be treated at the works in a day; or
- $EP = M/2.5$ where M is the mass, in grams, of phosphorus in the influent that the works are designed to treat as the inlet load in a day.

“financial assurance” for an environmental authority, means financial assurance given for the authority under Chapter 5, part 12, division 2 of the *Environmental Protection Act 1994*.

“flowable substance” means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substance can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids fluids or solids either in solution or suspension.

“green waste” means waste that is grass cuttings, trees, bushes, shrubs, material lopped from trees, untreated timber or other waste that is similar in nature but does not include declared pest species.

“greywater” means wastewater generated from domestic activities such as laundry, dishwashing, and bathing. Greywater does not include sewage.

“high ecological value waters” means Queensland waters that are scheduled waters under the Environmental Protection (Water) Policy 2009 as high value ecological waters.

“hydraulic integrity” refers to the capacity of a dam to contain or safely pass flowable substances based on its design.

“incidental activity” for this environmental authority means an activity that is not a specified relevant activity and is necessary to carry out the activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities*.

“lake” means:

- a lagoon, swamp or other natural collection of water, whether permanent or intermittent; and
- the bed and banks and any other element confining or containing the water.

“levee” means an embankment that only provides for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of water or flowable substances at any other times.

“linear infrastructure” means powerlines, pipelines, roads and access tracks.

“low consequence dam” means any dam that is not classified as high or significant as assessed using the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures, published by the administering authority, as amended from time to time.

“low impact petroleum activities” means petroleum activities which do not result in the clearing of native vegetation, cause disruption to soil profiles through earthworks or excavation or result in significant disturbance to land which cannot be rehabilitated immediately using hand tools after the activity is completed. Examples of such activities include but are not necessarily limited to soil surveys (excluding test pits), topographic surveys, cadastral surveys and ecological surveys, may include installation of monitoring equipment provided that it is within the meaning of low impact and traversing land by car or foot via existing access tracks or routes or in such a way that does not result in permanent damage to vegetation.

“month” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“NATA accreditation” means accreditation by the National Association of Testing Authorities Australia.

“non-linear infrastructure” means infrastructure that is other than a powerline, a pipeline, a road, an access track and includes only the following:

- workers camps
- maintenance facilities
- no-release sewage treatment plants
- laydown areas
- structures (i.e. dams or levees)
- tanks
- sediment and erosion control measures
- above ground containers and chemical / fuel storages
- water pumps and generators
- stockpiles
- compressor station capable of burning less than 500kg/hr of fuel

“outer bank” has the meaning in section 5A of the *Water Act 2000*.

“pipeline waste water” means hydrostatic testing water, flush water or water from low point drains.

“pre-disturbed land use” means the function or use of the land as documented prior to significant disturbance occurring at that location.

“prescribed contaminants” has the meaning in section 440ZD of the *Environmental Protection Act 1994* and means:

- (a) earth; or
- (b) a contaminant prescribed under section 440ZF.

“prescribed environmental matters” has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significance listed in schedule 2 of the Environmental Offsets Regulation 2014.

“primary protection zone” means an area within 200 metres from the boundary of any Category A, B or C environmentally sensitive area.

“regional ecosystem” has the meaning in the Methodology for Surveying and Mapping of Regional Ecosystems and Vegetation Communities in Queensland (Version 3.2 August 2012) and means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil. Regional ecosystems of Queensland were originally described in Sattler and Williams (1999). The Regional Ecosystem Description Database (Queensland Herbarium 2013) is maintained by Queensland Herbarium and contains the current descriptions of regional ecosystems.

“regulated structure” includes land-based containment structures, levees, bunds and voids, but not a tank or container designed and constructed to an Australian Standard that deals with strength and structural integrity.

“rehabilitation or rehabilitated” means the process of reshaping and revegetating land to restore it to a stable landform and in accordance with acceptance criteria and, where relevant, includes remediation of contaminated land. For the purposes of pipeline rehabilitation, rehabilitation includes reinstatement, revegetation and restoration.

“reinstated or reinstatement” means the process of bulk earth works and structural replacement of pre-existing conditions of a site (i.e. soil surface topography, watercourses, culverts, fences and gates and other

landscape(d) features) and is detailed in the APIA Code of Environmental Practice: Onshore Pipelines (2009).

“release, releases , released” has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

“resource activity(ies)” has the meaning in section 107(d) of the *Environmental Protection Act 1994*.

“restoration” means the replacement of structural habitat complexity, ecosystem processes, services and function from a disturbed or degraded site to that of a pre-determined or analogue site. For the purposes of pipelines, restoration applies to final rehabilitation after pipeline decommissioning.

“revegetation or revegetating or revegetate” means to actively re-establish vegetation through seeding or planting techniques in accordance with site specific management plans.

“right of way” means the linear construction footprint required to install pipelines.

“secondary protection zone” in relation to a Category A or Category B environmentally sensitive area means an area within 100 metres from the boundary of the primary protection zone.

“secondary treated class B standards” means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 1000cfu per 100mL, maximum 10 000cfu per 100mL.

“secondary treated class C standards” means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. Release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-Coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 10 000cfu per 100mL, maximum 100 000cfu per 100mL.

“sensitive place” means:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution
- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads

“sensitive receptor” means an area or place where noise (including low frequency, vibration and blasting) is measured investigate whether nuisance impacts are occurring and includes:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution

- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads.

“significant residual impact” has the meaning in section 8 of the *Environmental Offsets Act 2014*.

“significantly disturbed or significant disturbance or significant disturbance to land or areas” has the meaning in Schedule 12, section 4 of the Environmental Protection Regulation 2008. Land is significantly disturbed if—

- (a) it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it—
 - (i) to a condition required under the relevant environmental authority; or
 - (ii) if the environmental authority does not require the land to be rehabilitated to a particular condition—to the condition it was in immediately before the disturbance.

“species richness” means the number of different species in a given area.

“specified relevant activities” for this environmental authority means an activity that:

- (a) but for being carried out as a resource activity, would otherwise be an activity prescribed under section 19 of the *Environmental Protection Act 1994* as an environmentally relevant activity; or
- (b) stimulation activities; or
- (c) extracting material other than by dredging.

“spring(s)” has the meaning in Schedule 4 of the *Water Act 2000*

“stable” has the meaning in Schedule 5 of the Environmental Protection Regulation 2008 and, for a site, means the rehabilitation and restoration of the site is enduring or permanent so that the site is unlikely to collapse, erode or subside.

“structure” means a dam or levee.

“suitably qualified person” means a person who has qualifications, training, skills and experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

“top soil” means the surface (top) layer of a soil profile, which is more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

“trench spoil” means soil from the pipeline trench.

“valid complaint” means a complaint that is not considered by the administering authority or holder of the environmental authority to be frivolous, vexatious or based on mistaken belief.

“waste and resource management hierarchy” has the meaning provided in section 9 of the *Waste Reduction and Recycling Act 2011*.

“waste and resource management principles” has the meaning provided in section 4(2)(b) of the *Waste Reduction and Recycling Act 2011*.

“waters” means all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.

“**watercourse**” has the meaning provided in Schedule 4 of the *Environmental Protection Act 1994*.

“**wetland**” means a wetland as defined under the Queensland Wetlands Program and are areas of permanent or periodic/intermittent inundation, with water that is static or flowing fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed 6 metres. To be classified as a wetland, the area must have one or more of the following attributes:

- at least periodically, the land supports plants or animals that are adapted to and dependent on living in wet conditions for at least part of their life cycle; or
- the substratum is predominantly undrained soils that are saturated, flooded or ponded long enough to develop anaerobic conditions in the upper layers; or
- the substratum is not soil and is saturated with water, or covered by water at some time.

For the purposes of petroleum activities, wetlands do not include springs and watercourses and those wetlands that are defined in the Wetland Mapping and Classification Methodology (2005) published by the Queensland Government as:

- H2M1 Riverine or ex-riverine (lacustrine) water bodies associated with dams and weirs located in a channel
- H2M3p Ponded pastures
- H2M5 Palustrine/lacustrine water bodies where ecological character has changed due to gross mechanical disturbance (e.g. cropping)
- H2M6 Palustrine/lacustrine water bodies that have been converted, completely or mostly, to a ring tank or other controlled storage
- H2M7 Riverine water bodies that have been converted mostly to canals or irrigation channels
- H3C1 Artificial stand-alone water storages not within a natural water body or channel; or
- H3C2 Artificial Channel drain/canal – bore drains, swales, bores and irrigation channel overflows/ponding.

Explanatory note: This definition has been amended from the Queensland Wetlands Program definition so that low value wetlands and man-made water bodies are excluded.

“**year(s)**” has the meaning in s36 of the *Acts Interpretation Act 1954*.

END OF CONDITIONS

HALING Narelle

From: 73(2) ecoz.com.au>
Sent: Wednesday, 9 December 2015 7:45 AM
To: RAO Radhika; BREAKER Kylie
Cc:
Subject: PPL2015 EA
Attachments: PPL2015_Draft_EA Jemena requested changes.docx

Gday Radhika,

Jemena legal have requested a few changes within the draft EA, these changes are marked up in the attached document.

If these changes are made Jemena agrees to the proposed conditions in the draft EA.

Give me a ring if you need to discuss.

Thanks and regards,

EHP RTI DL Release

This environmental authority is issued by the administering authority under Chapter 5 of the *Environmental Protection Act 1994*.

Permit¹ number: EPPG03497815

Project Name: North East Gas Interconnector (NEGI)

Environmental authority takes effect when the relevant tenure is granted.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

The environmental authority is subject to the attached schedules of conditions.

Environmental authority holder(s)	Registered address
Jemena Queensland Gas Pipeline (1) Pty Ltd ACN: 083 050 284	321 Ferntree Gully Road, Mount Waverley, VIC 3149

Environmentally Relevant Activity(ies)	Relevant Tenure
Resource activity that is a petroleum activity and which includes the following: Item 5, Schedule 2A of the Environmental Protection Regulation 2008 - constructing a new pipeline of more than 150km under a petroleum authority; and Item 8, Schedule 2A of the Environmental Protection Regulation 2008 - a petroleum activity or GHG storage activity, other than an activity mentioned in items 1 to 7, that includes 1 or more activities mentioned in schedule 2 for which an aggregate environmental score is stated.	Petroleum Pipeline Licence (PPL): 2015

Signature

Jackie McKeay

Delegate of the administering authority
Environmental Protection Act 1994

Date

Enquiries:

Petroleum and Gas
Department of Environment and Heritage Protection
Level 7, 400 George Street, BRISBANE QLD 4000
GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Fax: (07) 3330 5634

EHP RTI DL Release

Additional Information for Applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994*.

Contaminated land and notifiable activities

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994*.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to think about these issues:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of the successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty, however maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - o the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - o the activity has caused the unauthorised connection of 2 or more aquifers.

For more information on the duty to notify requirements refer to the guideline *Duty to notify of environmental harm (EM467)*.

Some Relevant Offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is environmental harm that is not trivial or negligible in nature. It may be great in extent or context or it may cause actual or potential loss or damage to property. The difference between material and serious harm relates to the costs of damages or the costs required to either prevent or minimise the harm or to rehabilitate the environment. Serious environmental harm may have irreversible or widespread effects or it may be caused in an area of high conservation significance. Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some Relevant Offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 L or more) at a place. Illegal dumping can also include abandoned vehicles.

Responsibilities under Other Legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other State and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

An environmental authority for petroleum activities is not an authority to impact on water levels or pressure heads in groundwater aquifers in or surrounding formations. There are obligations to minimise or mitigate any such impact under other Queensland Government and Commonwealth Government legislation.

Environmental Authority Conditions

This environmental authority consists of the following Schedules:

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Schedule A – Authorised activities

- (A1) This environmental authority authorises the carrying out of the following resource activity(ies):
- (a) the petroleum activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities* to the extent they are carried out in accordance with the activity's corresponding scale and intensity; and
 - (b) the following specified relevant activities when carried out as an incidental activity:
 - i. Sewage treatment– operating sewage treatment works, other than no-release works, with a total daily peak design capacity of less than 300 equivalent persons (EP).
 - (c) Incidental activities that are not otherwise specified relevant activities.

Schedule A, Table 1 – Scale and Intensity for the Activities

Tenure	Petroleum Activity	Scale (number of activities)	Intensity (Maximum Disturbance)
PPL2015	Pipeline <u>right of way</u> (ROW)	165km	495ha
	Temporary construction camp	1	8.75ha
	Access tracks (new - temporary)	-	25.90ha
	Access tracks (new – permanent)	-	8ha
	Access track turn-off Barkly Highway	30m	0.53ha
	Access track turn-off to ROW	30m	0.81ha
	Vehicle turnarounds	33	3.96
	Explosives storage area	1	0.02ha
	Existing access tracks	-	1.74ha
	Major <u>watercourse</u> crossings	-	0.83ha
	Minor <u>watercourse</u> crossings	-	0.88ha
	Buried pipeline crossing	-	0.13ha
	Low consequence <u>dams</u>	2 x 3ML	0.5ha
		2 x 8ML	0.6ha
	Sewage Treatment Plant(s) that discharge treated effluent to an infiltration trench or through an irrigation scheme	300EP	4ha
	Compressor station	1	9ha
	Mainline Valve	1	0.25ha
	Cathodic protection station	1	0.04ha

- (A2) The following types of petroleum activities are not authorised:
- (a) processing or storing petroleum or petroleum by-products that are not necessarily associated with pipeline construction or operation;

- (b) extracting earthen materials (other than drilling waste rock or trench spoil) of more than 100,000t/year;
 - (c) extracting by dredging more than 1000t/year of material from the bed of naturally occurring surface waters;
 - (d) construction of power lines (either above or below ground) outside the right of way necessary for the pipeline, except where authorised in this EA.
- (A3) Only low impact petroleum activities can be undertaken within category A environmentally sensitive areas (ESAs) or category B ESAs or category C ESAs or within the ESAs' primary protection zone.
- (A4) Notwithstanding condition (A3), the following petroleum activities are permitted within state forests or timber reserves and within the primary protection zone of state forests or timber reserves:
- (a) linear infrastructure;
 - (b) pipeline construction corridor not exceeding 30m in width; and
 - (c) turn around and work areas associated with pipeline construction not exceeding 50m in width.
- (A5) Non-linear infrastructure is permitted within the secondary protection zone of ESAs provided the location is justified given other constraints and cannot be avoided and it can be demonstrated that there will be no negative impacts on the ESA.
- (A6) Records demonstrating compliance with condition (A5) must be kept.

Schedule B – Protecting environmental values

- (B1) Petroleum activities that cause significant disturbance to land must not be carried out until financial assurance has been given to the administering authority as security for compliance with the environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the *Environmental Protection Act 1994*.
- (B2) This environmental authority does not authorise petroleum activities to cause environmental nuisance at a sensitive place other than where an alternative arrangement is in place for noise.
- (B3) Contaminants must not be directly or indirectly released to land or air except for those releases specifically authorised by conditions of the environmental authority.
- (B4) Petroleum activities must:
- (a) firstly, avoid, then minimise, then mitigate any negative impacts on areas of vegetation or other areas of ecological value
 - (b) minimise disturbance to land that may otherwise result in land degradation
 - (c) minimise isolation, fragmentation or dissection of tracts of vegetation that would lead to a reduction in the current level of ecosystem functioning or ecological connectivity
 - (d) minimise clearing of mature or hollow bearing trees.
- (B5) Where significant disturbance to land is to occur, records demonstrating compliance with condition (B4) must be kept.

Schedule C – General conditions

Documentation

- (C1) All plans, procedures and reports must:
 - (a) be certified by a suitably qualified person
 - (b) be kept on record for a minimum of 5 years.
- (C2) All plans and procedures required to be developed must be implemented.

Plant and equipment

- (C3) All plant and equipment reasonably necessary to ensure compliance with the conditions must be installed.
- (C4) All plant and equipment must be maintained and operated in their proper and effective condition.
- (C5) All measures reasonably necessary to ensure compliance with the conditions must be implemented.

Contingency and emergency response

- (C6) Petroleum activities involving significant disturbance to land or which have the potential to cause environmental harm can only commence after the development of written contingency procedures which address the risks of non-compliance with conditions of the environmental authority.
- (C7) The contingency procedures must include, but not necessarily be limited to:
 - (a) environmental nuisance and complaint management procedures including:
 - i. a description of the petroleum activities that might result in non-compliance with conditions of the environmental authority standard conditions and what mitigation measures are required to be implemented; and
 - ii. the action that will be undertaken when a member of the public makes a valid complaint.
 - (b) management procedures including details of what actions will be taken to protect environmental values and minimise potential environmental harm from petroleum activities as a result of floods, severe storms and fires.
 - (c) environmental emergency management procedures including details of the response and mitigation measures that will be actioned to reduce negative impacts to environmental values in the event of a non-compliance with conditions of the environmental authority.

Soil management

- (C8) Measures must be implemented and maintained to minimise stormwater entry onto significantly disturbed land.

- (C9) Sediment and erosion control measures to prevent soil loss and deposition beyond significantly disturbed land must be implemented and maintained.
- (C10) The measures required by conditions (C8) and (C9) must be in accordance, to the ~~greatest practicable extent~~ to the extent it is reasonably practicable, with the International Erosion Control Association (IECA) *Best Practice Erosion and Sediment Control (BPESC) document* and/or the Australian Pipeline Industry Association (APIA) *Code of Environmental Practice: Onshore Pipelines* (2009).

Chemical storage

- (C11) Chemicals and fuels on the relevant tenures must be stored in, or serviced by, an effective containment system that meets Australian Standards, where such a standard is relevant.

Waste management

- (C12) Measures must be implemented so that waste is managed in accordance with the waste and resource management hierarchy and the waste and resource management principles.
- (C13) For waste fluids that can be stored in a container that is other than a low consequence dam, the container must either be an above ground container or a structure which contains the wetting front.
- (C14) Waste, including waste fluids, must be transported off-site for lawful re-use, remediation, recycling or disposal unless the waste is specifically authorised by conditions of the environmental authority to be disposed of or used on-site.
- (C15) Green waste may be used on-site for rehabilitation and/or sediment and erosion control purposes.

Treated sewage effluent

- (C16) Treated sewage effluent or greywater can be released to land provided it:
- (a) meets or exceeds secondary treated class B standards for a treatment system with a daily peak design capacity of between 150 EP and 1500 EP; or
 - (b) meets or exceeds secondary treated class C standards for a treatment system with a daily peak design capacity of less than 150 EP.
- (C17) The release of treated sewage effluent or greywater authorised in condition (C16) must:
- (a) be to a fenced and signed contaminant release area(s);
 - (b) not contain any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm;
 - (c) not result in pooling or run-off or aerosols or spray drift or vegetation die-off
 - (d) minimise deep drainage below the root zone of any vegetation;
 - (e) not adversely affect the quality of shallow aquifers;

- (f) not adversely impact soil quality;
- (g) be to a contaminant release area(s) that is kept vegetated with groundcover, that is:
 - i. not a declared pest species;
 - ii. kept in a viable state for transpiration and nutrient uptake; and
 - iii. grazed or harvested and removed from the contaminant release area as needed, but not less than every three months.

Financial assurance

- (C18) Prior to any changes in petroleum activities which would result in an increase to the maximum disturbance since the last financial assurance calculation was submitted, the holder of the environmental authority must submit, and the administering authority must have approved, an application to amend the financial assurance.

Schedule D – Pipeline planning

Site planning

- (D1) Pipeline planning must be in accordance, to the ~~extent it is reasonably practicable~~greatest practicable extent, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Planning for land disturbance

- (D2) Notwithstanding condition (D1), the pipeline construction corridor must:
- (a) be minimised in width to the ~~extent it is reasonably practicable~~greatest practicable extent
 - (b) not exceed 30m in width
 - (c) not include turn around and work areas associated with pipeline construction that exceed 50m in width.
 - (d) be preferentially located alongside existing linear infrastructure.

Biodiversity

- (D3) Prior to undertaking activities that result in significant disturbance to land in areas of native vegetation, confirmation of on-the-ground biodiversity values of the native vegetation communities at that location must be undertaken by a suitably qualified person.
- (D4) A suitably qualified person must develop and certify a methodology so that condition (D3) can be complied with and which is appropriate to confirm on-the-ground biodiversity values.
- (D5) Where mapped biodiversity values differ from those confirmed under conditions (D3) and (D4), petroleum activities may proceed in accordance with the conditions of the environmental authority based on the confirmed on-the-ground biodiversity value.
- (D6) Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority.
- (D7) Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:
- (a) completed by a suitably qualified person; and
 - (b) kept for the life of the environmental authority.

Schedule E – Construction conditions

- (E1) Pipeline construction must be in accordance, to the ~~extent it is reasonably practicable~~ **greatest practicable extent**, with the relevant section of the APIA *Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS 2885.1:2012.

Activities in watercourses, wetlands, lakes and springs

- (E2) Petroleum activities that require earthworks, vegetation clearing and/or placing fill, other than that associated with the construction of linear infrastructure, are not permitted in or within:
- (a) 200 metres of any wetland, lake or spring; or
 - (b) 100 metres of the outer bank of any other watercourse.
- (E3) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland, lake, spring or watercourse must be conducted in accordance with the following order of preference. Conducting works:
- (a) firstly, in times where there is no water present.
 - (b) secondly, in times of no flow.
 - (c) thirdly, in times of flow, but in a way that does not impede low flow.
- (E4) Petroleum activities must not result in water turbidity increases of more than 10% in high ecological value waters outside contained construction or maintenance areas.
- (E5) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a lake, spring or watercourse must be designed and undertaken by a suitably qualified person in accordance with the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.
- (E6) The construction and/or maintenance for linear infrastructure that will result in significant disturbance to a wetland must be designed and undertaken by a suitably qualified person taking into consideration sections 5 and 6 of the guideline *Activities in a watercourse, lake or spring associated with a resource activity or mining operations*.

Fauna management

- (E7) Measures to prevent fauna entrapment must be implemented during the construction of pipelines in pipe sections and pipeline trenches and operation of dams.

Waste

- (E8) Pipeline waste water may be released to land provided that it:
- (a) can be demonstrated to meet the acceptable standards for release to land.
 - (b) is released in a way that does not cause visible scouring or erosion.
- (E9) If hydrostatic testing water quality does not or cannot be treated to meet the requirements of condition (E8), it must be managed in accordance with conditions (C13) or (C14).

Blasting

- (E10) A Blast Management Plan must be developed for each blasting activity in accordance with Australian Standard 2187.
- (E11) Blasting operations must be designed to not exceed an airblast overpressure level of 120dB (linear peak) at any time, when measured at or extrapolated to any sensitive place.
- (E12) Blasting operations must be designed to not exceed a ground-borne vibration peak particle velocity of 10mm/s at any time, when measured at or extrapolated to any sensitive place.

Structures that are dams or levees

- (E13) Regulated structures are not permitted.
- (E14) The consequence category of any structure to be used in carrying out petroleum activities must be assessed in accordance with the Queensland Government *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams* prior to the design and construction of the structure.
- (E15) A consequence assessment report and certification must be prepared for each structure assessed and the report may include a consequence assessment for more than one structure.
- (E16) Certification must be provided by the suitably qualified and experienced person who undertook the assessment, in the form set out in the *Manual for Assessing Consequence Categories and Hydraulic Performance of Structures*.
- (E17) Low consequence dams must be:
- (a) constructed, operated and maintained in accordance with accepted engineering standards currently appropriate for the purpose for which the dam is intended to be used; and
 - (b) designed with a floor and sides made of material that will contain the wetting front and any entrained contaminants within the bounds of the containment system during both its operational life and including any period of decommissioning and rehabilitation.
- (E18) All low consequence dams must be monitored for early signs of loss of structural or hydraulic integrity as specified in the initial hazard assessment.

- (E19) When no longer required all low consequence dams must be decommissioned to no longer accept inflow from the petroleum activities and be either:
- (a) rehabilitated; or
 - (b) agreed to in writing by the administering authority and the landholder to remain in situ following the cessation of the petroleum activity(ies) associated with the dam, with the contained water of a quality suitable for the intended ongoing uses(s) by that landholder.

Pipeline reinstatement and revegetation

- (E20) Pipeline trenches must be backfilled and topsoils reinstated within 3 months after pipe laying.
- (E21) Reinstatement and revegetation of the pipeline right of way must commence within 6 months after completion of petroleum activities for the purpose of pipeline construction.
- (E22) Backfilled, reinstated and revegetated pipeline trenches and right of way must be:
- (a) a stable landform.
 - (b) re-profiled to a level consistent with surrounding soils.
 - (c) re-profiled to original contours and established drainage lines.
 - (d) vegetated with groundcover which is not a declared pest species, and which is established and self- sustaining.

Schedule F – Post-construction conditions including operations, maintenance and decommissioning

- (F1) Pipeline operation and maintenance must be in accordance, to the extent it is reasonably practicable~~greatest practicable extent~~, with the relevant section of the *APIA Code of Environmental Practice: Onshore Pipelines* (2009) and/or AS2885.3:2012.
- (F2) Written procedures must be developed to ensure operations and maintenance of the pipeline complies with the conditions of the environmental authority.
- (F3) Pipeline waste water may be released to land provided that it meets the requirements of condition (E8).

Rehabilitation planning

- (F4) A Rehabilitation Plan must be developed by a suitably qualified person and must include the:
- (a) rehabilitation goals; and
 - (b) procedures to be undertaken for rehabilitation that will:
 - i. achieve the requirements of conditions (F5) to (F8), inclusive; and
 - ii. provide for appropriate monitoring and maintenance.

Transitional rehabilitation

- (F5) Significantly disturbed areas that are no longer required for the on-going petroleum activities, must be rehabilitated within 12 months (unless an exceptional circumstance in the area to be rehabilitated (e.g. a flood event) prevents this timeframe being met) and be maintained until final rehabilitation is carried out, to meet the following acceptance criteria:
- (a) contaminated land resulting from petroleum activities is remediated and rehabilitated
 - (b) the areas are:
 - i. non-polluting
 - ii. a stable landform
 - iii. re-profiled to contours consistent with the surrounding landform
 - (c) surface drainage lines are re-established
 - (d) top soil is reinstated; and
 - (e) either:
 - i. groundcover, that is not a declared pest species, is growing; or
 - ii. an alternative soil stabilisation methodology that achieves effective stabilisation is implemented and maintained.

Final rehabilitation acceptance criteria

- (F6) All significantly disturbed areas caused by petroleum activities which are not being or intended to be utilised by the landholder or overlapping tenure holder, must be rehabilitated to meet the following final acceptance criteria measured either against the highest ecological value adjacent land use or the pre-disturbed land use:

- (a) greater than or equal to 70% of native ground cover species richness
- (b) greater than or equal to the total per cent of ground cover
- (c) less than or equal to the per cent species richness of declared plant pest species; and
- (d) where the adjacent land use contains, or the pre-clearing land use contained, one or more regional ecosystem(s), then at least one regional ecosystem(s) from the same broad vegetation group, and with the equivalent biodiversity status or a biodiversity status with a higher conservation value as any of the regional ecosystem(s) in either the adjacent land or pre-disturbed land, must be present.

Continuing conditions

- (F7) Conditions (F5) and (F6) continue to apply after this environmental authority has ended or ceased to have effect.

Remaining dams

- (F8) Where there is a dam (including a low consequence dam) that is being or intended to be utilised by the landholder or overlapping tenure holder, the dam must be decommissioned to no longer accept inflow from the petroleum activity(ies) and the contained water must be of a quality suitable for the intended on-going uses(s) by the landholder or overlapping tenure holder.

Schedule G – Monitoring and reporting conditions

Monitoring

- (G1) All monitoring must be undertaken by a suitably qualified person.
- (G2) If requested by the administering authority in relation to investigating a valid complaint, monitoring must be undertaken within 10 business days.
- (G3) All laboratory analyses and tests must be undertaken by a laboratory that has NATA accreditation for such analyses and tests, except as otherwise authorised in writing by the administering authority.
- (G4) Notwithstanding condition (G3), where there are no NATA accredited laboratories available to test for a specific analyte or substance, then duplicate samples must be sent to separate laboratories for independent testing or evaluation.

Sampling

- (G5) The methods of surface water sampling must comply with that set out in the Queensland Government's *Monitoring and Sampling Manual 2009 – Environmental Protection (Water) Policy 2009*.
- (G6) The methods of groundwater sampling must comply with the Australian Government's *Groundwater Sampling and Analysis – A Field Guide* (2009:27 GeoCat #6890.1).
- (G7) Noise must be measured in accordance with the prescribed standards in the *Environmental Protection Regulation 2008*.
- (G8) The method of measurement of ambient air quality or point source contaminant releases to air must comply with the *Queensland Air Quality Sampling Manual* and/or Australian Standard 4323.1:1995 *Stationary source emissions method 1: Selection of sampling positions*, whichever is appropriate for the relevant measurement.

Notification

- (G9) In addition to the requirements under Chapter 7, Part 1, Division 2 of the Environmental Protection Act 1994, the administering authority must be notified through the Pollution Hotline and in writing, as soon as possible, but within 48 hours of becoming aware of any of the following events:
 - (a) any unauthorised significant disturbance to land.
 - (b) potential or actual loss of structural or hydraulic integrity of a dam.
 - (c) unauthorised releases of any volume of prescribed contaminants to waters.
 - (d) unauthorised releases of volumes of contaminants, in any mixture, to land greater than:
 - i. 200 L of hydrocarbons; or
 - ii. 5 000 L of raw sewage; or
 - iii. 10 000 L of treated sewage effluent.
 - (e) monitoring results where two out of any five consecutive samples do not comply with the relevant limits in the environmental authority.

Reporting

- (G10) The annual return must include an Update Report detailing activities during the annual return period, demonstrating:
- (a) significant disturbance during the period.
 - (b) rehabilitation undertaken.
 - (c) a list of all valid complaints relating to environmental issues made including the date, source, reason for the complaint and a description of investigations undertaken in resolving the complaint.
 - (d) the results of all monitoring undertaken.

Schedule H – Definitions

Explanatory note: Where a term is not defined in this document, the definition in the *Environmental Protection Act 1994*, its regulations and environmental protection policies, then the *Acts Interpretation Act 1954* then the *Macquarie Dictionary* should be used in that order.

“acceptable standards for release to land” means wastewater of the following quality as determined by monitoring results or by characterisation:

- (a) electrical conductivity (EC) not exceeding 3000µS/cm
- (b) sodium adsorption ratio (SAR) not exceeding 8
- (c) pH between 6.0 and 9.0
- (d) heavy metals (measured as total) meets the respective short term trigger value in section 4.2.6, Table 4.2.10—Heavy metals and metalloids in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC) 2000
- (e) does not contain biocides.

“accepted engineering standards” in relation to dams, means those standards of design, construction, operation and maintenance that are broadly accepted within the profession of engineering as being good practice for the purpose and application being considered. In the case of dams, the most relevant documents would be publications of the *Australian National Committee on Large Dams* (ANCOLD), guidelines published by Queensland government departments and relevant Australian and New Zealand Standards.

“adjacent land use(s)” means the ecosystem function adjacent to an area of significant disturbance, or where there is no ecosystem function, the use of the land. An adjacent land use does not include an adjacent area that shows evidence of edge effect.

“administering authority” has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

“alternative arrangement” means a written agreement between the holder of this environmental authority and an affected or potentially affected person at a sensitive receptor for a defined noise nuisance impact and may include an agreed period of time for which the arrangement is in place. An agreement for alternative arrangements may include, but not necessarily be limited to a range of noise abatement measures to be installed at a sensitive receptor and / or provision of alternative accommodation for the duration of the defined noise nuisance impact.

“analogue site(s)” means an area of land which contains values and characteristics representative of an area to be rehabilitated prior to disturbance. Such values must encompass land use, topographic, soil, vegetation and other ecological characteristics. Analogue sites can be the pre-disturbed site of interest where significant surveying effort has been undertaken to establish benchmark parameters.

“analyte(s)” means a chemical parameter determined by either physical measurement in the field or by laboratory analysis.

“annual return period” means the most current 12-month period between 2 anniversary dates.

“aquifer” means an identifiable stratigraphic formation that has the potential to produce useful flows of water.

“Australian Standard 2187” means Australian Standard 2187.0:1998 Explosives—Storage, transport and use, Part 0, Australian Standard 2187.1:1998 Explosives—Storage, transport and use Part 1 and Australian Standard 2187.2:2006 Explosives—Storage and use, Part 2 or any updated versions that becomes available from time to time.

“Australian Standard 2885” means Australian Standard 2885.0:2008 Pipelines – Gas and Liquid Petroleum General Requirements, Australian Standard 2885.0-2008/Amdt 1-2012 Pipelines - Gas and Liquid Petroleum General Requirements, Australian Standard 2885.1:2012 Pipelines – Gas and Liquid Petroleum Design and Construction and Australian Standard 2885.3:2012 Pipelines – Gas and Liquid Petroleum Operation and Maintenance, or any updated versions that become available from time to time.

“**bed**” of any waters, has the meaning in Schedule 12 Part 2 of the Environmental Protection Regulation 2008.

“**being or intended to be utilised by the landholder or overlapping tenure holder**” for significantly disturbed land, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use of the land such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

For dams, means there is a written agreement (e.g. land and compensation agreement) between the landholder or the overlapping tenure holder and the holder of the environmental authority identifying that the landholder or the overlapping tenure holder has a preferred use for the dam such that rehabilitation standards for revegetation by the holder of the environmental authority are not required.

“**biodiversity values**” for the purposes of this environmental authority, means environmentally sensitive areas, areas of State significant biodiversity value and wetlands.

“**business day**” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“**category A ESA**” means any area listed in Schedule 12, Section 1 of the Environmental Protection Regulation 2008.

“**category B ESA**” means any area listed in Schedule 12, Section 2 of the Environmental Protection Regulation 2008.

“**category C ESA**” means any of the following areas:

- nature refuges as defined in the conservation agreement for that refuge under the *Nature Conservation Act 1992*
- koala habitat areas as defined under the Nature Conservation (Koala) Conservation Plan 2006
- State forests or timber reserves as defined under the *Forestry Act 1959*
- regional parks (previously known as resource reserves) under the *Nature Conservation Act 1992*
- an area validated as ‘essential habitat’ or ‘essential regrowth habitat’ from ground-truthing surveys in accordance with the *Vegetation Management Act 1999* for a species of wildlife listed as endangered or vulnerable under the *Nature Conservation Act 1992*
- ‘of concern regional ecosystems’ that are remnant vegetation and identified in the database called ‘RE description database’ containing regional ecosystem numbers and descriptions.

“**certification**” means assessment and approval must be undertaken by a suitably qualified and experienced person in relation to any assessment or documentation required by this Manual, including design plans, ‘as constructed’ drawings and specifications, construction, operation or an annual report regarding regulated structures, undertaken in accordance with the Board of Professional Engineers of Queensland Policy Certification by RPEQs (ID: 1.4 (2A)).

“**certified**” in relation to any matter other than a design plan, ‘as constructed’ drawings or an annual report regarding dams means, a Statutory Declaration by a suitably qualified person or suitably qualified third party accompanying the written document stating:

- the person’s qualifications and experience relevant to the function
- that the person has not knowingly included false, misleading or incomplete information in the document
- that the person has not knowingly failed to reveal any relevant information or document to the administering authority
- that the document addresses the relevant matters for the function and is factually correct; and
- that the opinions expressed in the document are honestly and reasonably held.

“**clearing**” has the meaning in the dictionary of the *Vegetation Management Act 2000*.

“**consequence assessment**” of a dam, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit of the assessment:

- (a) exactly what has been assessed and the precise nature of that determination;

(b) the relevant legislative, regulatory and technical criteria on which the assessment has been based;
(c) the relevant data and facts on which the assessment has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
(d) the reasoning on which the assessment has been based using the relevant data and facts, and the relevant criteria.

“consequence category” means a category, either low, significant or high, into which a dam is assessed as a result of the application of tables and other criteria in the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635).

“daily peak design capacity” for sewage treatment works, has the meaning in Schedule 2, section 63(4) of the Environmental Protection Regulation 2008 as the higher equivalent person (EP) for the works calculated using each of the formulae found in the definition for EP.

“dam(s)” means a land-based structure or a void that is designed to contain, divert or control flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and associated works. A dam does not mean a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container.

“declared pest species” has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a live animal or plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the animal or plant.

“declared plant pest species” has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the plant.

“decommissioning” in relation to pipelines means the actions undertaken in accordance with the requirements of Australian Standard 2885, as amended from time to time, to prepare the pipeline and peripheral facilities for pending suspension or abandonment.

“documents” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“ecological connectivity” is a measure of ecological condition and means the flow or connection of organisms and ecological processes across landscapes at multiple scales. Ecological connectivity has a positive relationship with landscape connectivity and habitat connectivity and effects vary between species. It includes connectivity by stepping stone or contiguous bioregional/local corridor networks.

“ecosystem function” means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

“ecosystem functioning” means the interactions between and within living and nonliving components of an ecosystem and generally correlates with the size, shape and location of the vegetation community.

“environmental harm” has the meaning in section 14 of the *Environmental Protection Act 1994*.

“environmental nuisance” has the meaning in section 15 of the *Environmental Protection Act 1994* and means unreasonable interference or likely interference with an environmental value caused by—

- (a) aerosols, fumes, light, noise, odour, particles or smoke; or
- (b) an unhealthy, offensive or unsightly condition because of contamination; or
- (c) another way prescribed by regulation.

“environmental value(s)” has the meaning in section 9 of the *Environmental Protection Act 1994*.

“environmentally relevant activity or ERA” has the meaning in section 18 of the *Environmental Protection Act 1994*.

“equivalent person or EP” has the meaning under section 3 of the Planning Guidelines For Water Supply and Sewerage, 2005, published by the Queensland Government. It is calculated in accordance with Schedule 2, Section 63(4) of the Environmental Protection Regulation 2008 where:

- $EP = V/200$ where V is the volume, in litres, of the average dry weather flow of sewage that can be treated at the works in a day; or
- $EP = M/2.5$ where M is the mass, in grams, of phosphorus in the influent that the works are designed to treat as the inlet load in a day.

“financial assurance” for an environmental authority, means financial assurance given for the authority under Chapter 5, part 12, division 2 of the *Environmental Protection Act 1994*.

“flowable substance” means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substance can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids fluids or solids either in solution or suspension.

“green waste” means waste that is grass cuttings, trees, bushes, shrubs, material lopped from trees, untreated timber or other waste that is similar in nature but does not include declared pest species.

“greywater” means wastewater generated from domestic activities such as laundry, dishwashing, and bathing. Greywater does not include sewage.

“high ecological value waters” means Queensland waters that are scheduled waters under the Environmental Protection (Water) Policy 2009 as high value ecological waters.

“hydraulic integrity” refers to the capacity of a dam to contain or safely pass flowable substances based on its design.

“incidental activity” for this environmental authority means an activity that is not a specified relevant activity and is necessary to carry out the activities listed in *Schedule A, Table 1 – Scale and Intensity for the Activities*.

“lake” means:

- a lagoon, swamp or other natural collection of water, whether permanent or intermittent; and
- the bed and banks and any other element confining or containing the water.

“levee” means an embankment that only provides for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of water or flowable substances at any other times.

“linear infrastructure” means powerlines, pipelines, roads and access tracks.

“low consequence dam” means any dam that is not classified as high or significant as assessed using the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures, published by the administering authority, as amended from time to time.

“low impact petroleum activities” means petroleum activities which do not result in the clearing of native vegetation, cause disruption to soil profiles through earthworks or excavation or result in significant disturbance to land which cannot be rehabilitated immediately using hand tools after the activity is completed. Examples of such activities include but are not necessarily limited to soil surveys (excluding test pits), topographic surveys, cadastral surveys and ecological surveys, may include installation of monitoring equipment provided that it is within the meaning of low impact and traversing land by car or foot via existing access tracks or routes or in such a way that does not result in permanent damage to vegetation.

“**month**” has the meaning in section 36 of the *Acts Interpretation Act 1954*.

“**NATA accreditation**” means accreditation by the National Association of Testing Authorities Australia.

“**non-linear infrastructure**” means infrastructure that is other than a powerline, a pipeline, a road, an access track and includes only the following:

- workers camps
- maintenance facilities
- no-release sewage treatment plants
- laydown areas
- structures (i.e. dams or levees)
- tanks
- sediment and erosion control measures
- above ground containers and chemical / fuel storages
- water pumps and generators
- stockpiles
- compressor station capable of burning less than 500kg/hr of fuel

“**outer bank**” has the meaning in section 5A of the *Water Act 2000*.

“**pipeline waste water**” means hydrostatic testing water, flush water or water from low point drains.

“**pre-disturbed land use**” means the function or use of the land as documented prior to significant disturbance occurring at that location.

“**prescribed contaminants**” has the meaning in section 440ZD of the *Environmental Protection Act 1994* and means:

- (a) earth; or
- (b) a contaminant prescribed under section 440ZF.

“**prescribed environmental matters**” has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significance listed in schedule 2 of the Environmental Offsets Regulation 2014.

“**primary protection zone**” means an area within 200 metres from the boundary of any Category A, B or C environmentally sensitive area.

“**regional ecosystem**” has the meaning in the Methodology for Surveying and Mapping of Regional Ecosystems and Vegetation Communities in Queensland (Version 3.2 August 2012) and means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil. Regional ecosystems of Queensland were originally described in Sattler and Williams (1999). The Regional Ecosystem Description Database (Queensland Herbarium 2013) is maintained by Queensland Herbarium and contains the current descriptions of regional ecosystems.

“**regulated structure**” includes land-based containment structures, levees, bunds and voids, but not a tank or container designed and constructed to an Australian Standard that deals with strength and structural integrity.

“**rehabilitation or rehabilitated**” means the process of reshaping and revegetating land to restore it to a stable landform and in accordance with acceptance criteria and, where relevant, includes remediation of contaminated land. For the purposes of pipeline rehabilitation, rehabilitation includes reinstatement, revegetation and restoration.

“**reinstated or reinstatement**” means the process of bulk earth works and structural replacement of pre-existing conditions of a site (i.e. soil surface topography, watercourses, culverts, fences and gates and other

landscape(d) features) and is detailed in the APIA Code of Environmental Practice: Onshore Pipelines (2009).

“release, releases , released” has the meaning in Schedule 4 of the *Environmental Protection Act 1994*.

“resource activity(ies)” has the meaning in section 107(d) of the *Environmental Protection Act 1994*.

“restoration” means the replacement of structural habitat complexity, ecosystem processes, services and function from a disturbed or degraded site to that of a pre-determined or analogue site. For the purposes of pipelines, restoration applies to final rehabilitation after pipeline decommissioning.

“revegetation or revegetating or revegetate” means to actively re-establish vegetation through seeding or planting techniques in accordance with site specific management plans.

“right of way” means the linear construction footprint required to install pipelines.

“secondary protection zone” in relation to a Category A or Category B environmentally sensitive area means an area within 100 metres from the boundary of the primary protection zone.

“secondary treated class B standards” means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 1000cfu per 100mL, maximum 10 000cfu per 100mL.

“secondary treated class C standards” means treated sewage effluent or greywater which meets the following standards:

- total phosphorous as P, maximum 20mg/L
- total nitrogen as N, maximum 30mg/L
- 5-day biochemical oxygen demand (inhibited) (e.g. Release pipe from sewage treatment plant), maximum 20mg/L
- suspended solids, maximum 30mg/L
- pH, range 6.0 to 8.5
- e-Coli, 80th percentile based on at least 5 samples with not less than 30 minutes between samples, 10 000cfu per 100mL, maximum 100 000cfu per 100mL.

“sensitive place” means:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution
- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads

“sensitive receptor” means an area or place where noise (including low frequency, vibration and blasting) is measured investigate whether nuisance impacts are occurring and includes:

- a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)
- a library, childcare centre, kindergarten, school, university or other educational institution

- a medical centre, surgery or hospital
- a protected area
- a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment
- a work place used as an office or for business or commercial purposes, which is not part of the petroleum activity(ies) and does not include employees accommodation or public roads.

“significant residual impact” has the meaning in section 8 of the *Environmental Offsets Act 2014*.

“significantly disturbed or significant disturbance or significant disturbance to land or areas” has the meaning in Schedule 12, section 4 of the Environmental Protection Regulation 2008. Land is significantly disturbed if—

- (a) it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it—
 - (i) to a condition required under the relevant environmental authority; or
 - (ii) if the environmental authority does not require the land to be rehabilitated to a particular condition—to the condition it was in immediately before the disturbance.

“species richness” means the number of different species in a given area.

“specified relevant activities” for this environmental authority means an activity that:

- (a) but for being carried out as a resource activity, would otherwise be an activity prescribed under section 19 of the *Environmental Protection Act 1994* as an environmentally relevant activity; or
- (b) stimulation activities; or
- (c) extracting material other than by dredging.

“spring(s)” has the meaning in Schedule 4 of the *Water Act 2000*

“stable” has the meaning in Schedule 5 of the Environmental Protection Regulation 2008 and, for a site, means the rehabilitation and restoration of the site is enduring or permanent so that the site is unlikely to collapse, erode or subside.

“structure” means a dam or levee.

“suitably qualified person” means a person who has qualifications, training, skills and experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

“top soil” means the surface (top) layer of a soil profile, which is more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

“trench spoil” means soil from the pipeline trench.

“valid complaint” means a complaint that is not considered by the administering authority or holder of the environmental authority to be frivolous, vexatious or based on mistaken belief.

“waste and resource management hierarchy” has the meaning provided in section 9 of the *Waste Reduction and Recycling Act 2011*.

“waste and resource management principles” has the meaning provided in section 4(2)(b) of the *Waste Reduction and Recycling Act 2011*.

“waters” means all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.

“**watercourse**” has the meaning provided in Schedule 4 of the *Environmental Protection Act 1994*.

“**wetland**” means a wetland as defined under the Queensland Wetlands Program and are areas of permanent or periodic/intermittent inundation, with water that is static or flowing fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed 6 metres. To be classified as a wetland, the area must have one or more of the following attributes:

- at least periodically, the land supports plants or animals that are adapted to and dependent on living in wet conditions for at least part of their life cycle; or
- the substratum is predominantly undrained soils that are saturated, flooded or ponded long enough to develop anaerobic conditions in the upper layers; or
- the substratum is not soil and is saturated with water, or covered by water at some time.

For the purposes of petroleum activities, wetlands do not include springs and watercourses and those wetlands that are defined in the Wetland Mapping and Classification Methodology (2005) published by the Queensland Government as:

- H2M1 Riverine or ex-riverine (lacustrine) water bodies associated with dams and weirs located in a channel
- H2M3p Ponded pastures
- H2M5 Palustrine/lacustrine water bodies where ecological character has changed due to gross mechanical disturbance (e.g. cropping)
- H2M6 Palustrine/lacustrine water bodies that have been converted, completely or mostly, to a ring tank or other controlled storage
- H2M7 Riverine water bodies that have been converted mostly to canals or irrigation channels
- H3C1 Artificial stand-alone water storages not within a natural water body or channel; or
- H3C2 Artificial Channel drain/canal – bore drains, swales, bores and irrigation channel overflows/ponding.

Explanatory note: This definition has been amended from the Queensland Wetlands Program definition so that low value wetlands and man-made water bodies are excluded.

“**year(s)**” has the meaning in s36 of the *Acts Interpretation Act 1954*.

END OF CONDITIONS

HALING Narelle

From: RAO Radhika
Sent: Monday, 14 December 2015 10:37 AM
To: 73(2)
Cc: BREAKER Kylie
Subject: RE: EA effective date

Good morning



Thank you for your email.

The EA will take effect once the tenure is granted and therefore the first annual fee will be payable within 20 business days after the tenure is granted. You will receive an invoice from Permitting and Licencing Management (PaLM) stating the amount required to be paid as well as the payment due date.

PaLM sends annual return forms to EA holders every year prior to the environmental authority anniversary date, and as such, this form is not available online. The annual fee is paid for the year ahead and the annual return form is submitted in order to report on the year just past. These are normally submitted on the same day (the anniversary day) but because this will be a first year annual fee, there is no requirement for the annual return form to be completed and submitted since no activities have taken place. In one year from the effective date of the permit, the annual return form will need to be completed and submitted.

Hope this answers your query. Please give me a call if you would like to discuss further.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

From: 73(2) eco2.com.au
Sent: Thursday, 10 December 2015 5:12 PM
To: RAO Radhika
Subject: EA effective date

Gday Radhika,
Thanks again for your work on the EA (and I apologise for our lawyer friends).

One quick question regarding the EA (and I apologise if I've asked you previously)..

The EA states (first page) that the EA takes effect when the relevant tenure is granted (that's fine that is when the PPL is granted).

The EA then says that the 1st annual fee is payable 20 business days of the effective date. Is the EA considered effective on the granting of the PPL or is it when it is granted (ie today)?

A quick second question!

I've looked at the EPA Act and associated regulations looking into the annual return, it talks of an approved form but I'm at a loss to find it! Any advice would be useful.

Thanks again,

73(2)

Regards,



73(2)

EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801

73(2)

W <http://www.ecoz.com.au>



HALING Narelle

From: BREAKER Kylie
Sent: Thursday, 26 November 2015 4:25 PM
To: 73(2) RAO Radhika
Subject: RE: EA EPPG03497815 Declaration of compliance for public notice requirements

Hi

Thank you for emailing the documentation. We will be in touch if we do not receive the original documents.

EHP have now progressed to the decision stage of Jemena's application. The decision stage commenced on the 23 November 2015 and will run for a period of 20 business days. EHP anticipate however that a decision will be made on the application before the end of the decision period.

Please don't hesitate to call if you wish to discuss anything.

Kind regards,



Kylie Breaker
Team Leader (Assessment)
Petroleum & Gas | Petroleum, Gas and Compliance
Department of Environment and Heritage Protection

P 07 3330 6071
Level 7, 400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

From: 73(2) coz.com.au
Sent: Friday, 20 November 2015 10:13 AM
To: RAO Radhika
Cc: BREAKER Kylie
Subject: EA EPPG03497815 Declaration of compliance for public notice requirements

Gday Radhika and Kylie,

Attached ([this time!](#)) is the declaration of compliance for the above EA.

I will send the hard copy via registered post today marked for Radhika's attention (hope that is appropriate).

Thanks again for your assistance with this project.

Regards,



73(2)
EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801

73(2)

W <http://www.ecoz.com.au>



EHP RTI DL Release

HALING Narelle

From: RAO Radhika
Sent: Monday, 19 October 2015 12:19 PM
To: 73(2)
Cc: BREAKER Kylie
Subject: RE: EA reference # EPPG03497815 Public notification - EHP comments

Hi



Thank you for your email.

I confirm that public notification in only the Courier Mail will satisfy the requirements of s. 152(2) of the *Environmental Protection Act 1994*.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

From: 73(2) ecoz.com.au]
Sent: Thursday, 15 October 2015 12:07 PM
To: RAO Radhika
Cc: BREAKER Kylie
Subject: RE: EA reference # EPPG03497815 Public notification - EHP comments

Gday Radhika,

Thanks for your comments on the public notification.

Jemena would like to place the public notification in the General classified public notices section of the Courier Mail only.

I believe that this should comply with s. 152 2(b)i: *in a newspaper circulating generally in the area where the relevant resource activity is proposed to be carried out*

Could you please confirm.

Thanks again



Regards,



73(2)

EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801
T
E
W <http://www.ecoz.com.au>



From: RAO Radhika [<mailto:Radhika.Rao@ehp.qld.gov.au>]
Sent: Wednesday, 14 October 2015 4:03 PM
To:
Cc: BREAKER Kylie
Subject: RE: EA reference # EPPG03497815 Public notification - EHP comments

Hi

Thank for the opportunity to provide comments on the draft public notification for PPL2015. Attached is a copy of the draft public notification with my comments.

As per s152(2)(b)(i) of the *Environmental Protection Act 1994* (EP Act), public notice is required to be published in a newspaper circulating generally in the area where the resource activity is proposed to be carried out. You may publish the notice in the Courier Mail and any other local newspapers which circulate in the area.

You are only required to publish the notice once, however, if you fail to comply with the public notice requirements (s152 of the EP Act) or declaration of compliance (s158 of the EP Act), you may be required to carry out public notification again as per s159 of the EP Act.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

From: 73(2) [coz.com.au](http://www.ecoz.com.au)
Sent: Tuesday, 13 October 2015 2:56 PM
To: RAO Radhika
Subject: EA reference # EPPG03497815 Public notification

Good afternoon Radhika,

15-203

File C2
2

Page 99 of 120

As discussed earlier today, please find our draft notification.

You will notice that we have not filled out the period commencement and end dates.

As per s.152 of the EP Act, we intend to publish the notification at the same time (and in the same newspaper) as the PPL notification.

I am sending the draft PPL notification to DNRM today for them to confirm its content.

I understand that you will:

- Let me know if the application is sufficient
- Confirm where we need to advertise and how many times we need to advertise

Thanks again for your assistance

Regards,



73(2)

EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801

W <http://www.ecoz.com.au>



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If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

HALING Narelle

From: RAO Radhika
Sent: Wednesday, 14 October 2015 4:33 PM
To: 73(2)
Cc: BREAKER Kylie
Subject: RE: EA reference # EPPG03497815 Public notification - EHP comments
Attachments: Application Stage - EZ15214-C0301-DA-R-0014 EA application public notice_EHP comments.docx

Hi



Thank for the opportunity to provide comments on the draft public notification for PPL2015. Attached is a copy of the draft public notification with my comments.

As per s152(2)(b)(i) of the *Environmental Protection Act 1994* (EP Act), public notice is required to be published in a newspaper circulating generally in the area where the resource activity is proposed to be carried out. You may publish the notice in the Courier Mail and any other local newspapers which circulate in the area.

You are only required to publish the notice once, however, if you fail to comply with the public notice requirements (s152 of the EP Act) or declaration of compliance (s158 of the EP Act), you may be required to carry out public notification again as per s159 of the EP Act.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

From: 73(2) eco2.com.au
Sent: Tuesday, 13 October 2015 2:56 PM
To: RAO Radhika
Subject: EA reference # EPPG03497815 Public notification

Good afternoon Radhika,
As discussed earlier today, please find our draft notification.

You will notice that we have not filled out the period commencement and end dates.

As per s.152 of the EP Act, we intend to publish the notification at the same time (and in the same newspaper) as the PPL notification.

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- Confirm where we need to advertise and how many times we need to advertise

Thanks again for your assistance

Regards,



73(2)

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75 Woods Street, Darwin, NT 0801

W <http://www.ecoz.com.au>



Environmental Protection Act 1994

Application notice—public notice of an application for an environmental authority or major amendment to an environmental authority

This notice contains the approved form that an applicant must use to give public notice of an application (an application notice) for an environmental authority or a major amendment to an environmental authority for a mining activity relating to a mining lease, or of an application for a site-specific geothermal, greenhouse gas storage, or petroleum activity pursuant to sections 152 or 233 of the Environmental Protection Act 1994 (EP Act).

How to use an application notice

For applications for a mining activity relating to a mining lease or site specific applications involving a geothermal activity, GHG storage activity or petroleum activity (unless an EIS has already been completed), this notice must be:

- given and published simultaneously or together with, and in the same way as, any public notice for an application under resource legislation for a relevant tenure for the application; or
- if public notice is not required to be given for an application under resource legislation for a relevant tenure, publish this notice in a newspaper in circulation within the locality of the project site, within 10 business days after the end of the information stage.

Note: If an applicant for an environmental authority (mining lease) has also been issued a certificate of public notice under the Mineral Resources Act (MRA), the Department of Natural Resources and Mines (DNRM) will work with the applicant to coordinate publication of a combined public notice that addresses the requirements of both the MRA and the EP Act. In this circumstance, the notice template provided by DNRM may be used rather than the notice template provided on page 2.

For amendment applications for a mining activity authorised under a mining lease where there is no certificate of public notice under the Mineral Resource Act (section 252A) for a relevant mining lease, this notice must, within 10 business days after the end of the information stage, be:

- given to each owner of land to which the amendment relates and any other land necessary for access to the land
- given to each holder, or applicant, for an exploration permit or mineral development licence over the relevant land for a mineral other than a mineral to which the proposed amendment relates;
- given to the relevant local government;
- published in a newspaper circulation in the locality of the project site
- published in any other way specified by the administering authority or as prescribed under a regulation.

ENVIRONMENTAL PROTECTION ACT 1994 – Section 152

Application Notice

North East Gas Interconnector (NEGI) Pipeline

NOTIFICATION UNDER SECTION 152 OF THE ENVIRONMENTAL PROTECTION ACT 1994

Resource activity: Site specific petroleum activity relating to a Petroleum Pipeline Licence

It is advised that Jemena Queensland Gas Pipeline (1) Pty Ltd (JQGP1) (ACN 083 050 284) has lodged an application for an environmental authority in accordance with the requirements of the *Environmental Protection Act 1994*.

The application relates to construction of a point to point pipeline, ~~of~~ 165 km in length, running west-east from the Queensland-Northern Territory border (approximate Latitude/Longitude coordinates -20.61/138.00) to meet the Carpentarian gas pipeline approximately seven km south of Mount Isa (approximate Latitude/Longitude coordinates -20.79/_139.48).

The environmental authority would provide approval for the construction and operation of a natural gas pipeline. This pipeline is part of the North East Gas Interconnector tender process which will be assessed by the Northern Territory Government (NTG). Tender submissions closed 30 September 2015 with the successful applicant to be announced by 31 December 2015. ~~If unsuccessful in the tender process, JQGP1 will withdraw the application for PPL2015s.~~

The resource activity is proposed to occur on the following tenure(s) land and will involve: Constructing a new pipeline of more than 150 km under a petroleum authority which will pass through the ~~tenures land~~ listed below.

Land Parcel	Registered Proprietor/ Controlling Agency
Lot 2799 Survey Plan 276507	Waxahachie Pty Ltd
Lot 42 Crown Plan 847157	Australian Cattle and Beef Company Pty Ltd
Lot 3 Survey Plan 117500	Venlock Pty Ltd
Lot 24 Survey Plan 265794	James Lyne Lord & Marjorie Annette Lord
Lot 1 Crown Plan RD243	Argylla Mountains Pastoral Pty Ltd as Trustee for Campbell Family Trust
Lot 265 Crown Plan FTY1762	The State of Queensland (represented by Department of National Parks, Recreation, Sport & Racing)
Lots 572, 574 and 575 Crown Plan 857742, Lot 573 Survey Plan 110102	Argylla Mountains Pastoral Pty Ltd as Trustee for Campbell Family Trust
Lot 10 Survey Plan 240553	The State of Queensland (represented by Department of Natural Resources & Mines - Land Act)
1/CPMPH4518-Lot 1 Crown Plan MPH4518	Patrick Denis Donovan & Yvonne Hagglund

The application documents for the project consist of:

- Environmental Authority Application: and
- Environmental Authority Application Supporting Information.

Application documents may be inspected or accessed and copies and extracts may be taken at:

- Queensland Government's Brisbane Office: Level ~~7~~ 3, 400 George Street, Brisbane ~~Qld QLD~~ 4000;
- Queensland Government's website: http://www.ehp.qld.gov.au/management/non-mining/current-ea-applications.html#petroleum_and_gas_lease_applications; or
- Jemena's website: <http://jemena.com.au/industry/pipelines/north-east-gas-interconnector>.

It is advised that any person may make a submission about the application during the submission period, which is from <INSERT period commencement date> to <INSERT period end date>. **Submission must be received on or before 4.30pm on the last day of the submission period.**

Submissions must be sent to:

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Comment [RR1]: Deleted since abbreviation has not been required again

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Comment [RR2]: What does Jemena intend to do with the EA if unsuccessful in the tender process?

As this notice is in relation to the EA application, Jemena will likely surrender the EA if unsuccessful. This notice does not need to talk about withdrawing the tenure for PPL2015. Instead, you can say what Jemena intends to do with the EA.

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Comment [RR3]: This information has been inserted as it is required by s153(1)(e) of the EP Act.

Comment [RR4]: Our office is on Level 7 but reception is on Level 3

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Comment [RR5]: Please see section 155 of the EP Act

Department of Environment and Heritage Protection
Petroleum and Gas
Attention: Manager (Assessment), Petroleum and Gas
GPO Box 2454, Brisbane QLD 4001

PetroleumandGas@ehp.qld.gov.au

The Department of Environment and Heritage Protection as administering authority shall accept all properly made submissions and may accept written submissions even if they are not properly made. A properly made submission must meet all of the following requirements:

- be written or made electronically
- state the name and address of each submitter
- be made to the administering authority stated above
- be received on or before the last day of the submission period
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds

Further details about the application can be obtained by contacting:

73(2)

Company name (Jemena?)



Email: NEGI.Enquiry@jemena.com.au

Comment [RR6]: Please insert company name here

HALING Narelle

From: HAYCOCK Alison
Sent: Thursday, 3 December 2015 10:35 AM
To: RAO Radhika
Cc: GRIFFIN Lachlan; HERSE Karalyn; NASKE Peter; MARSHALL David
Subject: RE: Jemena EA conditions



Hi Radhika,

We have reviewed and support the condition as drafted. It is consistent with our discussions on Monday.

Also, as I will be on leave from this coming Monday 4 December until Monday 4 January, if you need further information from QPWS during that period please contact Lachlan Griffin or Karalyn Herse (Manager, Major Projects and Estate Management) in the first instance.

Thanks and regards

Alison

Alison Haycock

Team Leader (Resource Industry Projects)

Major Projects and Estate Management | Queensland Parks and Wildlife Service

Department of National Parks, Sport and Racing

P 07 3199 7617

Level 21, 111 George Street, Brisbane

PO Box 15187, City East, QLD 4002

From: RAO Radhika
Sent: Thursday, 3 December 2015 10:06 AM
To: HAYCOCK Alison
Subject: RE: Jemena EA conditions

Hi Alison,

We are looking to issue the draft EA to Jemena today. Please let me know if you had any comments on the conditions below by midday today.

Cheers,
Radhika

From: HAYCOCK Alison
Sent: Tuesday, 1 December 2015 12:59 PM
To: RAO Radhika
Cc: GRIFFIN Lachlan
Subject: RE: Jemena EA conditions

Thanks Radhika,
15-203



I will discuss with some colleagues and get back to you,

Regards

Alison

Alison Haycock

Team Leader (Resource Industry Projects)

Major Projects and Estate Management | Queensland Parks and Wildlife Service

Department of National Parks, Sport and Racing

P 07 3199 7617

Level 21, 111 George Street, Brisbane

PO Box 15187, City East, QLD 4002

From: RAO Radhika

Sent: Tuesday, 1 December 2015 9:43 AM

To: HAYCOCK Alison

Subject: Jemena EA conditions

Hi Alison,

Thanks for meeting with us yesterday. Please see below for conditions Petroleum & Gas is proposing for the environmental authority for Jemena (PPL2015) relevant to the Royton Timber Reserve.

Please let me know if you had any comments.

(A2) Only low impact petroleum activities can be undertaken within category A environmentally sensitive areas (ESAs), or category B ESAs, or category C ESAs or within the ESAs' primary protection zone.

(A3) Notwithstanding condition (A3), the following petroleum activities are permitted within state forests or timber reserves and within the primary protection zone of state forests or timber reserves:

- a) linear infrastructure;
- b) pipeline construction corridor not exceeding 30m in width; and
- c) turn around and work areas associated with pipeline construction not exceeding 50m in width.

Thank you.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000
15-203

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

EHP RTI DL Release

HALING Narelle

From: RAO Radhika
Sent: Monday, 12 October 2015 1:50 PM
To: 73(2)
Subject: RE: Jemena NEGI Pipeline - PPL2015

Hi

Thank you for the information. Please let me know if there are any issues with paying the fees.

Regards,
Radhika

From: coz.com.au]
Sent: Monday, 12 October 2015 1:36 PM
To: RAO Radhika
Subject: RE: Jemena NEGI Pipeline - PPL2015

Gday Radhika,
Please find attached response for further information request.

If you have any queries please ring me direct on 73(2)

Kind regards,
73(2)



EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801

W <http://www.ecoz.com.au>



From: RAO Radhika [<mailto:Radhika.Rao@ehp.qld.gov.au>]
Sent: Thursday, 8 October 2015 10:26 AM
To:
Cc: YOUNG Jenny; BREAKER Kylie
Subject: Jemena NEGI Pipeline - PPL2015

Hi

Thank you for speaking with me over the phone in relation to your environmental authority (EA) application for Petroleum Pipeline Licence (PPL) 2015.



As discussed, the first stage of the EA application assessment process is the *Application Stage* where the administering authority decides whether the application is a *Properly Made Application* under s127 of the *Environmental Protection Act 1994* (EP Act). This decision is due on 12 October 2015.

The EA application for PPL2015 is currently not a *Properly Made Application* as the following requirements of s125 of the EP Act have not been met:

- descriptions of proposed environmentally relevant activities (electricity generation, fuel burning and sewage treatment) have not been provided as required by section 125(1)(c) of the EP Act;
- the application was not accompanied by the fee prescribed under a regulation as required by section 125(1)(e) of the EP Act; and
- an assessment of the likely impact of each environmentally relevant activity (electricity generation, fuel burning and sewage treatment) on the environmental values has not been provided as required by section 125(1)(l) of the EP Act.

Environmentally relevant activities

To make your EA application for PPL2015 a *Properly Made Application*, please provide details around the environmentally relevant activities (electricity generation, fuel burning and sewage treatment) proposed in the EA application. Also provide information on the likely impacts of each of these activities on the environmental values.

To enable the administering authority to make a decision whether the application is a *Properly Made Application* it is requested that the information is submitted via email by **12pm on October 2015**.

Fees

Payment for the application fee can be made by cheque, money order or credit card. You may use the EA number EPPG03497815 as a reference number for your application. For payment via credit card, please call Jenny Young (Environmental Support Officer) on (07) 3330 5715. Alternatively you may send a money order or cheque to:

Attention: Jenny Young
"L7, 400G"
Petroleum and Gas Unit
GPO Box 2454, Brisbane QLD 4000

For your information, once the application has been deemed a *Properly Made Application*, the Information Stage will commence where the administering authority will have 20 business days to request any further information in relation to your application. As discussed, the *Notification Stage* can commence as soon as the *Application Stage* ends (s151 EP Act).

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

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EHP RTI DL Release

HALING Narelle

From: Hulbert, Luke <Luke.Hulbert@environment.gov.au>
Sent: Friday, 4 December 2015 12:35 PM
To: RAO Radhika
Subject: RE: Jemena NEGI pipeline [SEC=UNCLASSIFIED]

Thanks Radhika

From: RAO Radhika [mailto:Radhika.Rao@ehp.qld.gov.au]
Sent: Wednesday, 2 December 2015 2:58 PM
To: Hulbert, Luke
Cc: BREAKER Kylie
Subject: Jemena NEGI pipeline

Hi Luke,

Thank you for your phone call.

The environmental authority (EA) application for the Jemena NEGI pipeline (PPL2015) was received by the Department of Environment and Heritage Protection (EHP) on 25 September 2015. The application was publicly notified from 22Oct15 to 19Nov15 and the decision is due on 18 December 2015. The application did not trigger an EIS under the *Environmental Protection Act 1994* as the total area disturbed is less than 2000ha and the pipeline is less than 300km in length.

As the pipeline is 165km in length, it does not meet the eligibility criteria for a [Standard Pipeline EA](#) and therefore, the applicant has applied for a Site-Specific EA. The application also states that the proposed pipeline is likely to traverse category B and C environmentally sensitive areas (ESAs), however, sufficient information has not been provided to enable EHP to authorise petroleum activities in ESAs or to impose environmental offsets conditions on the EA. Additionally, the application has not addressed any impacts to Matters of State Environmental Significance (MSES).

As such, EHP has proposed the following draft conditions in relation to ESAs and MSES:

- (A3) *Only low impact petroleum activities can be undertaken within category A environmentally sensitive areas (ESAs) or category B ESAs or category C ESAs or within the ESAs' primary protection zone.*
- (A4) *Notwithstanding condition (A3), the following petroleum activities are permitted within state forests or timber reserves and within the primary protection zone of state forests or timber reserves:*
- (a) *linear infrastructure;*
 - (b) *pipeline construction corridor not exceeding 30m in width; and*
 - (c) *turn around and work areas associated with pipeline construction not exceeding 50m in width.*
- (D3) *Prior to undertaking activities that result in significant disturbance to land in areas of native vegetation, confirmation of on-the-ground biodiversity values of the native vegetation communities at that location must be undertaken by a suitably qualified person.*
- (D4) *A suitably qualified person must develop and certify a methodology so that condition (D3) can be complied with and which is appropriate to confirm on-the-ground biodiversity values.*
- (D5) *Where mapped biodiversity values differ from those confirmed under conditions (D3) and (D4), petroleum activities may proceed in accordance with the conditions of the environmental authority based on the confirmed on-the-ground biodiversity value.*

- (D6) *Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority.*



**Queensland
Government**

(D7) Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:

- (a) completed by a suitably qualified person; and
- (b) kept for the life of the environmental authority.

Definitions

- "linear infrastructure" means powerlines, pipelines, roads and access tracks.
- "low impact petroleum activities" means petroleum activities which do not result in the clearing of native vegetation, cause disruption to soil profiles through earthworks or excavation or result in significant disturbance to land which cannot be rehabilitated immediately using hand tools after the activity is completed. Examples of such activities include but are not necessarily limited to soil surveys (excluding test pits), topographic surveys, cadastral surveys and ecological surveys, may include installation of monitoring equipment provided that it is within the meaning of low impact and traversing land by car or foot via existing access tracks or routes or in such a way that does not result in permanent damage to vegetation.
- "prescribed environmental matters" has the meaning in section 10 of the Environmental Offsets Act 2014, limited to the matters of State environmental significance listed in schedule 2 of the Environmental Offsets Regulation 2014.
- "significant residual impact" has the meaning in section 8 of the Environmental Offsets Act 2014.

We are looking to issue the draft EA to the applicant by next week. Please give me a call if you wished to discuss further.

Thank you.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

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HALING Narelle

From: RAO Radhika
Sent: Wednesday, 11 November 2015 9:50 AM
To: 73(2)
Cc: BREAKER Kylie
Subject: RE: Jemena PPL2015 (EA reference # EPPG03497815)- Declaration of compliance

Good morning

Thank you for your email. Please see the completed table below and explanation in the final column. Answers to your queries have also been included in the Explanation column.

Stage (duration business days)	Start date	Finish date	Explanation
EA Application Lodged	25 th September		
Application Stage (10) (now complete)	28 September 15	12 October 15	This stage is 10 business days. Queensland had a public holiday on 5 October 2015.
Information Stage (20)	13 October 2015	9 November 2015	<p>An information request under s. 140 of the EP Act was not required and the information stage (which is 20 business days) is now complete.</p> <p>The information EHP requested in relation to the proposed Fuel Burning, Electricity Generation, Sewage Treatment and fees (via email on 8 October 2015) was to determine whether the application for PPL2015 was a Properly Made Application and met the requirements under s. 125(c)(e) of the EP Act.</p> <p>Please note there has been no addition of time to the application process as a result of this information EHP requested via email on 8 October 2015.</p>
Notification Stage (20)	23rd October 2015 22 October 2015	19th November 2015* Notification stage ends when the applicant gives the declaration of compliance to EHP (s. 164(a) of the EP Act).	The notification stage can start as soon as the application stage ends (s. 151 of the EP Act). The public notice was published on 22 October 2015. The submission period commenced on 23 October 2015 (s. 155(b) of the EP Act).
Submission period	23 October 2015	19 November 2015	Submission period is for 20 business days as per s. 155(b) of EP Act.
Declaration of	20 November 2015	26 November 2015	Jemena may provide the



compliance			declaration of compliance to EHP on any day between 20-26 November 2015. Please email the declaration to me and CC my team leader, Kylie Breaker (kylie.breaker@ehp.qld.gov.au)
Decision Stage (20)	20th November* The decision stage will commence the day after the declaration of compliance is received by EHP.	18th December* 20 business days after the start date	As per s. 165 of EP Act, the decision stage for an application starts when all other stages applying to the application have ended.

Hope this answers your query. Please feel free to give me a call if you need to.

Should you require any further information, please contact me on the details below.

Kind Regards,

Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Please note that I work part-time (Mon - Thurs)

From: 73(2) coz.com.au

Sent: Tuesday, 10 November 2015 11:29 AM

To: RAO Radhika

Subject: RE: Jemena PPL2015 (EA reference # EPPG03497815)- Declaration of compliance

Gday Radhika,

Thanks again for your assistance to date.

For the above EA application I'm trying to work through the timeframes to ensure, amongst other things, that I get Declaration of Compliance to you at the appropriate time.

The intent of the table below is to collate what has happened and forward plan what will happen could you please fill in the questions marks.

Part of the reason I'm lost is that addition of time due to payment confusion and the later request for further information and that while we were intending to have the Information and Notification Stages concurrently I think that they are now non-aligned?

My understanding of the timeline is as follows:

Stage (duration business days)	Start date	Finish date
EA Application Lodged	25 th September	
Application Stage (10) (now complete)	?	?
Information Stage (20)	?	?
Notification Stage (20)	23rd October 2015	19 th November 2015*
Decision Stage (20)	20 th November*	18 th December*

- Assuming that our EA application goes through seamlessly

I note in the EP Act that the Declaration of Compliance is due within 5 days after the submission period ends ie 5 days after the 19th November.

Is the declaration sent to you or palm@ehp.qld.gov.au?

Thanks again,



73(2)

EcOz Environmental Consultants
GPO Box 381
Third Floor Winlow House
75 Woods Street, Darwin, NT 0801
T
E
W <http://www.ecoz.com.au>



HALING Narelle

From: 73(2) coz.com.au>
Sent: Thursday, 10 December 2015 12:17 PM
To: RAO Radhika;
Cc: Petroleum and Gas EA Applications; BREAKER Kylie
Subject: Re: NEGI Pipeline - EPPG03497815

Thank you Radhika.

I acknowledge receipt of this email.

Sent from my Samsung GALAXY S4 on the Telstra 4G network

----- Original message -----

From: RAO Radhika
Date: 10/12/2015 10:50 (GMT+09:30)
To:
Cc: Petroleum and Gas EA Applications ,BREAKER Kylie
Subject: NEGI Pipeline - EPPG03497815

Dear

Please find attached environmental authority (EA) EPPG03497815 for the North East Gas Interconnector (NEGI) pipeline, application received by the administering authority on 25 September 2015, in regards to petroleum pipeline licence (PPL) 2015.

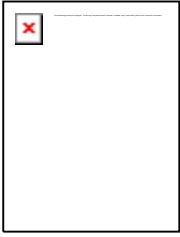
Also attached is an information sheet regarding your internal review and appeal rights.

Please note that you will not be sent a hardcopy of the EA and as such, please acknowledge receipt of this email.

Thank you.

Should you require any further information, please contact me on the details below.

Kind Regards,
15-203



Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

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HALING Narelle

From: 73(2) ecoz.com.au>
Sent: Wednesday, 9 December 2015 11:57 AM
To: RAO Radhika
Cc: BREAKER Kylie;
Subject: Re: PPL2015 EA

Gday Radhika,
Confirming that Jemena accepts the conditions in the draft EA you sent yesterday.

Please contact me if you have any questions.

Sent from my Samsung GALAXY S4 on the Telstra 4G network

----- Original message -----

From: RAO Radhika
Date: 09/12/2015 09:34 (GMT+09:30)
To:
Cc: BREAKER Kylie
Subject: PPL2015 EA

Good morning

Thank you for your email.

The Department of Environment and Heritage Protection (EHP) has reviewed Jemena's comments on the revised draft environmental authority (EA) and does not accept the proposed changes to conditions (C10), (D1), (D2), (E1), (F1) and (F5) as discussed over the phone this morning. The reasons why EHP does not accept the proposed changes are outlined below:

- Conditions (C10), (D1), (D2), (E1) and (F1) are standard conditions for petroleum pipeline activities which have been developed for the petroleum industry; and
- Condition (F5) is a streamline model condition for transitional rehabilitation which requires that rehabilitated areas must be maintained until that acceptance criteria (a-e) is met. Inserting additional wording as proposed by Jemena, changes the intent of the transitional rehabilitation condition. Also, as there is no defined term for 'final rehabilitation', this will lead to compliance ambiguity.

Please advise whether Jemena agrees to the proposed conditions in the revised draft EA by 12pm **9 December 2015**.

Should you require any further information, please contact me on the details below.

Kind Regards,



Radhika Rao

Senior Environmental Officer

Petroleum & Gas (Assessment) | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 6188

Level 7, 400 George Street, Brisbane QLD 4000

File C2
1

Page 119 of 120

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-----Original Message-----

From: 73(2) [coz.com.au](mailto:73(2)@coz.com.au)
Sent: Wednesday, 9 December 2015 7:45 AM
To: RAO Radhika; BREAKER Kylie
Cc:
Subject: PPL2015 EA

Gday Radhika,

Jemena legal have requested a few changes within the draft EA, these changes are marked up in the attached document.

If these changes are made Jemena agrees to the proposed conditions in the draft EA.

Give me a ring if you need to discuss.

Thanks and regards,

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