



Environmental Authority (Petroleum Activities) PEN100034807

Section 124 Environmental Protection Act 1994

This environmental authority is granted under the Environmental Protection Act 1994 and includes conditions to minimise environmental harm caused, or likely to be caused, by the authorised petroleum activities. An environmental authority (petroleum activities) may be for petroleum activities authorised (under the Petroleum and Gas (Production and Safety) Act 2004, Petroleum Act 1923 or Petroleum (Submerged Lands) Act 1982) to occur under one of the following petroleum authorities: authority to prospect; petroleum lease, data acquisition authority, water monitoring authority, petroleum facility licence, survey licence or pipeline licence. In general, a petroleum activity means an activity that, under the relevant petroleum legislation, is an authorised activity, rehabilitation, remediation, and includes facilitation and supporting activities and any action taken to prevent environmental harm.

Under the provisions of the *Environmental Protection Act 1994*, this environmental authority (petroleum activities) is issued to:

North Queensland Pipeline No1 Pty Ltd Level 10, 12 Creek Street, BRISBANE QLD 4000	North Queensland Pipeline No2 Pty Ltd Level 10, 12 Creek Street, BRISBANE QLD 4000
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in respect of carrying out the following environmentally relevant activity (ERA) of Schedule 1 of the *Environmental Protection Regulation 1998*:

ERA	Description
21D	A petroleum activity otherwise prescribed under this schedule as a level 1 environmentally relevant activity which includes: 17 - Fuel burning – any process involving the use of fuel burning equipment (including, for example, a standby power generator) that is capable of burning (whether alone or in total) 500 kg or more of fuel an hour.
21E	A petroleum activity not otherwise prescribed under this schedule as a level 1 environmentally relevant activity which includes:

on the relevant petroleum authorities identified below:

Type of Petroleum Authority	Petroleum Authority Number	Project / Location description
Petroleum Pipeline Licence	PPL89	North Queensland Gas Pipeline / Moranbah – Townsville.

This environmental authority (petroleum activities) [the authority] is subject to the conditions that the holder carry out the above environmentally relevant activities in accordance with the conditions listed in the attached schedules.

The anniversary date of this environmental authority is 23 July.

This authority takes effect from the date on which the sale of the Moranbah Gas Processing Facility by the holder of this authority is completed. The holder of this authority must advise the Administering Authority in writing within 5 business days after the sale between North Queensland Pipeline No 1 Pty Ltd and North Queensland Pipeline No 2 Pty Ltd (as sellers) and AGL Energy Limited and CH4 Pty Ltd (as buyers) of the Moranbah Gas Processing Facility is completed.



Queensland Government

Environmental Protection Agency

Department of Natural Resources and Mines

Environmental Authority (petroleum activities) No. PEN100034807

This authority remains in force until it is cancelled, surrendered or suspended.

M. McNamara

21/07/2008

Signed

Date

Mark McNamara
Delegate of Administering Authority
Environmental Protection Act 1994

Note: This environmental authority document is not proof of the current status of the environmental authority. The current status of the environmental authority may be ascertained by contacting the Administering Authority



Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity in the legislation at the time of issuing of the authority. Where there is conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This licence incorporates the following schedules of conditions relevant to various issues:

- Schedule A - General
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Nature conservation
- Schedule H - Community

Schedule A - General conditions

The following conditions are prescribed:

Prevent and /or minimise likelihood of environmental harm

- (A1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.

NOTE: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Records

- (A2) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.



Annual Monitoring Report

- (A3) An annual monitoring report must be provided to the administering authority with the annual return. This report shall include but not be limited to:
- (a) a summary of the previous twelve (12) months' monitoring results obtained under any monitoring programs required under this authority and, in graphical form showing relevant limits, a comparison of the previous twelve (12) month's monitoring results to both this authority limits and to relevant prior results;
 - (b) an evaluation/explanation of the data from any monitoring programs; and a summary of any record of quantities of releases required to be kept under this authority; and
 - (c) a summary of the record of equipment failures or events recorded for any site under this authority; and
 - (d) an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs.

Environmental Management Plan

- (A4) The licensee will comply with the relevant control strategies and standards detailed in the current Environmental Management Plan (operation) to manage environmental impacts caused by the undertaking of the Environmentally Relevant Activities authorised under this licence.

Scope of Environmental Authority

- (A5) This environmental authority only permits the burning of diesel and gas fuel in fuel burning equipment.
- (A6) This environmental authority permits the carrying out of environmentally relevant activity 75(b)(i) (regulated waste disposal) only for saline and hydrocarbon contaminated effluent, produced from the compression of coal seam methane gas. This regulated waste must only be disposed of in the evaporation pond facility described in the Environmental Impact Statement.
- (A7) Once the compressor station has been decommissioned a site investigation and remediation report shall be undertaken and submitted to the Administering Authority. If the report identifies that further remediation work is required, then that work shall be completed prior to any surrender of this environmental authority or final surrender of the premises.

Pipeline activities

- (A8) The holder of the environmental authority must undertake petroleum activities in accordance with the following sections of AS 2885:
- (a) Pipeline integrity management;
 - (b) Threat mitigation; and
 - (c) Safety and environment

Storage of hazardous substances, fuel and oil

- (A9) The holder of the environmental authority must ensure that that the storage of all chemicals, flammable and combustible liquids on a pipeline licence:
- (a) is contained within an on-site containment system;
 - (b) is controlled in a manner that prevents environmental harm (other than trivial harm); and
 - (c) is maintained in accordance with section 5.9 of AS 1940 – Storage and handling of Flammable and Combustible Liquids of 1993.

END OF CONDITIONS FOR SCHEDULE A



Schedule B - Air

The following conditions are prescribed:

Nuisance

- (B1) The release of any dust, particulate, aerosol or odour resulting from the activity must not cause an environmental nuisance at any sensitive place.
- (B2) Exceedence of any of the following levels when measured at any sensitive place is an environmental nuisance for the purposes of condition B1.
- (a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; or
 - (b) A concentration of particulate matter in the atmosphere of 120 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with the latest edition of the Environment Protection Agency 'Air Quality Sampling Manual'; or
 - (c) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (PM₁₀) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive place downwind of the site, when monitored in accordance with:
 - Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM₁₀ high-volume sampler with size-selective inlet - Gravimetric method'; or
 - any alternative method of monitoring PM₁₀ which may be permitted by the latest edition of the Environment Protection Agency 'Air Quality Sampling Manual'.
- (B3) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint that are not frivolous, vexatious or based on mistaken belief, of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the Administering Authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected sensitive place and at upwind control sites and must include:
- (a) for a complaint alleging dust nuisance, dust deposition; and
 - (b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere for 24hrs, averaged over 2 hour periods.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

The following conditions are prescribed:

Erosion and sediment control

- (C1) The holder of the environmental authority must take all reasonable and practicable measures to prevent or minimise:
- (a) erosion of areas disturbed by petroleum activities; and
 - (b) sedimentation of any **waters**.

END OF CONDITIONS FOR SCHEDULE C



Schedule D – Noise and Vibration

The following conditions are prescribed:

Noise Nuisance

- (D1) Noise from activities must not cause an environmental nuisance at any noise sensitive place.

Noise Nuisance – Compressor Station

- (D2) Should complaints about noise be received that are not frivolous, vexatious or based on mistaken belief, at the written request of the administering authority, the holder of this environmental authority must undertake such work/actions as to achieve the levels shown in Schedule D – Table 2.

Schedule D - Table 2: Noise Limits

Noise level dB(A) measured as	Monday to Saturday			Sundays and Public Holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise Measured at a 'Noise Sensitive Place' in Zones 1, 2, 4, 5, 9, 12, 13*					
L _{A10} , adj, 10 mins	40	35	28	40	35	28
L _{A1} , adj, 10 mins	45	40	33	45	40	33
	Noise measured at a 'Commercial place' in Zones 1, 2, 4, 5, 9, 12, 13*					
L _{A10} , adj, 10 mins	45	40	33	45	40	33
L _{A1} , adj, 10 mins	50	45	38	50	45	38
	Noise Measured at a 'Noise Sensitive Place' in Zones 3, 6, 7, 8, 10, 11, 14*					
L _{A10} , adj, 10 mins	45			45		
L _{A1} , adj, 10 mins	50			50		
L _{Aeq} , 10 mins in sleeping areas (interior)	35					

* Refers to the Planning Scheme of the Shire of Belyando (Moranbah and environs) approved 23 February 1995

- (D4) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

The following conditions are prescribed:

Waste Handling

- (E1) The holder must not cause or permit incompatible wastes to be mixed in the same container, for example, mixing dangerous waste goods or those likely to react or mixing waste streams requiring different treatment and disposal methods.



- (E2) Any loss or spillage of regulated wastes must be cleaned up forthwith.
- (E3) Regulated waste must be handled and transferred in a proper and efficient manner to prevent any leakage or spillage of waste.
- (E4) All regulated waste removed from the site must be removed by a person who holds a current authority to transport such waste under the provisions of the *Environmental Protection Act 1994* and sent to a facility licensed to accept such waste.
- (E5) Except as otherwise provided by the conditions of this authority, all disposal of waste generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts that waste.

Sewage Treatment and Disposal

- (E6) The holder of this environmental authority must ensure that:
 - (a) plant and equipment used in the carrying out of the activity is installed, maintained and operated in a proper and efficient manner;
 - (b) sewage effluent is not released to waters (including groundwater);
 - (c) the disposal of sewage effluent does not cause the contamination of any water used for drinking or domestic purposes or manufacturing purposes or for consumption by animals;
 - (d) any area(s) used for the disposal of sewage wastes (liquids or solids) is securely fenced to prevent animals entering such area(s);
 - (e) where sewage sludge is buried on land the sludge is covered with at least 250mm of top soil and where practicable located above known flood levels;
 - (f) where sewage effluent is irrigated on land it is carried out in accordance with the National Water Quality Guidelines for Sewage Systems – Use of Reclaimed Water;
 - (g) there is no surface ponding of effluent on land disposal area(s);
 - (h) any noxious offence odours or any other noxious or offensive contaminant resulting from the activity do not cause a nuisance at any odour sensitive place; and
 - (i) public access to any sewage effluent land disposal area must be denied during the release of contaminants to the land and until the irrigation/disposal area has dried.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

The following conditions are prescribed:

Significant disturbance

- (F1) The holder of the environmental authority must:
 - (a) ensure that significant disturbance on pipeline land caused by petroleum activities be within the following limits:
 - i. Class R1
 - 100km in one year
 - 20km at any one time
 - ii. Class R2
 - 50km in one year
 - 10km at any one time
 - iii. Classes T1 and T2
 - 10km in one year
 - 2km at any one time

Note: For the purposes of this condition access roads and tracks required for the necessary maintenance of pipelines are excluded from the area of significant disturbance.



- (b) seek the written consent of the administering authority prior to carrying further petroleum activities beyond the maximum allowable disturbance limits at anyone time outlined in condition F1 (a).

Environmentally sensitive areas

- (F2) The holder of the environmental authority must ensure that petroleum activities:
- (a) are not conducted in a category A or B **environmentally sensitive area**;
 - (b) do not cause a significant disturbance within 1km of a category A environmentally sensitive area or within 500m of a category B environmentally sensitive area;
 - (c) are not conducted in a category C environmentally sensitive area unless there is a written agreement to enter the area from the relevant administering authority.

Land Management

- (F3) Where land is to be significantly disturbed the holder of the environmental authority must:
- (a) take all reasonable and practicable measures to minimise disturbance to land in order to prevent land degradation; and
 - (b) ensure that for land that is to be significantly disturbed by petroleum activities, the top layer of the soil profile is removed and
 - i. stockpiled in a manner that will preserve its biological and chemical integrity; and
 - ii. used for rehabilitation purposes

Vegetation management

- (F4) The holder of the environment authority must:
- (a) take all reasonable and practicable measures to prevent or minimise disturbance to vegetation by petroleum activities and manage the effects of clearing to prevent the loss of biodiversity, maintain ecological processes and prevent land degradation.
 - (b) The holder of the environmental authority must not clear:
 - (a) in, or within 50 metres of, the **high bank** of a watercourse;
 - (b) in, or within 50 metres of, the **static high water mark** of wetlands, lakes or springs;
 - (c) in a way that isolates clumps or **dissects corridors of vegetation**;
 - (d) on slopes greater than 5%;
 - (e) on **dispersible soils**;
 - (f) in existing or potential **discharge areas**; and
 - (g) in areas subject to **waterlogging** or at risk of waterlogging as a result of clearing;
- except for necessary construction and maintenance of roads, tracks and pipelines where there is no suitable alternative site for the road, track or pipeline.
- (c) The holder of the environmental authority must not clear in areas with a high probability of acid sulfate soils unless the clearing is conducted in accordance with an acid sulfate soil environmental management plan prepared in accordance with the State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils and Guideline.

Protection of riverine areas

- (F5) The holder of the environmental authority must:
- (a) ensure that there is no significant disturbance in riverine areas containing permanent water, except for the necessary construction and/or maintenance of roads, tracks and pipelines; and
 - (b) minimise disturbance of all other riverine areas.

Spill and clean up action

- (F6) Notwithstanding the other conditions of this Code, if a contaminant spill does occur as a result of petroleum activities, the holder of the environmental authority must:
- (a) take immediate action to stop any further release;
 - (b) take immediate action to contain the contaminant to the affected area, taking particular care to protect environmentally sensitive areas;
 - (c) restore or rehabilitate the environment to its condition before the release occurred; and
 - (d) prevent a recurrence of the release.

Discharge to Evaporation Pond (Compressor Station Site)

- (F7) Monitoring of waste water discharge to the evaporation pond must be undertaken on an annual basis. The monitoring must include determinations of salinity and hydrocarbon content.
- (F8) Only process water from the compressor station containing salts and hydrocarbons and contaminated water from the interceptor pit is to be discharged to the evaporation pond.

Pond Conditions

- (F9) The evaporation pond used for the storage of contaminants must be constructed, installed and maintained:
- (a) so as to prevent any release of contaminants through the bed or banks of the pond to any waters (including ground water);
 - (b) so that a freeboard of not less than 0.5 metres is maintained at all times; and
 - (c) so as to ensure the stability of the ponds' construction.
- (F10) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering the evaporation pond or other structures used for the storage or treatment of contaminants or wastes except stormwater runoff held in the interceptor pit which is discharged into the evaporation pond.
- (F11) Decommissioning the evaporation pond and interceptor pit must include:
- (a) the management of salt or any residual hydrocarbon contaminated soil so that it does not cause environmental harm to surface waters or groundwater; and
 - (b) the rehabilitation, including re-vegetation, of the land so as to provide a stable landform and to prevent any environmental harm to the surrounding environment.
- (F12) Investigation and testing of the sites is to be undertaken to determine if the soils are contaminated.

Note: Soil in the evaporation pond and interceptor pit is considered contaminated by hydrocarbons if the concentration of total petroleum hydrocarbons is greater than 1,000 mg/kg.

- (F13) Any Contaminated soil must be managed in accordance with the procedures and processes set out in the latest edition of the EPA's *Draft Guidelines for the Assessment and Management of Contaminated Land*.

Rehabilitation

- (F9) As soon as practicable and within 6 months (or longer period agreed in writing by the administering authority) of the end of any petroleum activities involving significant disturbance to land, the holder of the environmental authority must:
- (a) remediate any contaminated land in accordance with EP Act requirements;
 - (b) reshape all significantly disturbed land to a stable landform similar to that of surrounding undisturbed areas;
 - (c) on all significantly disturbed land, take all reasonable and practicable measures to:



- i. re-establish surface drainage lines;
- ii. reinstate the top layer of the soil profile; and
- iii. promote establishment of vegetation of the same species and density of cover to that of the surrounding undisturbed areas.
- iv. decommission an inactive buried pipeline by in-situ decommissioning (i.e. Abandonment in Place) consistent with the requirements of AS 2885.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

The following conditions are prescribed:

Complaint Response

- (G1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.
- (G2) The holder of this authority must, in consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

END OF CONDITIONS FOR SCHEDULE G

Schedule H – Notification of Emergencies and Incidents

The following conditions are prescribed:

- (H1) As soon as practicable, but within 24 hours, after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this Approval, the holder of this Approval must notify the Administering Authority of the release by electronic mail or facsimile.
- (H2) Not more than 14 days following the initial notification of an emergency or incident, the holder of the Approval must provide written advice of the information supplied in accordance with condition number H-1 in addition to:
 - (a) proposed actions to prevent a recurrence of the emergency or incident;
 - (b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
 - (c) the results of any environmental monitoring performed.

END OF CONDITIONS FOR SCHEDULE H

Schedule I - Definitions

The following conditions are prescribed:

Words and phrases used throughout this authority are defined below:

Where a definition for a term used in this authority is sought and the term is not defined within this authority the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

Administering authority - means the Environmental Protection Agency or its successor.

Annual return - means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 86(2) licence that applies to the development approval.

APIA Code - means the current Australian Pipeline Industry Association - Code of Environmental Practice.

AS 2885 - Australian Standard - Pipelines - Gas and Liquid Petroleum.

Authorised place - means the place authorised under this authority for the carrying out of the specified environmentally relevant activities.

Class R1 - means broad rural locations in undeveloped areas or broadly farmed areas that are sparsely populated, where typically the area of the average allotment is greater than 5ha.

Class R2 - means semi-rural locations in rural areas developed for small farms or rural residential use, where typically the area of the average allotment is between 1ha and 5ha.

Class T1 - means suburban locations in areas developed for residential commercial or industrial use at which the majority of buildings have less than four floors, where typically the area of the average allotment is less than 1ha.

Class T2 - means high-rise locations in areas developed for residential, commercial or industrial use at which the majority of buildings have four or more floors, where typically the area of the average allotment is less than 1ha.

Contaminant - can be —

- (a) a gas, liquid or solid; or
- (b) an odour; or
- (c) an organism (whether alive or dead), including a virus; or
- (d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- (e) a combination of contaminants.

Contaminated land - means land contaminated by a hazardous contaminant.

Commercial place - means a place used for business or commercial purposes.

Discharge area is:

- (a) that part of the land surface where groundwater discharge produces a net movement of water out of the groundwater; and
- (b) identified by an assessment process consistent with the document: *Salinity Management Handbook*, Queensland Department of Natural Resources, 1997; or



- (c) identified by an approved salinity hazard map held by the Department of Natural Resources and Mines.

Dissects corridors of vegetation means clearing vegetation that results in a break more than 50 metres wide across a corridor.

Dispersible soils are soils in which clay material disintegrates into particles less than 2 microns when submerged in distilled water for 12 hours.

Dredge spoil - material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

Dust sensitive place - means:

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens;
- a place used as an office or for business or commercial purposes, and includes the curtilage of any such place.

Dwelling - means any of the following structures or vehicles that is principally used as a residence:

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

Environmentally sensitive areas - (as determined from the EPA GIS data base) means locations, however large or small, that have environmental values that contribute to maintaining biological diversity and integrity, have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community.

Environmental Impact Statement - means the *Environmental Impact Statement* released by Enertrade in November 2002 and the *EIS Supplement: Response to Submissions* by Enertrade dated February 2003.

End means the stopping of the particular activity that has caused a significant disturbance in a particular area. It refers to, among other things, the end of a seismic survey or the end of a drilling operation. It does not refer to the end of all related *activities such as rehabilitation*. In other words, it does not refer to: the "completion" of the particular activity, the time at which the petroleum authority ends or the time that the land in question ceases to be part of an authority. Under the *APPEA Code* "completion" refers to the point at which the particular survey, program or operation has been rehabilitated and abandoned.

Essential habitat means an area identified as essential habitat for a species of wildlife listed as endangered, vulnerable, rare, or near threatened under the Nature Conservation Act 1992 on a map prepared by the chief executive officer of the Environmental Protection Agency and certified by the chief executive officer of the Department of Natural Resources and Mines for the purposes of the *Vegetation Management Act 1999*.

Evaporation pond means a dam or interceptor pond constructed outside a watercourse, wetland or waterway by excavating a pit and constructing a wall around the pit with the excavated material. Natural surface flow is excluded from the pond.

Financial assurance means a security deposit, either cash or a bank guarantee, held by the administering authority to cover the potential costs of rehabilitating areas significantly disturbed by the petroleum activities.



Hazardous contaminant means a contaminant that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of—
(a) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity or flammability; or
(b) its physical, chemical or infectious characteristics.

High bank - The defining bank is the terrace or bank or, if no bank is present, the point on the active floodplain, which confines the average annual peak flows.

Land degradation includes the following:

- (a) soil erosion;
- (b) rising water tables;
- (c) the expression of salinity;
- (d) mass movement by gravity of soil or rock;
- (e) stream bank instability; and
- (f) a process that results in declining water quality.

Licensed waste disposal facility is a facility approved under a development approval and operated by a holder of a registration certificate for environmentally relevant activity item number 75 under Schedule 1 of the *Environmental Protection Regulation 1998*.

Noise sensitive place - means:

- a dwelling, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area; or
- a park or gardens; or
- a place used as an office or for business or commercial purposes, and includes the curtilage of such place.

Noxious - means harmful or injurious to health or physical well being.

Nuisance sensitive place includes:

- a dwelling, mobile home or caravan park, residential marina or other residential premises;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes, and includes the curtilage of any such place.

Odour sensitive place - has the same meaning as a "dust sensitive place".

Offensive - causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

Regulated waste - means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes:
for an element - any chemical compound containing the element; and
anything that has contained the waste.

Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads, pipelines etc), which is to be left by *agreement* with the landowner.



Petroleum activity is defined in the EP Act as an activity:

- a) authorised on a petroleum tenure granted under the Petroleum Act 1923; or
- b) authorised on a petroleum authority granted under the P&G Act; or
- c) exploring for or mining minerals under a licence, permit, pipeline licence, primary licence, secondary licence or special prospecting authority granted under the Petroleum (Submerged Lands) Act 1982; or
- d) rehabilitating or remediating environmental harm because of an activity mentioned in paragraphs (a) to (c); or
- e) action taken to prevent environmental harm because of an activity mentioned in paragraphs (a) to (d); or
- f) required under a condition of an environmental authority (petroleum activities); or
- g) required under a condition of an environmental authority (petroleum activities) that has ended or ceased to have effect, if the condition:
 - i. continues to apply after the authority has ended or ceased to have effect; and
 - ii. has not been complied with.

Petroleum authority includes Authority to Prospect, Petroleum Lease, Data Acquisition Authority, Water Monitoring Authority, Petroleum Facility Licence, Survey Licence and Pipeline Licence issued or granted under the *Petroleum Act 1923* or *Petroleum and Gas (Production and Safety) Act 2004*.

Petroleum works site is a separate location on the area subject to a petroleum authority where certain petroleum activities are undertaken; including a well site, production facilities, evaporation pond, compressor site and campsite. The following petroleum activities are excluded from the definition of *petroleum works site*: roads and tracks, seismic survey lines, and non-licensed gathering systems.

Pipeline land is land on which a pipeline maybe constructed or operated under a pipeline licence (see P&G Act).

Pipeline licence includes a **point-to-point pipeline licence** or a **area pipeline licence** (see P&G Act)

- o point-to-point pipeline licence, (for a pipeline from a stated point or points to another point or points)
- o area pipeline licence, (a licence for a stated area)

Potential discharge area - Low lying parts of the landscape (relative to adjacent terrain) where groundwater movements are within 2-5m of the land surface and the landscape may be subject to upward movement of groundwater in the future.

Release of a contaminant into the environment, includes --

- (a) to deposit, discharge, emit or disturb the contaminant; and
- (b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
- (c) to fail to prevent the contaminant from being deposited, discharged, emitted or disturbed; and
- (d) to allow the contaminant to escape; and
- (e) to fail to prevent the contaminant from escaping.

Riverine area refers to the land confined to the flood flow channel of a watercourse.

Sediment pond means a bunded or excavated structure used to contain and settle waterborne sediment running off significantly disturbed areas.

Sediment trap means a device used to filter waterborne sediment running off significantly disturbed areas. This may include silt fences, hay bales or grassed strips.

Sensitive place means

- (a) a dwelling, mobile home or caravan park, residential marina or other residential place;



- (b) a motel, hotel or hostel;
- (c) a kindergarten, school, university or other educational institution;
- (d) a medical centre or hospital;
- (e) a protected area;
- (f) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organized entertainment.

Significantly disturbed land and significant disturbance means land if:

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

Examples of a disturbance to land:

- (a) areas where soil has been compacted, removed, covered, exposed or stockpiled;
- (b) areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion;
- (c) areas where land use suitability or capability has been diminished;
- (d) areas within a watercourse, waterway, wetland or lake where petroleum activities occur and human intervention is necessary to restore or stabilise the disturbed area;
- (e) areas submerged by hazardous waste storage and dam walls in all cases;
- (f) areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after petroleum activities have ceased; or
- (g) areas where land has become contaminated land and a suitability statement has not been issued.

However, for the purpose of this code the following areas are not significantly disturbed:

- (a) areas off the petroleum authority (e.g. roads or tracks which provide access to the petroleum authority).
- (b) areas previously significantly disturbed which have been rehabilitated to the administering authority's satisfaction.
- (c) areas under permanent infrastructure.
- (d) areas that were significantly disturbed prior to the grant of the environmental authority, unless those areas are re-disturbed by the holder of the environmental authority during the term of the authority.
- (e) minor disturbances such as drill sumps and minor respreading of soil on GPS located seismic lines.

Stable means geo-technical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

State wildlife corridor means an area identified as State wildlife corridor on a map prepared by the chief executive officer of the Environmental Protection Agency and certified by the chief executive officer of the Department of Natural Resources and Mines for the purposes of the Vegetation Management Act 1999. The map showing areas of State wildlife corridor is available in digital form from NR&M. Areas of State wildlife corridor are also depicted on regional ecosystem maps available from NR&M or the EPA's website at <http://www.epa.qld.gov.au/REMAPS>.

Static high water mark means the settled ordinary water level that occurs under average meteorological conditions. It is less than extreme levels that can be caused by storm surges.

Top layer of soil means soil, alluvium, weathered rock or other suitable plant growth medium. Top layer material should be non-crusting and low in salinity.



Turkey's nest dam - A dam constructed outside a watercourse, wetland or waterway by excavating a pit and constructing a wall around the pit with the excavated material. Natural surface flow is excluded from the dam.

Waterlogging is the saturation of soil by soil water.

Waters includes rivers, streams, lakes, lagoons, ponds, swamps, wetlands, unconfined surface waters, unconfined natural or artificial watercourses, beds and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channels, stormwater drains, roadside gutters, stormwater run-offs, groundwater and any part thereof.

END OF CONDITIONS FOR SCHEDULE I

END OF ENVIRONMENTAL AUTHORITY