

Department of Environment and Heritage Protection

Permit¹

Environmental Protection Act 1994

This environmental authority is issued by the administering authority under section 638 of the Environmental Protection Act 1994.

Permit¹ number: EPPG03515815

Environmental authority takes effect: 28 July 2016

The anniversary date of this environmental authority is **3 March**.

An **annual return** and the payment of the annual fee will be due each year on this day.

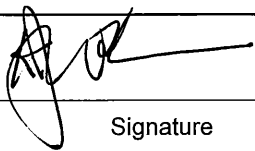
The environmental **authority** is subject to the attached schedules of conditions.

Environmental authority holder(s)	Registered address
Moonie Pipeline Company Pty Ltd ACN: 009 719 484	Ground Floor, Santos Centre 60 Flinders Street ADELAIDE SA 5000

Environmentally Relevant Activity(ies)	Relevant Tenure
Resource activity that is a petroleum activity and which includes the following: Item 6, Schedule 2A of the Environmental Protection Regulation 2008 - a petroleum activity carried out on a site containing a high hazard dam or a significant hazard dam; 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, namely: - Regulated Waste Transport – transporting regulated waste, other than tyres, in 1 to 5 vehicles. - Regulated Waste Transport – transporting regulated waste, other than tyres, in 6 to 35 vehicles.	Petroleum Pipeline Licence (PPL): PPL1

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Heritage Protection.




Signature20 July 2016
Date**Kylie Breaker**

Delegate of the administering authority
Environmental Protection Act 1994

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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 environmental authority specifically authorises environmental harm.

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

Contaminated land and notifiable activities

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3) 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 20 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 environmental 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 environmental authority complies with the conditions of the environmental authority. If another person acting under the environmental 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.

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ENVIRONMENTAL AUTHORITY CONDITIONS

This environmental authority consists of the following Schedules:

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SCHEDULE A — GENERAL CONDITIONS

- (A1) Emissions that may cause material or serious environmental harm and not specifically authorised by this environmental **authority** must not be released beyond the boundary of the activity except where they are authorised under an environmental authority.
- (A2) Any record required to be kept by a condition of this environmental **authority** must be held at the Corporate Environmental Group, Brisbane, and be available for examination by an authorised person.
- (A3) Copies of any record required to be kept by a condition of this environmental **authority** must be provided to any authorised person or the **Administering Authority** on request.
- (A4) A copy of this environmental **authority** must be kept in a location readily accessible to personnel carrying out the activity.
- (A5) All complaints received by the holder of this environmental **authority** relating to operations at the licensed place must be recorded.
- (A6) As soon as practicable after becoming aware of any emergency or incident which results in emissions not in accordance with the conditions of this environmental **authority**, the holder of this environmental authority must notify the **administering authority** of the release by telephone or facsimile and in writing within 14 days following the initial notification.
- (A7) The holder of this environmental **authority** must notify the **administering authority** in the relevant region in writing of any monitoring result which indicates an exceedance of any licence limit within 28 days of completion of analysis.
- (A8) The environmental **authority** holder will also have in place and comply with an environmental management system, with relevant control strategies and standards. The **administering authority** will be kept informed of assessments against this system.
- (A9) This environmental **authority** is granted on the condition that breach of the terms of this environmental authority in respect of one Environmentally Relevant Activity at a location will not affect this licence in relation to any other ERA at the same or any other location.
- (A10) The boundary of activities for which this environmental **authority** is issued is coincident with the outer boundary of the Authority to Prospect or Petroleum Lease on which that activity is carried out.

Transitional Conditions

- (A11) By 30 September 2016, the EA holder must submit to the **administering authority** financial assurance calculations in accordance with the current Guideline - Financial assurance under the *Environmental Protection Act 1994* to be assessed by the administering authority. The financial assurance calculations must include all existing petroleum activities that have caused **significant disturbance** to land.
- (A12) The EA holder must provide the **administering authority** the amount of financial assurance stated on a statutory notice in the form of a bank guarantee by date stated on the statutory notice.

Financial Assurance

- (A13) Prior to any changes in petroleum activities which would result in an increase to the maximum **significant disturbance** since financial assurance was last given to the **administering authority**, the holder of the environmental **authority** must amend the financial assurance and give the administering authority the increased amount of financial assurance.

- (A14) If the amount of financial assurance held by the **administering authority** has been discounted and either the nominated period of financial assurance has ended, or an event or change in circumstance has resulted in the holder of the environmental **authority** no longer being able to meet one or more of the mandatory pre-requisites or applicable discount criteria, the holder of the environmental authority must amend the financial assurance and give the administering authority the increased amount of financial assurance as soon as practicable.

SCHEDULE B — AIR

- (B1) Quantities and destination of carbon dioxide produced from oil and gas extraction operations and processing operations must be determined and reported in the annual environment report.
- (B2) Quantities of methane produced from oil and gas extraction operations and processing operations that are discharged to the atmosphere must be determined and reported in the annual environment report.

SCHEDULE C — WATER

- (C1) Water emissions that may cause material or serious environmental harm must not be released directly or indirectly from the boundary of this activity to any **waters** or the bed and banks of any waters or into the general environment beyond the boundary of this activity except as permitted under this Schedule.
- (C2) Evaporation ponds located in areas frequented by livestock shall be securely fenced.

Erosion Protection Measures and Sediment Controls

- (C3) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment from all disturbed areas.
- (C4) Prevent any build-up of sediment in any stormwater drain.

Stormwater Management Measures

- (C5) The holder must implement and maintain measures to minimise the likelihood of the release of contaminated stormwater from the place where the activities are carried out to any stormwater drain or any **waters**.
- (C6) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from where the resultant **contaminants** are unlikely to be released into any **waters**, roadside gutter or stormwater drainage system.
- (C7) Any spillage of wastes, or **contaminants** that may cause environmental harm, must be effectively contained and/or cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, or otherwise releasing such waste or contaminants to any stormwater drainage system, roadside gutter or **waters**.

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SCHEDULE D — NOISE AND VIBRATION

Noise Nuisance

- (D1) Noise from activities must not cause any environmental nuisance at any **noise sensitive place**.
- (D2) The method of measurement and reporting of noise levels must comply with the latest edition of the **administering authority's** Noise Measurement Manual.

SCHEDULE E — WASTE

- (E1) End Point Criteria: Acceptable concentrations of **contaminants** allowed in soil to be disposed of as fill material by the licensee are as follows:

Schedule E, Table 1

Contaminant	Maximum Concentration (total) (mg/kg dry weight)
Total Petroleum Hydrocarbons (C ₆ to C ₉)	100
Total Petroleum Hydrocarbons (C ₁₀ to C ₁₄)	100
Total Petroleum Hydrocarbons (> C ₁₄)	1000
Total Petroleum Hydrocarbons	1000

Or as determined by the **Administering Authority**.

- (E2) The holder of this environmental **authority** is responsible for the making of determinations of the quality characteristics and the frequency of sampling of the soil.
- (E3) Progress Reports on land farming operations (including sampling analysis) to be provided to the **Administering Authority** on an annual basis. Monitoring will include at least the following characteristics:
- Total Petroleum Hydrocarbons (> C₉).
 - Total Petroleum Hydrocarbons (C₆ – C₉).
- (E4) The environmental **authority** holder will comply with the document *A Management Strategy for the Remediation of Hydrocarbon-contaminated Soil*.
- (E5) Where **regulated waste** is removed from within the boundary of the environmental **authority**, other than by a release as permitted under another schedule of this environmental authority, the holder of this environmental authority must monitor and record the following:
- (a) the date, quantity and type of waste removed; and
 - (b) name of the waste transporter and/or disposal operator that removed the waste.

SCHEDULE F — LAND

Preventing Contaminant Release to Land

- (F1) **Contaminants** must not be released to land other than as specified in Schedule E.

Sewage

- (F2) No sewage **contaminants** are permitted to be discharged to land. All sewage contaminants are to be contained in relevant evaporation ponds or removed from septic tanks by licensed operators.

Pond Conditions

- (F3) The evaporation pond used for the storage of **contaminants** must be constructed, installed and maintained:
- so as to prevent any release of contaminants through the bed or banks of the pond to any **waters** (including ground water);
 - so that an acceptable freeboard is maintained at all times; and
 - so as to ensure the stability of the ponds' construction.
- (F4) 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.
- (F5) Decommissioning the evaporation pond must include:
- the management of salt contaminated soil so that it does not cause environmental harm to surface **waters** or groundwater; and
 - the **rehabilitation** of the land so as to provide a **stable** landform and to prevent any environmental harm to the surrounding environment.
- (F6) Investigation and testing of the **sites** is to be undertaken to determine if the soils are contaminated.
- (F7) Any contaminated soil must be managed in accordance with the procedures and processes set out in the EPA's *Draft Guidelines for the Assessment and Management of Contaminated Land – May 1998*.

Land Rehabilitation

- (F8) **Rehabilitation** of disturbed areas must take place progressively as works are staged and new areas are disturbed.

Remaining Dams

- (F9) 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 — COMMUNITY

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.

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SCHEDULE H — DEFINITIONS

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 the Environmental Protection Policies shall be used.

“administering authority” means:

- (a) for a matter, the administration and enforcement of which has been devolved to a local government under section 514 of the *Environmental Protection Act 1994*—the local government; or
- (b) for all other matters—the Chief Executive of the Department of Environment and Heritage Protection; or
- (c) another State Government Department, Authority, Storage Operator, Board or Trust, whose role is to administer provisions under other enacted legislation.

“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 applied to the development approval.

“authority” means level 1 licence (without development approval), or level 1 (without development approval), or level 2 approval (without development approval) under the *Environment Protection Act 1994*.

“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.

“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.

“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

“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 any such place.

“regulated waste” means non-domestic waste mentioned in Schedule 7 of the Environment Protection Regulation 1998 (whether or not it has been treated or immobilised), and includes:

- for any element – any chemical compound containing the element; and
- anything that has contained the waste.

“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.

“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.

“site” means the place to which this authority relates.

“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.

“waters” includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

END OF AUTHORITY