Eligibility criteria and standard conditions

Petroleum survey activities – Version 2

This document provides eligibility criteria and standard conditions for petroleum survey activities. Eligibility criteria are to be used for making a standard or variation application for an environmental authority. Standard conditions are to be used in an environmental authority (standard or variation application) and where necessary and desirable, in an environmental authority (site specific application).

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the environmentally relevant activity (ERA) are able to be managed by the standard conditions.

Standard conditions

Schedule A – Authorised activities

The purpose of Schedule A is to outline that while certain activities are authorised under the Petroleum and Gas (Production and Safety) Act 2004, a number of activities are not authorised or are otherwise restricted under the standard conditions in Schedule A (i.e. the ‘PSSCA’ conditions). This is because the process followed for a standard application does not require a formal assessment by the administering authority.

Schedule B – Protecting environmental values

The purpose of the conditions in Schedule B is to outline the environmental values to be protected or enhanced to minimise environmental harm resulting from the petroleum activities. Negative impacts to these environmental values beyond the authorisations in the standard conditions in Schedule B (i.e. the ‘PSSCB’ conditions) are considered unlawful environmental harm.

Schedule C – Operating standards

Conditions in Schedule C are the operating requirements considered by the administering authority to be acceptable performance standards. In complying with the standard conditions in Schedule C (i.e. the ‘PSSSC’ conditions), the holder will be carrying out the petroleum activities in a way that reduces the risk of environmental harm. Industry is encouraged to exceed these performance standards.

Schedule D – Monitoring and reporting conditions

The standard conditions in Schedule D (i.e. the ‘PSSCD’ conditions) relate to monitoring and reporting which are necessary and desirable to ensure the activities are being undertaken in compliance with the standard conditions in Schedule B and Schedule C.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they may make a standard application. Applicants are required to complete a ‘Standard application form’. The form can be downloaded from www.business.qld.gov.au.

Variation applications

If an applicant can comply with all the eligibility criteria but not all of the standard conditions, then the applicant may make a variation application. Applicants are required to complete a ‘Variation application form’. The form can be downloaded from www.business.qld.gov.au.
Site specific applications

Applicants who cannot meet the eligibility criteria must make a site specific application. Applicants are required to complete a 'Site specific application form'. The form can be downloaded from www.business.qld.gov.au.

Amendment applications

If the holder of an environmental authority (standard application) needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from www.business.qld.gov.au.

For details on how to make an amendment application, see Chapter 5, Part 7, Division 2, sections 224 to 227 of the Environmental Protection Act 1994.

Definitions

Some terms used in this document are underlined the first time they appear. They are defined in Appendix 2.

References to other documents

References in this document to laws, regulations, standards, policies, programs, guidelines and similar documents and instruments are to the current version of those documents and instruments, as amended or replaced from time to time.

Version history

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Description of changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>31 May 2013</td>
<td>Eligibility criteria and standard conditions take effect</td>
</tr>
<tr>
<td>2</td>
<td>30 September 2015</td>
<td>Amended for repeal of wild river provisions (as allowed in section 715C of the Environmental Protection Act 1994), updated definitions, and version history added</td>
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</tbody>
</table>
Eligibility criteria

PSEC 1.
The applicant for the environmental authority is the holder of, or an applicant for a petroleum survey licence(s) (PSL) issued under the Petroleum and Gas (Production and Safety) Act 2004.

PSEC 2.
The petroleum activities are authorised petroleum activities for the purposes of the Petroleum and Gas (Production and Safety) Act 2004.

Standard conditions

Schedule A – Authorised activities

PSSCA 1.
All reasonable steps must be taken to ensure the petroleum activities comply with the eligibility criteria for the activity.

PSSCA 2.
The total area of significant disturbance from the petroleum activities must not exceed 1 hectare at any one point in time.

PSSCA 3.
There must be no more than 10 test pits open at any one time.

PSCCA 4.
The equivalent dimensions of each test pit must be no greater than 10 cubic metres.

PSCCA 5.
Test pits must not be located in acid sulphate soils.

PSCCA 6.
Only low impact petroleum activities can be undertaken within Category A Environmentally Sensitive Areas (ESAs), or Category B ESAs, or Category C ESAs other than state forests or timber reserves, or within the ESAs’ primary protection zone.

Schedule B – Protecting environmental values

PSSCB 1.
Petroleum activities must not cause environmental nuisance from dust, odour, light, smoke or noise at a sensitive place, other than where an alternative arrangement is in place.

PSSCB 2.
Contaminants must not be directly or indirectly released to land or air except for that authorised by standard condition (PSSCC 9) or (PSSCC 14).

PSSCB 3.
Only low impact petroleum activities are permitted in a designated precinct of a Strategic Environmental Area.
PSSCB 4.

Prior to carrying out petroleum activities, the location of petroleum activities must be selected to:

(a) firstly avoid, then minimise, then mitigate any negative impacts on areas of vegetation or other areas of ecological value.
(b) minimise clearing of mature or hollow bearing trees.

Schedule C – Operating standards

Plant and equipment

PSSCC 1.

All plant and equipment reasonably necessary to ensure compliance with the standard conditions must be installed.

PSSCC 2.

All plant and equipment must be maintained and operated in their proper and effective condition.

PSSCC 3.

All measures reasonably necessary to ensure compliance with the standard conditions must be implemented.

Contingency and emergency response

PSSCC 4.

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 Schedule B standard conditions.

PSSCC 5.

The contingency procedures must include, but not necessarily be limited to:

(a) environmental nuisance and complaint management procedures including:
   i. a description of petroleum activities that might result in non-compliance with Schedule B 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 Schedule B standard conditions.

PSSCC 6.

The contingency procedures required by standard conditions (PSSCC 4) and (PSSCC 5) must:

(a) be certified by a suitably qualified person
(b) be kept on record for a minimum of 5 years
(c) be implemented as relevant.
**Explanatory note:** The contingency procedures may incorporate other documents by reference.

**Activities in wetlands, lakes, springs and watercourses**

PSSCC 7.

Petroleum activities that require earthworks, vegetation clearing and/or placing fill 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*.

**Soil management**

PSSCC 8.

Measures to minimise stormwater entry onto significantly disturbed land must be implemented and maintained.

PSSCC 9.

Sediment and erosion control measures to prevent soil loss and deposition beyond significantly disturbed land must be implemented and maintained.

PSSCC 10.

Soils removed for test pits must be protected from erosion, with *top soils* stored separately to subsoils.

**Chemical storage**

PSSCC 11.

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**

PSSCC 12.

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*.

PSSCC 13.

Waste, including waste fluids, must be transported off-site for lawful re-use, remediation, recycling or disposal unless the waste is specifically authorised by standard condition (PSSCC 14) to be disposed of or used on-site.

PSSCC 14.

*Green waste* may be used on-site for *rehabilitation* and/or sediment and erosion control purposes.

**Rehabilitation**

PSSCC 15.

Auger holes and boreholes must be filled in and tamped down immediately upon completion of soil sample collection.

PSSCC 16.

Test pits must be backfilled within 48 hours of excavation.
PSSCC 17.
Areas of significant disturbance must be backfilled as soon as the relevant sampling and documentation has taken place with:
(a) subsoil and top soil replaced in correct order.
(b) the area reshaped to a stable landform.
(c) the area re-profiled to contours consistent with the surrounding landform.
(d) surface drainage lines re-established.

Schedule D – Monitoring and reporting conditions

Monitoring
PSSCD 1.
All monitoring must be undertaken by a suitably qualified person.
PSSCD 2.
If requested by the administering authority in relation to investigating a valid complaint, monitoring must be undertaken within 10 business days.
PSSCD 3.
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.
PSSCD 4.
Notwithstanding standard condition (PSSCD 3), 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
PSSCD 5.
PSSCD 6.
Noise must be measured in accordance with the prescribed standards in the Environmental Protection Regulation 2008.
PSSCD 7.
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
PSSCD 8.
In addition to the requirements under section 320A of the Environmental Protection Act 1994, the administering authority must be notified in writing within 5 business days of any event which has resulted in the contingency procedures required by standard conditions (PESCC 4) and (PESCC 5) being activated.
Eligibility criteria and standard conditions for petroleum survey activities

**Explanatory note:** Notification under standard condition (PESCD 8) should occur using the form. Incident notification for resource activities other than mining (EM706) available from the administering authority’s website.

PSSCD 9.

Twenty business days prior to the tenure(s) ending, the administering authority is to be notified that areas of significant disturbance have been rehabilitated via a statement of compliance against standard conditions (PSSCC 15), (PSSCC 16) and (PSSCC 17).
Appendix 1: General obligations under the Environmental Protection Act 1994

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.


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 1 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).
Notifiable activities

It is a requirement under the Environmental Protection Act 1994 that if an owner or occupier of land becomes aware that a Notifiable Activity (as defined by Schedule 4 of the Environmental Protection Act 1994) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 22 business days after becoming so aware, give notice to the administering authority.

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 (200L 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 negatively impact on water levels or pressure heads in groundwater aquifers in or surrounding formations. There are obligations to minimise or mitigate any such negative impact under other Queensland Government and Commonwealth Government legislation.
## Appendix 2: 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.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>administering authority</td>
<td>has the meaning in Schedule 4 of the <em>Environmental Protection Act 1994.</em></td>
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<tr>
<td>alternative arrangement</td>
<td>means a written agreement about the way in which a particular nuisance</td>
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<td></td>
<td>impact will be dealt with at a sensitive place, and may include an agreed</td>
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<td></td>
<td>period of time for which the arrangement is in place. An alternative</td>
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<td></td>
<td>arrangement may include, but is not limited to, a range of nuisance</td>
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<td></td>
<td>abatement measures to be installed at the sensitive place, or provision</td>
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<td>of alternative accommodation for the duration of the relevant nuisance</td>
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<td></td>
<td>impact.</td>
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<td>analyte</td>
<td>means a chemical parameter determined by either physical measurement</td>
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<td></td>
<td>in the field or by laboratory analysis.</td>
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<tr>
<td>aquifer</td>
<td>means an identifiable stratigraphic formation that has the potential to</td>
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<td></td>
<td>produce useful flows of water.</td>
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<td>business day</td>
<td>has the meaning in section 36 of the <em>Acts Interpretation Act 1954.</em></td>
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<tr>
<td>Category A ESA</td>
<td>means any area listed in Schedule 12, Section 1 of the Environmental</td>
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<td>Protection Regulation 2008.</td>
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<tr>
<td>Category B ESA</td>
<td>means any area listed in Schedule 12, Section 2 of the Environmental</td>
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<td></td>
<td>Protection Regulation 2008.</td>
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<tr>
<td>Category C ESA</td>
<td>means any of the following areas:</td>
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<td></td>
<td>- nature refuges as defined in the conservation agreement for that</td>
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<td></td>
<td>refuge under the <em>Nature Conservation Act 1992</em></td>
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<td></td>
<td>- State forests or timber reserves as defined under the <em>Forestry Act 1959</em></td>
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<td></td>
<td>- resources reserves under the <em>Nature Conservation Act 1992</em></td>
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<td></td>
<td>- an area validated as ‘essential habitat’ or ‘essential regrowth habitat’</td>
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<td>from ground-truthing surveys in accordance with the *Vegetation Management</td>
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<td>Act 1999 for a species of wildlife listed as endangered, vulnerable,</td>
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<td></td>
<td>rare or near threatened under the <em>Nature Conservation Act 1992</em></td>
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<td>- ‘of concern regional ecosystems’ identified in the database called ‘RE</td>
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<td></td>
<td>description database’ containing regional ecosystem numbers and</td>
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<td></td>
<td>descriptions.</td>
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<td></td>
<td>- threshold regional ecosystems as defined and listed in Appendix 6 of</td>
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<td>the <em>Queensland Biodiversity Offsets Policy</em></td>
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<td></td>
<td>- critically limited regional ecosystems as defined and listed in Appendix</td>
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<td></td>
<td>5 of the <em>Queensland Biodiversity Offsets Policy</em>.</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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</tbody>
</table>
| 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*. |
| designated precinct | has the meaning in Part 5 section 15(3) of the Regional Planning Interests Regulation 2014:  
- for a strategic environmental area mentioned in section 4(1)—the area identified as a designated precinct on the strategic environmental area map for the strategic environmental area; or  
- if a strategic environmental area is shown on a map in a regional plan – the area identified on the map as a designated precinct for the strategic environmental area. |
| documents | has the meaning in section 36 of the *Acts Interpretation Act 1954*. |
| eligibility criteria | for an environmentally relevant activity, has the meaning in section 112 of the *Environmental Protection Act 1994*. |
| environmental attribute | has the meaning in section 11(2) of the *Regional Planning Interests Act 2014*. |
| 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*. |
| 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*. |
| 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. |
<table>
<thead>
<tr>
<th>Term</th>
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<tbody>
<tr>
<td>low impact petroleum activities</td>
<td>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.</td>
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<tr>
<td>NATA accreditation</td>
<td>means accreditation by the National Association of Testing Authorities Australia.</td>
</tr>
<tr>
<td>outer bank</td>
<td>has the meaning in section 5A of the Water Act 2000.</td>
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<tr>
<td>primary protection zone</td>
<td>means an area within 200 metres from the boundary of any Category A, B or C environmentally sensitive area.</td>
</tr>
<tr>
<td>rehabilitation or rehabilitated</td>
<td>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.</td>
</tr>
<tr>
<td>release, releases or released</td>
<td>has the meaning in Schedule 4 of the Environmental Protection Act 1994.</td>
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<td>sensitive place</td>
<td>means:</td>
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<tr>
<td></td>
<td>• a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel)</td>
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<td></td>
<td>• a library, childcare centre, kindergarten, school, university or other educational institution</td>
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<td></td>
<td>• a medical centre, surgery or hospital</td>
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<td></td>
<td>• a protected area</td>
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<td></td>
<td>• 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</td>
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<td></td>
<td>• 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</td>
</tr>
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<td></td>
<td>• for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.</td>
</tr>
<tr>
<td>significantly disturbed or significant disturbance or significant disturbance to land or areas</td>
<td>has the meaning in Schedule 12, section 4 of the Environmental Protection Regulation 2008.</td>
</tr>
<tr>
<td>spring(s)</td>
<td>has the meaning in Schedule 4 of the Water Act 2000</td>
</tr>
<tr>
<td>stable</td>
<td>in relation to land, means landform dimensions are or will be stable within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (trafficability), erosion resistance and geochemical stability with respect to seepage, leachate and related contaminant generation.</td>
</tr>
<tr>
<td><strong>statement of compliance</strong></td>
<td>the administrating authority may impose a condition(s) requiring a statement of compliance about a document or work relating to a relevant activity. For more information, see section 208 of the <em>Environmental Protection Act 1994</em>.</td>
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<td>----------------------------</td>
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<tr>
<td><strong>strategic environmental area</strong></td>
<td>has the meaning in section 11(2) of the <em>Regional Planning Interests Act 2014</em></td>
</tr>
<tr>
<td><strong>suitably qualified person</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>top soil</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>valid complaint</strong></td>
<td>means a complaint that is not considered by the administrating authority or the holder of the environmental authority to be frivolous, vexatious or based on mistaken belief.</td>
</tr>
<tr>
<td><strong>waste and resource management hierarchy</strong></td>
<td>has the meaning provided in section 9 of the <em>Waste Reduction and Recycling Act 2011</em>.</td>
</tr>
<tr>
<td><strong>waste and resource management principles</strong></td>
<td>has the meaning provided in section 4(2)(b) of the <em>Waste Reduction and Recycling Act 2011</em>.</td>
</tr>
<tr>
<td><strong>waters</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>watercourse</strong></td>
<td>has the meaning provided in Schedule 4 of the <em>Environmental Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Year(s)</td>
<td>has the meaning in section 36 of the Acts Interpretation Act 1954.</td>
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</tbody>
</table>

Eligibility criteria and standard conditions for petroleum survey activities

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.

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