

Notice

Water Act 2000

Notice of Approval of an underground water impact report

This Notice is issued under Section 385 of the Water Act 2000, by the delegate of the chief executive of the Department of Environment and Heritage Protection to advise you of the decision to approve an underground water impact report.

Russell Churchett
Westside Corporation Pty Limited
GPO Box 1121, Brisbane, QLD 4001

Your reference : PL94 UWIR

Our reference : ENWA04055612

Attention: Mr Russell Churchett,

Dear: Mr Churchett,

Re: Notice of approval of underground water impact report for PL94.

The delegate of the chief executive has approved the underground water impact report for PL94 with conditions. Please find attached:

- the conditions for approval (Attachment A); and
- a statement of reasons for the conditions (Attachment B).

The approved underground water impact report takes effect on **6 February 2017**.

If you have any questions regarding this notice please contact Kate Baker, A/Senior Environmental Officer on the telephone number listed below.

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Signature

Janet Menzies
Delegate of the chief executive
Water Act 2000

06/02/2017

Date

Enquiries:
Kate Baker
Ph. (07) 3330 6343
Fax. (07) 3330 5634

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Attachment A- Conditions for Westside Corporation Pty Ltd UWIR for PL94

Annual Review

- (1) The **responsible entity** must submit to the **chief executive** a summary of the annual review required under s376(e)(ii) of the *Water Act 2000*, within 20 business days after each **anniversary day**, or another date agreed to in writing by the chief executive. The annual review must provide an analysis and a statement of whether there has been a material change in the information or predictions used to determine the immediately affected area.

Monitoring

- (2) Water level monitoring for the Baralaba Coal Measures must be undertaken at intervals no longer than one month.
- (3) The **responsible entity** must report the implementation and results of the water monitoring strategy to the Office of Groundwater Impact Assessment (OGIA) within 20 business days after each **anniversary day**, or another date agreed to in writing by the **chief executive**.
- (4) All monitoring required of the responsible entity under the **UWIR** must be undertaken by a **suitably qualified person**.
- (5) All laboratory analyses and tests of monitoring undertaken under the UWIR must be carried out by a laboratory that has **NATA accreditation** for such analyses and tests.
- (6) Notwithstanding condition (5), where there are no laboratories that have NATA accreditation for a specific analyte or substance, then duplicate samples must be sent to at least two separate laboratories for independent testing or evaluation.
- (7) The methods of groundwater sampling required by the UWIR must comply with the latest edition of the Queensland Monitoring and Sampling Manual, AS/NZS 5667:11 1998 Water Sampling Guidelines – Part 11 Guidance on sampling groundwater, and the Australian Government's Groundwater Sampling and Analysis – A Field Guide (2009:27 GeoCat #6890.1) as relevant as may change from time to time.

DEFINITIONS

Anniversary day means each anniversary of the day the first UWIR took effect – 29 August.

Chief executive means the Director-General of the department responsible for administering Chapter 3 of the *Water Act 2000* or the persons delegated the powers of the chief executive as stated in the *Water Act* (EHP-Chief Executive) Delegation (No. 1) 2017 or subsequent versions.

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

Responsible entity means Westside Corporation Pty Ltd in accordance with s368 of the *Water Act 2000*.

Suitably qualified person means a person who has professional qualifications, training, skills or 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.

UWIR means the underground water impact report prepared by Westside Corporation Pty Ltd for PL94 dated October 2016.

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Attachment B - statement of reasons for conditions for Westside Corporation Pty Ltd UWIR for PL94

Section 385 of the *Water Act 2000* (Water Act) states that the chief executive may decide to approve, approve with conditions, or require that an underground water impact report (UWIR) be modified and resubmitted.

As a delegate of the chief executive by instrument of appointment dated 6 January 2017 with powers under s. 385 of the Water Act, I have carried out an assessment of the UWIR, and consider that it satisfies the requirements of the Water Act, subject to compliance with the outlined conditions.

The table below is my statement of reasons for the outlined conditions. In deciding whether to impose these conditions, my considerations included but were not limited to:

- the submitted UWIR;
- the requirements of section 376-383 of the Water Act;
- the purpose of Chapter 3 of the Water Act, which focuses on ‘the management of the impacts on underground water caused by the exercise of underground water rights by petroleum tenure holders.’

Condition	Statement of reasons
(1) The responsible entity must submit to the chief executive a summary of the annual review required under s376(e)(ii) of the Water Act 2000, within 20 business days after each anniversary day , or another date agreed to in writing by the chief executive. The annual review must provide an analysis and a statement of whether there has been a material change in the information or predictions used to determine the IAA.	<p>This condition is necessary in order to clearly state the day by which the annual review summary required under s376(e) of the Water Act must be submitted to the chief executive as this is not stated in the Water Act.</p> <p>The anniversary day means each anniversary of the day the first UWIR took effect.</p>
(2) Water level monitoring for the Baralaba Coal Measures must be undertaken at intervals no longer than one month.	<p>This requirement ensures that monitoring is conducted at a constant frequency for the three year duration of the report, or until the responsible entity can demonstrate that a reduced frequency will still achieve the objectives of the water monitoring strategy and provide enough background information on water levels in the Baralaba Coal Measures for future UWIRs.</p> <p>The responsible entity can apply to reduce the frequency of monitoring by submitting the report required under condition (1); and an additional report from a suitably qualified hydrogeologist demonstrating that a reduced frequency is appropriate.</p> <p>The chief executive will consider this request and decide whether to amend the UWIR condition where appropriate.</p>
(3) The responsible entity must report the	This condition is necessary in order to clearly state

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Condition	Statement of reasons
implementation and results of the water monitoring strategy to the Office of Groundwater Impact Assessment (OGIA) within 20 business days after each anniversary day , or another date agreed to in writing by the chief executive .	<p>the day by which the program for reporting to OGIA about the implementation of the strategy required under s378(1)(d) of the Water Act must be submitted to OGIA, as this is not stated in the Water Act.</p> <p>The anniversary day means each anniversary of the day the first UWIR takes effect.</p>
(4) All monitoring required of the responsible entity under the UWIR must be undertaken by a suitably qualified person .	This requirement ensures that monitoring is conducted by a suitably qualified person who has the necessary skills and training to carry out that monitoring.
(5) All laboratory analyses and tests of monitoring undertaken under the UWIR must be carried out by a laboratory that has NATA accreditation for such analyses and tests.	This requirement is necessary to ensure that laboratory analyses and tests are carried out with appropriate rigour.
(6) Notwithstanding condition (5), where there are no laboratories that have NATA accreditation for a specific analyte or substance, then duplicate samples must be sent to at least two separate laboratories for independent testing or evaluation.	This requirement is considered necessary to provide a process for laboratory analysis where NATA accreditation does not exist for a specific analyte or substance.
(7) The methods of groundwater sampling required by the UWIR must comply with the latest edition of the <i>Queensland Monitoring and Sampling Manual</i> , AS/NZS 5667:11 1998 <i>Water Sampling Guidelines – Part 11 Guidance on sampling groundwater</i> , and the Australian Government's <i>Groundwater Sampling and Analysis – A Field Guide</i> (2009:27 GeoCat #6890.1) as relevant as may change from time to time.	This condition is necessary to ensure that monitoring is conducted to recognised sampling methodologies and protocols. It is appropriate to ensure that accepted and recognised methodologies are followed when taking samples so that results are accurate and that they can be meaningfully interpreted.