

Notice

Water Act 2000

Decision to approve with conditions an underground water impact report

This statutory notice is issued by the Chief Executive administering the Water Act in accordance with section 385 of the Water Act 2000, to advise you of the decision to approve with conditions an underground water impact report (UWIR).

Oakey Creek Coal – Glencore Coal Queensland Pty Ltd
PO Box 1,
TIERI QLD 4709

Your reference : UWIR for PLS 237 and 324

Our reference : ENWA04117612

Attention: Joel May

Dear Mr May,

Re: Approval of an Underground Water Impact Report for PLs 237 and 324

The Chief Executive has approved the underground water impact report (UWIR) for PLs 237 and 324 with conditions. Please find attached:

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

The UWIR takes effect on **16 December 2015**

If you require more information, please contact Jim Mollison on the telephone number listed below.

Signature

Date

Justin Carpenter
Delegate of the Chief Executive
Water Act 2000

Enquiries:
Jim Mollison
Ph: (07) 3330 6070
Email: jim.mollison@ehp.qld.gov.au

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Attachment A - Conditions for Oaky Creek Coal's UWIR for PLS 237 and 324

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 that there will be no IAA or LTAA.

Monitoring

- (2) All monitoring required of the responsible entity under the **UWIR** must be undertaken by a **suitably qualified person**.
- (3) 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.
- (4) Notwithstanding condition (3), 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.
- (5) 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 annual anniversary of the day the UWIR took effect.

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 (Chapter 3) Delegation (No.1) 2015 or subsequent versions.

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

Responsible entity means Oaky Creek Coal – Glencore Coal Queensland 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 Oaky Creek Coal – Glencore Coal Queensland Pty Ltd dated 5 November 2015.

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Attachment B - statement of reasons for conditions for Oaky Creek Coal’s UWIR for PLS 237 and 324

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 26 June 2015 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 required modifications described in the Amendment Notice for the previous version of the UWIR; and
- 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
<p>(1) The responsible entity must submit to the chief executive the annual review required under s376(e) of the <i>Water Act 2000</i>, 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 that there will be no IAA or LTAA.</p>	<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>Given that no IAA or LTAA are currently anticipated, it is necessary to ensure that this conclusion is re-assessed as new information is gathered.</p> <p>The anniversary day means each anniversary of the day the UWIR takes effect.</p>
<p>(2) All monitoring required of the responsible entity under the UWIR must be undertaken by a suitably qualified person.</p>	<p>This requirement ensures that monitoring is conducted by a suitably qualified person who has the necessary skills and training to carry out that monitoring.</p> <p>This condition is consistent with environmental authority conditions for the petroleum and gas industry in Queensland.</p>
<p>(3) 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.</p>	<p>This requirement is necessary to ensure that laboratory analyses and tests are carried out with appropriate rigor.</p> <p>This condition is consistent with environmental authority conditions for the petroleum and gas industry in Queensland.</p>
<p>(4) Notwithstanding condition (3), where there are no laboratories that have NATA accreditation for a specific analyte or substance, then</p>	<p>This requirement is considered necessary to provide a process for laboratory analysis where NATA accreditation does not exist for a specific</p>

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Condition	Statement of reasons
<p>duplicate samples must be sent to at least two separate laboratories for independent testing or evaluation.</p>	<p>analyte or substance.</p> <p>This condition is consistent with environmental authority conditions for the petroleum and gas industry in Queensland.</p>
<p>(5) 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.</p>	<p>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.</p> <p>This condition is consistent with environmental authority conditions for the petroleum and gas industry in Queensland.</p>