

**Jennie Hill**

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**From:**  
**To:**  
**Sent:** Friday, 25 September 2009 12:08 PM  
**Subject:** FW: Exploration effects on National Vendor Declarations  
 Hi Joe,

I met you last night at the Cameby Downs meeting.

I hope you don't mind, but I have forwarded your concerns about chemicals onto AgForce and the Mines and Energy policy people for consideration in the new exploration standard Code of Conduct, which will soon be a legislated requirement for all exploration (petroleum and mineral) across Queensland.

If you have any concerns with this, please let me know.

Otherwise, as discussed last night, we should arrange a meeting for the next fortnight or so to go over the various rights and obligations under legislation, as well as discuss any other concerns you may have. I'm pleased to work to your timeframe.

Chat to you soon.

Cheers

Deputy Mining Registrar (Roma)  
 Queensland Mines and Energy  
 Department of Employment, Economic Development and Innovation  
 1-3 Alfred Street, PO Box 1401, Roma QLD 4455

Web: [www.deedl.qld.gov.au](http://www.deedl.qld.gov.au)

**From:**  
**Sent:** Friday, 25 September 2009 12:03 PM  
**To:**  
**Cc:**  
**Subject:** Exploration effects on National Vendor Declarations

Hi

I have a proposal for the Code of Conduct based upon several discussions I've held with graziers throughout the Surat.

The most recent grazer comment was made last night in an Information Session for the new Cameby Downs Mine outside Miles. The landowner also appeared on this mornings ABC Rural report and a transcript is below (he probably explains all this better than I can):

#### Does mining exploration pose a contamination risk to the livestock sector?

A southern Queensland landholder has raised concerns about the contamination risk to stock production from mining exploration companies.

Miles-based grazer Joe Hill says he runs an Angus seed stock and suffolk sheep enterprise on his property 'Wondaloo' and he's worried livestock could be exposed to chemicals.

Mr Hill says as a producer he has to sign a vendor declaration, stating what chemicals have been used on his animals and times of application as do all meat producers.

He says the exploration companies use a range of chemicals that could possibly ingested by cattle or sheep and consequently contaminate the meat.

While Joe Hill says he doesn't have any examples or evidence of that happening he wants the matter to be looked at further.

"At the DPI they informed me that those companies should give you a list of all the chemicals and whatever they have on their vehicles prior to entry so that you can have that checked out to see whether those chemicals are approved to be used on beef properties."

"There's nothing to stop cattle from licking or being contaminated, we only need one beast to be contaminated and it could close the whole beef industry down."

His comments last night were to the effect that he wanted the companies to provide landowners with a list of chemicals, but there may be a more suitable option. Should/could this be an item that is considered for inclusion in the Code of Conduct by the LAWG?

#### Background

Graziers are required to fill out a statutory declaration (National Vendor Declarations - NVD's). NVDs were developed by the livestock industries to assist producers to document the history of chemical use and treatment of animals offered for sale. The details provided assist processors and buyers seeking information on the history of sale stock.

28/09/2009

NVDs do not have statutory basis (except where combined with a waybill) and are not compulsory when selling livestock; however answers given on NVDs must be accurate. It is an offence to make a false or misleading declaration. (People completing NVDs are legally obliged to ensure that any information made about their stock is completely accurate. Penalties exist if false or misleading information is given on the declaration).

In relation to resource companies, the chemicals they use or transmit onto properties (including drillers mud, oil, lubricants and other machinery fluids) are not provided to the landowner by industry. This could effect the validity of the signed NVD and as noted above, the grazier faces penalties for inaccurate declarations. Additionally, if a beast is tested and found contaminated with chemicals, it has the potential to damage to good name of Australia's entire livestock export market.

#### National Vendor Declarations

<http://www.mla.com.au/TopicHierarchy/IndustryPrograms/LivestockQualitySystems/NationalVendorDeclarations/default.htm>

#### Livestock Production Standard Rules and Standards

<http://www.mla.com.au/TopicHierarchy/IndustryPrograms/LivestockQualitySystems/LivestockProductionAssurance/LPA+Food+Safety/Rules+and+Standards>

Cheers

Deputy Mining Registrar (Roma)

Queensland Mines and Energy

Department of Employment, Economic Development and Innovation

1-3 Alfred Street, PO Box 1401, Roma QLD 4455

Web: [www.qeedi.qld.gov.au](http://www.qeedi.qld.gov.au)

Queensland celebrates its 150<sup>th</sup> anniversary in 2008. Check out what's on today at <http://www.q150.qld.gov.au>

\*\*\*\*\*  
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28/09/2009



5th June 2009



042-E000101-P000201-004

Joseph and Jennifer Hill

Dear Joseph and Jennifer

**RE: Queensland Curtis LNG Project (QCLNG Project)**

As you are aware QGC is pursuing development of the Queensland Curtis LNG Project.

The QCLNG Project involves further development and consolidation of QGC's Surat Basin coal seam gas production; a 380km gas pipeline from near Miles to Gladstone; support infrastructure such as roads and a bridge to Curtis Island; and a liquefied natural gas (LNG) plant at Curtis Island, near Gladstone.

Our project will be assessed for its environmental and social impacts under Commonwealth and Queensland Government legislation. These assessments will be made available for public review and comment in the form of an Environmental Impact Statement (EIS), planned for public viewing by the middle of 2009.

As part of the EIS process QGC seeks to understand your views and expectations as an essential part of our project planning, as we strive to develop a sustainable project with significant value to Queensland.

Enclosed for your information is a *CSG Landholder EIS Information Kit*, which provides details about the QCLNG Project, QGC's approach to land access and how you can provide comment. Further information can also be found on QGC's project website at [www.qclng.com.au](http://www.qclng.com.au).

If you would like to discuss the project with a QGC representative, please do not hesitate to contact the project team on:

Free call number: 1800 011 620

Project email: [community@qgc.com.au](mailto:community@qgc.com.au)

Additionally, members of our project team will be in the areas of Chinchilla, Condamine, Dalby, Kogan, Tara and Wandoan during June and early July 2009, to provide you with the opportunity to discuss the project and any queries or concerns on an individual basis. Please contact us using the above details should you wish to organise a face to face appointment.

If at this stage you do not wish to discuss the project directly, please feel free to hold on to this letter in case you would like to contact us at a

**QUEENSLAND GAS  
COMPANY LIMITED**

30 Herschel Street  
Brisbane QLD 4001

GPO Box 3107  
Brisbane QLD 4001

Tel: +61 (0)7 3020 9400  
Fax: +61 (0)7 3020 9470

[www.qgc.com.au](http://www.qgc.com.au)

ABN 11 089 642 553

16 February 2010

Joseph & Jennifer Hill

Dear Joseph & Jennifer Hill

**Proposed infrastructure for your land described as:- 76BWR198**

QGC, a leading Australian coal seam gas explorer and producer, is focused on developing world-class reserves in the Surat Basin for domestic and international supply. The Queensland Curtis LNG Project (**QCLNG Project**) is a priority project for QGC and represents a major investment in Queensland's coal seam gas resources to unlock new supplies of cleaner energy for domestic and export markets.

We have undertaken detailed studies to identify the land required for the transportation of gas and its processing as part of the QCLNG Project. We have sought to minimise impacts on existing land uses, infrastructure, cultural heritage and environmentally sensitive areas in identifying suitable land.

Your property has been identified as a suitable location for infrastructure as part of the QCLNG Project.

The required infrastructure and its indicative location on your land is identified in the attached plan. The final 'as constructed' location of each piece of infrastructure may vary slightly from the indicative location following detailed site design and investigation.

We will negotiate with you in accordance with our comprehensive land liaison procedure based on the principles of integrity, fairness and respect with a view to reaching mutually acceptable access and compensation arrangements for the location of the infrastructure on your land.

Further information on QGC, the QCLNG Project and our land liaison procedure is found in the attached information booklet for landholders.

As part of our approvals processes for the QCLNG Project, QGC has applied to the Coordinator-General for a declaration the Project is an infrastructure facility of significance under the *State Development and Public Works Organisation Act 1971* (Qld).

**QGC PTY LIMITED**  
275 George Street  
Brisbane QLD 4000  
GPO Box 3107  
Brisbane QLD 4001  
Tel: +61 (0)7 3024 9000  
Fax: +61 (0)7 3024 8999  
[www.qgc.com.au](http://www.qgc.com.au)  
ABN 11 089 642 553



If the application is successful and we are unable to reach mutually acceptable access and compensation arrangements QGC may, as a last resort, ask the Coordinator-General to acquire interests in land on behalf of QGC for the purposes of the project.



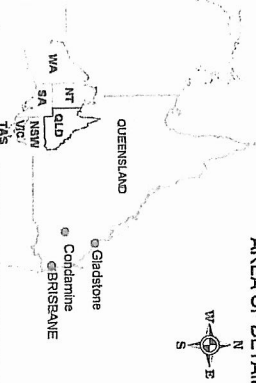
The Coordinator-General will write to you shortly about QGC's application and provide you with details regarding how submissions can be made to the Coordinator-General about the application.

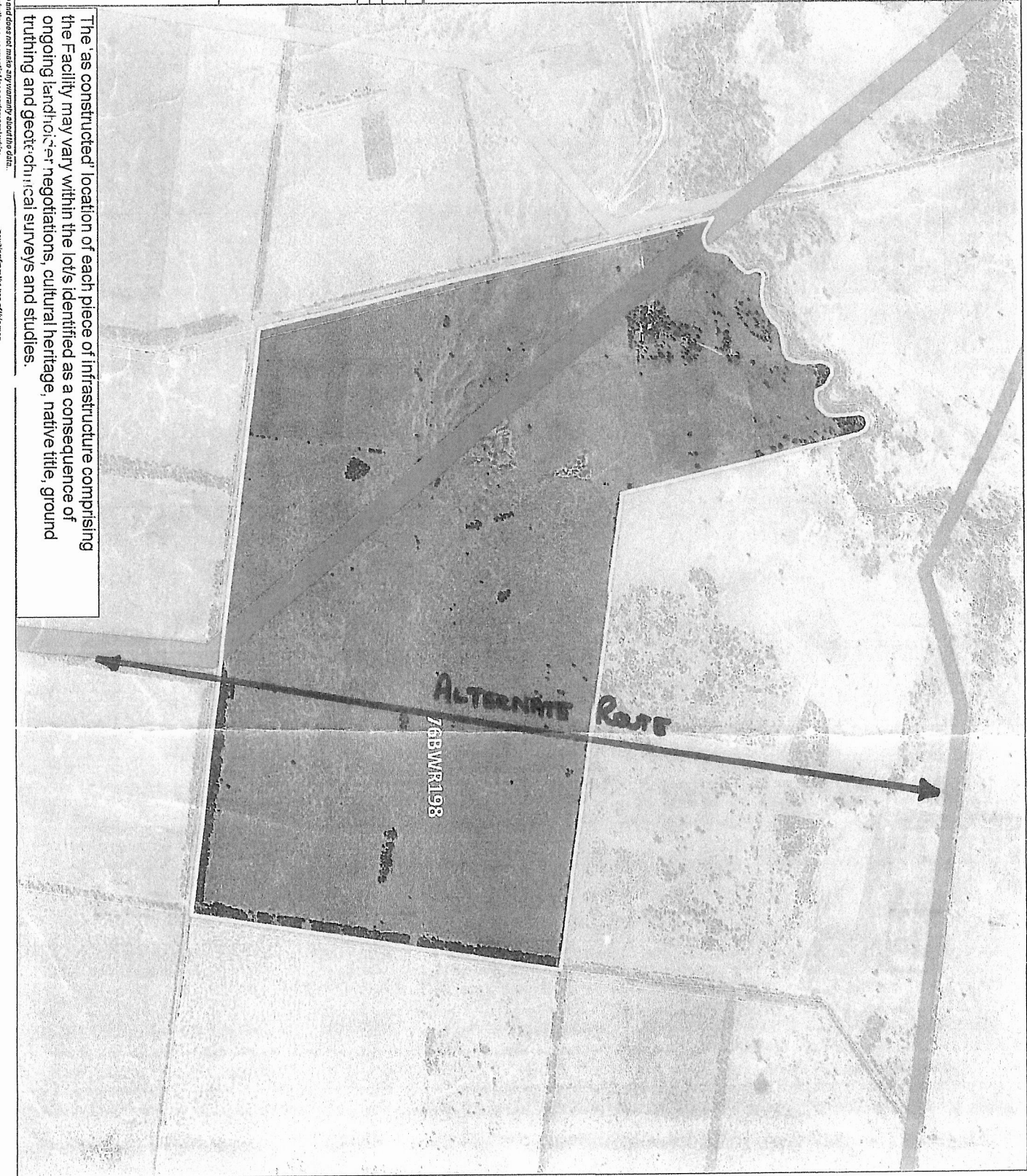
QGC seeks your consent to undertake site investigations to determine with certainty the land required for the project. Upon your request, QGC is also willing to commence voluntary negotiations to assess compensation for the land required

If you would like to discuss the project with a QGC representative, please contact QGC on 1800 030 443 or [community@qgc.com.au](mailto:community@qgc.com.au).

Yours sincerely

General Manager, Land and Access  
QGC

<b>CLIENT:</b>	Queensland Gas Company										
<b>PROJECT:</b>	Queensland Curtis LNG Project										
<b>TITLE:</b>	Infrastructure Facilities of Significance Application - Lotplan 76BWR198										
<b>DATE:</b>	10-February-2010										
<b>DATA SOURCE:</b>	Imagery copyright SPOT 10m DCDB data copyright State of Queensland (2009)										
<b>SCALE:</b>	1:20,000 (A4) GDA94 Lat/Long -400 0 400 Meters										
<b>LEGEND:</b>	<div>76BWR198 Hill, Joseph Winston, Hill, Jennifer Joy</div> <div><b>Proposed QCLNG Infrastructure</b><ul style="list-style-type: none"><li>Upstream Infrastructure Corridor</li><li>Gas Collection Header</li><li>Easement</li></ul></div>										
<table><tr><th>DATE</th><th>DRAWN</th><th>APPROVED</th><th>DRAWING NO.</th><th>REV</th></tr><tr><td>10/02/2010</td><td>J Kent</td><td>M King</td><td>QCLNG-999-GEN-MAP-000001-33</td><td>A</td></tr></table>	DATE	DRAWN	APPROVED	DRAWING NO.	REV	10/02/2010	J Kent	M King	QCLNG-999-GEN-MAP-000001-33	A	<div> QGC Austlian Gas Corporation</div> <div> UNIDEL Urban Infrastructure Development</div> <div>GPO Box 3107 - Brisbane QLD 4001 P (07) 3024 9000 F (07) 3024 8999 W <a href="http://www.qgc.com.au">http://www.qgc.com.au</a> E <a href="mailto:qgc@qgc.com.au">qgc@qgc.com.au</a></div> <div><b>AREA OF DETAIL</b>  QUEENSLAND Gladstone Brisbane VIC SA NT QLD NSW TAS</div>
DATE	DRAWN	APPROVED	DRAWING NO.	REV							
10/02/2010	J Kent	M King	QCLNG-999-GEN-MAP-000001-33	A							





# HILL, J & J

## 76 BWR198

### Overview

- Existing Well Location
- Pegged Well Location
- Proposed Well Location
- Released Well Location
- Proposed Well
- Sensitive Receptors
- Cultural Heritage Survey Points
- Conceptual Gathering Lines
- Export Pipeline (Rev EIS)
- Gathering Lines Gas
- Gathering Lines Water
- Gathering Lines Water and Gas
- Export Line
- Trunkline
- Water Line
- Proposed Gas Trunkline
- Proposed Water Trunkline
- QGC Infrastructure
- QGC Ponds
- QGC Owned Land
- Proposed Central Processing Plant
- Proposed Compound
- Proposed Field Compressor Station
- Proposed Laydown Area
- Proposed Pond
- Proposed Potential Borrow Pit
- Proposed Power
- Proposed Water Treatment Facility
- Property Boundary
- Well Pad

DATE: 07/10/10 MAP NO: M\_02743\_04

CREATED BY: KJA REV NO: C

PLAN REF: XXXXXXXXXX



Map Projection: GDA 94

SCALE: 1:12,500 (A3)

DATA SOURCE:

DCDB - DERIM

Note: Every effort has been made to ensure this information is spatially accurate. The location of  
Based on information available to the State of Queensland Department of Environment and Heritage  
Management, 2010, in accordance with the State Planning Act 1996, and the Planning and  
Infrastructure Act 2009. The information is provided for informational purposes only and does not  
constitute a guarantee of accuracy. The information is provided as a service to the public and  
should not be relied upon for any other purpose. The information is provided as a service to the  
public and should not be relied upon for any other purpose. The information is provided as a  
service to the public and should not be relied upon for any other purpose.



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EXTENT OF IMAGERY

76BWR198

Barwyndale #56

Barwyndale #56

Barwyndale #53



25 March 2010

Dear Joseph Winston Hill & Jennifer Joy Hill

**Australia Pacific LNG Project (Project)**  
**Affected property:**

**Background**

Australia Pacific LNG Pty Limited proposes to develop a world scale, long-term coal seam gas (CSG) to liquefied natural gas (LNG) project in Queensland (Project), utilising Australia Pacific LNG's substantial CSG resources which will bring significant benefits to the region, Queensland and Australia.

The Project is a 50:50 joint venture between Australia's largest integrated energy company, Origin Energy Limited (Origin) and one of the largest energy companies in the United States, ConocoPhillips Australia Pacific Pty Ltd.

On behalf of APLNG, Origin will be responsible for the construction and operation of the pipeline connecting the gasfields to the LNG facility on Curtis Island in Gladstone.

**What is happening now?**

In order to ensure ongoing security for the pipelines, the Project needs to secure suitable land tenure. For this to be progressed Origin, on behalf of Australia Pacific LNG, will be liaising with landholders to negotiate suitable agreements for the acquisition of the land tenure.

As a result of recent studies, your property has been identified as a suitable location for the pipeline and associated infrastructure.

If you haven't already been contacted by one of our representatives, you will be contacted in the coming weeks with respect to the Project and the proposed impact of the alignment of the pipeline on your property.

**Application to the Coordinator-General**

In addition to working with landowners impacted directly by the Project, Australia Pacific LNG has applied to the Coordinator-General for the project to be approved as an infrastructure facility of significance under the *State Development and Public Works Organisation Act 1971*.

You will shortly receive a letter from the Coordinator-General about APLNG's application, which will enclose a copy of the application, including mapping which will identify your property and show the proposed alignment of the pipeline, for your information. The letter will advise you how submissions to the Coordinator-General about the application can be made.

It is important to note that we are committed to negotiating an agreement with you. However, should the application be approved, Australia Pacific LNG will be able to, as a last resort, apply to

the Coordinator-General to have the necessary interests in land acquired to enable the Project to proceed.

Over the following few months you will be contacted by Origin to discuss arrangements for access to your property to facilitate preliminary studies for the Project. You will also be contacted to discuss reaching a formal agreement for the required interest in your property for the Project. It is our preferred approach to work with you to reach agreement in order to achieve a mutually acceptable outcome.

Further information about the Project can be found on the Project website [www.aplng.com.au](http://www.aplng.com.au) and in the Information Pack enclosed.

Thank you again for your assistance so far. Should you like to discuss the Project with a representative of APLNG, please contact APLNG on 1800 526 369.

Yours faithfully

**Manager - Stakeholder Relations & Land Strategy**  
**Origin Energy Limited**

Date 3 September 2010

Joseph & Jennifer Hill



Dear Joseph & Jennifer,

**Australia Pacific LNG - proposed infrastructure project**

I am writing to advise you that the Queensland Government has recently approved an application by Australia Pacific LNG Pty Limited (Australia Pacific LNG) for part of its project to be declared an Infrastructure Facility of Significance under the State Development and Public Works Organisation Act 1971 (SDPWO Act).

The decision was published in the Queensland Government Gazette on 27 August 2010. I have enclosed a copy of the relevant Gazette Notice and the associated Statement Giving Reasons for your information.

The approval includes the following elements of the proposed Australia Pacific LNG project (the Facility):

- the construction and operation of a high pressure underground gas transmission pipeline system from Australia Pacific LNG's coal seam gas fields to a liquefied natural gas (LNG) facility to be built on Curtis Island, near Gladstone; and
- the construction and operation of the LNG facility and of associated onshore and marine facilities.

As the landowner/occupier of the land described as 76BWR198 which is within the area covered by the approval, Australia Pacific LNG wishes to begin negotiations with you to gain access to an appropriate easement for the part of the Facility where it overlaps your land.

The first step in the process requires Australia Pacific LNG to provide you with a written notice about the facility and the process it proposes to adopt for finalising land access. I have enclosed a copy of the notice, which will also be published in the Courier Mail and various regional newspapers in the week commencing 6 September 2010.

Australia Pacific LNG is committed to a fair and transparent process. Australia Pacific LNG has an appreciation and respect for the social and economic value of your land and wishes to respectfully negotiate with you to reach a mutual understanding and outcome.

Australia Pacific LNG's negotiations with you must meet the requirements of Guidelines set out in the SDPWO Act. If an agreement cannot be reached, Australia Pacific LNG must demonstrate that all reasonable attempts have been made to reach a voluntary agreement before it can take subsequent steps in the compulsory acquisition process.

A Land Liaison Officer from Origin Energy, acting as agent for Australia Pacific LNG, will shortly be in contact with you to organise a convenient time to commence discussions with you.

If you have any questions about the contents of this notice or if you would like further information about the Facility, please in the first instance contact \_\_\_\_\_ Service Facilities Coordinator on \_\_\_\_\_ or email to \_\_\_\_\_

Yours sincerely,

**Project Manager Pipelines**

Enclosure

Australia Pacific LNG Pty Limited ABN 68 001 646 331  
Project Office, Reception Ground Floor, North Tower, 339 Coronation Drive, Milton, Qld, 4064  
GPO Box 148, Brisbane, Qld, 4001 • Telephone (07) 3858 0600 • Facsimile (07) 3217 6385 • [www.aplng.com.au](http://www.aplng.com.au)



Department of  
**Environment and  
Heritage Protection**

2 April 2015

Mr Joe Hill

Dear Mr Hill

I refer to your complaint lodged with the Department of Natural Resources and Mines (DNRM) Coal Seam Gas Compliance Unit on 23 March 2015 regarding the use of CSG water for irrigation on a neighbouring property owned by

According to your complaint your neighbour flood irrigates a paddock using Reverse Osmosis (RO) water supplied to him by Origin under a Beneficial Use Agreement (BUA). A tail water drain has been installed around the paddock to collect the excess water from the flood irrigation (the tail water) and transfer it back to the ring tank. The land owners have installed a flood gate in the tail water drain to release overland flow during heavy rain events. It is understood that you are concerned that the structures built including the pumping system are not adequate to contain overland flow and tail water on your neighbour's property. On 21 March 2015, after a rain event of approximately 117mm, the water built up behind the bank and overflowed at the lowest point either side of the flood gate, flowing onto your property causing possible contamination of pasture from what you believe to be the silt and contaminants in the water.

The above complaint was referred to the Department of Environment and Heritage Protection (EHP) on 23 March 2015. During the week of 23-29 March 2015 initial investigations into your enquiry were undertaken by EHP officer, with whom you have been corresponding. Part of this correspondence included an email sent on your behalf from on 29 March 2015 requesting further information as follows:

1. Copy of approval from authority for this BUA including the standard of water agreed to be supplied.

With the commencement of the Fairymeadow Road irrigation project, Australia Pacific LNG began supplying treated coal seam gas water to landowners in the area for irrigation and livestock watering. This water is supplied in accordance with 2 general BUAs. Copies of both these BUAs which include standard water quality conditions were provided to you by email on 23 March 2015.

2. Explanation of how this event demonstrates that this BUA has met with the General Condition number 3: The resource must not be directly or indirectly released to any waters.

The General Beneficial Use Approval – Associated water (including coal seam gas water) states in condition 3 that the resource must not be directly or indirectly released to any waters. The BUA provides a definition for waters which is;

*waters includes 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,*

173 Hume Street Toowoomba  
Queensland 4530 Australia  
PO Box 731 Toowoomba  
Queensland 4350 Australia

*stormwater drain, roadside gutter, stormwater run-off, and underground water. To clarify for aquaculture purposes, waters does not include drains or channels for the purpose of aquaculture activities which are isolated from other waters.*

You stated that the water flowed across paddocks and eventually into farm dams. As these sites are not classified as waters, there has been no evidence of non-compliance with this condition of the BUA.

3. Explanation of how this approval was granted using the principle that the irrigation with the RO water carries no greater risk than what is acceptable for any other irrigation project, given its potential impact on a neighbour.

When deciding whether to grant a general approval, the administering authority considers a number of criteria under section 164 of the *Waste Reduction and Recycling Act 2011*, namely;

- (a) *the waste and resource management hierarchy;*
- (b) *the waste and resource management principles;*
- X (c) *the best practice environmental management for the use of the resource;*
- X (d) *the likelihood of any material environmental harm, serious environmental harm or environmental nuisance happening because of the proposed use of the resource;*
- (e) *the benefit and sustainability of the proposed use of the resource;*
- (f) *any alternative use for the resource;*
- (g) *any other matters the chief executive considers relevant.*

In this case it was determined that the treated CSG water was fit for the purpose intended in the beneficial use approval and that it posed no greater risk than what is acceptable for any other irrigation project, to the extent that it complied with the conditions of the BUA.

4. Copy of approval for earth works to do the job of containing the tailing water, which allowed all of the overland flow to run out of the tail water drain across Mr Hill's property and into Mr Hill's water resources.

EHP does not regulate the construction and approval of earth works for dams or water structures used for agricultural purposes. Consequently it is not a requirement to undertake site inspections of agricultural structures which will contain the water resource approved under this general BUA. In some circumstances these structures are licensed under the *Water Act 2000* which is regulated by DNRM.

5. Testing from the 3 most recent RO water sampling.

As producers of the water used in the irrigation project, Origin has been requested to supply EHP with the monitoring results for the most recent sampling events. EHP will review the monitoring results to determine if compliance with conditions of the BUA is being met, specifically compliance with conditions 6, 7 and 8 of the *General Beneficial Use Approval – Irrigation of Associated Water (including coal seam gas water)* which state:

*Condition 6. Unless otherwise agreed to in writing, the producer is responsible for ensuring that the associated water meets the following water quality parameters at the point of supply:*

- a) *electrical conductivity (EC) of  $<950\mu\text{s}/\text{cm}^3$  as a 95<sup>th</sup> percentile over a one-year period*
- b) *sodium adsorption ratio (SAR) of:*
  - I. *6 or less for heavy soils as a 95<sup>th</sup> percentile over a one-year period; or*
  - II. *12 or less for light soils as a 95<sup>th</sup> percentile over a one-year period;*
- c) *pH within the 6.0-8.5 accounting for atmospheric equilibration as a 95<sup>th</sup> percentile over a one-year period*
- d) *heavy metals do not exceed the value prescribed in Appendix 1.*

*Condition 7. Monitoring for condition 6 must include, at a minimum:*

- a) *fortnightly sampling for SAR, pH and EC; and*



- b) initially monthly for other parameters, and then six-monthly after three consecutive detects which are less than 50 per cent of the water quality parameters in Appendix 1.

Condition 8: Despite condition 6, where a water quality parameter cannot be met in condition 6, a report is provided to the administering authority about the associated water prior to operating under the approval which:

- a) states the extent to which the water quality does not meet condition 6
- b) states a varied water quality parameter (for the parameter not met in condition 6) which has been determined in accordance with the assessment procedure outlined in Table 1, and
  - I. ensures that soil structure, stability and productive capacity can be maintained or improved
  - II. ensures that toxic effects to crops do not result, and
  - III. ensures that yields and produce quality are maintained or improved.

- 6. Chemical/fertilizers that have been used on the cotton crop and the flood irrigated sorghum from which all of the overland flow was received.

EHP does not regulate the use of agricultural chemicals and therefore cannot provide information about chemicals or fertilizers used on crops on your neighbour's property. The use of agricultural chemicals is authorised by legislation administered by Biosecurity Queensland, part of the Department of Agriculture and Fisheries.

- 7. Explanation of how the following was considered in this approval: hydraulically overloading a natural system, degrading soil structures, or allowing excess water to run-off into surrounding waterways and streams.

As stated before, the Fairymeadow Road irrigation project supplies treated coal seam gas water to landowners under two general BUAs. A general BUA has clear standards which, if complied with, do not require individual assessment by EHP. Anyone can operate under this type of approval provided they comply with the conditions of the approval. Therefore it is the responsibility of the user of the water resource to ensure that they have considered the issues mentioned above. EHP may from time to time conduct targeted audits of these uses to check compliance.

- 8. In using associated water, it is important that the user is aware of their general environmental duty under section 319 of the EP Act:

319 General environmental duty:

- (1) A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm (the general environmental duty).
- (2) In deciding the measures required to be taken under subsection (1), regard must be had to, for example –
  - a) the nature of the harm or potential harm; and
  - b) the sensitivity of the receiving environment; and
  - c) the current state of technical knowledge for the activity; and
  - d) the likelihood of successful application of the different measures that might be taken; and
  - e) the financial implications of the different measures as they would relate to the type of activity.

The producer and the user of the water resource covered by these BUAs must comply with their General Environmental Duty as defined above. Environmental harm is defined as;  
*any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.*

Environmental value is defined as;

- a) *a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or*
- b) *another quality of the environment identified and declared to be an environmental value under and environmental protection policy or regulation.*

From the information provided there is no evidence that environmental harm has occurred in this instance, however as stated above compliance against relevant BUA conditions will be investigated to ensure that unauthorised harm is not occurring. You will be informed of the outcome of the investigation once complete.

9. Confirm that the irrigation development for lot \_\_\_\_\_ has the necessary approval and when the approval was granted.

As stated previously, EHP does not regulate or approve irrigation developments such as tail water drains or ring tanks.

If you have any queries regarding the above matters please contact

Yours sincerely

**Compliance Delivery Manager, South Queensland Compliance - Toowoomba  
Environmental Services and Regulation**