



Department of  
**Environment and  
Heritage Protection**

30 March 2016

Paul King  
Secretary  
Western Downs Alliance  
14 Adam Street  
TOOWOOMBA QLD 4350

Email: [info@ddec.org.au](mailto:info@ddec.org.au)

Dear Mr King,

I refer to your letter dated 5 March 2016 requesting a statement of reasons under section 32 of the *Judicial Review Act 1991* (JRA) in relation to the issuing of environmental authority (EA) EPPG03497815 to Jemena Queensland Gas Pipeline (1) Pty Ltd.

The Department of Environment and Heritage Protection (EHP) has reviewed your request and has determined that the Western Downs Alliance (WDA) does not meet the requirements of an 'aggrieved person' under section 7 of the JRA and as such, is not entitled to a statement of reasons under Part 4 of the JRA in relation to the issuing of EA EPPG03497815.

The reasons for the decision pursuant to section 33(2) of the JRA are stated below:

- Your request has not identified any special or particular legal rights or interest over and above that of any other member of the community affected by the decision to issue EA EPPG03497815.
- Your request has not identified a matter about the decision to issue EA EPPG03497815 which is said to be unlawful or beyond jurisdiction.
- The WDA did not make a submission in response to the public notification of the application during the submission period between 23 October 2015 and 19 November 2015 which provided sufficient opportunity for submitters to raise concerns about the project in a fair and equitable manner.

To provide some background information, the Northern Territory Government held a competitive process in order to select a proponent to construct and operate the North East Gas Interconnector (NEGI) pipeline which is a 622km pipeline running from near Tennant Creek in the Northern Territory to Mount Isa in Queensland. The total length of the pipeline proposed in Queensland is 165km. EHP does not have legislative authority over the section of the pipeline proposed in the Northern Territory.

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On 25 September 2015, EHP received a site-specific application for a 165km pipeline from Jemena for Petroleum Pipeline Licence (PPL) 2015. On 12 October 2015, EHP decided that the EA application for PPL2015 was a properly made application. On 22 October 2015, the application was publicly notified in the Courier Mail under section 152 of the *Environmental Protection Act 1994* (EP Act). The submission period ended on 19 November 2015, however, no submissions were received under section 160 of the EP Act. The application documents were available on EHP's website until 11 January 2016.

Following assessment of the EA application for PPL2015 under the guideline *Triggers for environmental impact statements under the Environmental Protection Act 1994 for mining and petroleum activities*, EHP determined that an EIS was not required for the NEGI pipeline as the total disturbance proposed during the life of the project was less than 2000 hectares, the proposed pipeline was under 300km in length and the proposed project did not involve the construction of a liquefied natural gas plant. A copy of the guideline has been enclosed for your information.

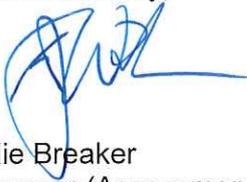
The application was assessed under the regulatory requirements of the EP Act and the Environmental Protection Regulation 2008. The application was decided on 9 December 2015 and the EA provided to Jemena on 10 December 2015. The tenure for PPL2015 has not been granted by the Department of Natural Resource and Mines as yet and the EA will be made available on EHP's website (<https://environment.ehp.qld.gov.au/env-authorities/>) once the tenure has been granted. Although not publicly available at this time, a copy of the EA EPPG03497815 has been enclosed for your information.

Please note that APT Pipelines was amongst the companies which unsuccessfully tendered for the NEGI project. Prior to the outcome of the tender process, APT Pipelines had applied for an approval to prepare a voluntary EIS under section 69 of the EP Act. This application was approved and gazetted by the Coordinator-General on 4 August 2015. EHP would like to clarify that APT Pipelines' voluntary EIS application is not related to Jemena or Jemena's application for an EA for PPL2015 despite the fact that these two applications ran concurrently. As a result of the tender decision, APT Pipelines is likely to withdraw their voluntary EIS application. For more information regarding the APT Pipelines voluntary EIS application, please contact the Office of the Coordinator-General via [sdainfo@coordinatorgeneral.qld.gov.au](mailto:sdainfo@coordinatorgeneral.qld.gov.au).

Furthermore, please note that Right to Information (RTI) Services is currently processing an application received in relation to EA EPPG03497815 under the *Right to Information Act 2009*. Details of all valid RTI applications and access to information which has been released in response to completed RTI access requests can be found on EHP's disclosure log at <https://www.ehp.qld.gov.au/about/rTI/disclosurelog/index.html>.

Should you have any further enquiries, please contact Ms Radhika Rao, Senior Environmental Officer (Assessment) of the department on telephone (07) 3330 6188 or email [Radhika.Rao@ehp.qld.gov.au](mailto:Radhika.Rao@ehp.qld.gov.au).

Yours sincerely,



Kylie Breaker  
Manager (Assessment)

4 January 2016

Jim Reeves  
Acting Director General  
Department of the Environment  
and Heritage Protection

Via email: [info@ehp.qld.gov.au](mailto:info@ehp.qld.gov.au)

Copy to: [environment@ministerial.qld.gov.au](mailto:environment@ministerial.qld.gov.au)

**Requests for Reasons – Construction of the North East Gas Interconnector  
Pipeline Tennant Creek, Northern Territory to Mt Isa, Queensland -  
EPSX03332615**

Dear Jim,

On behalf of the Western Downs Alliance, being a person aggrieved under section 7 of the *Judicial Review Act 1991* [Qld], and being entitled under section 20 to make an application under that Act, I request in accord with section 32 of that same act a statement of reasons for your decision to grant the above environmental permit for Jemena Northern Gas Pipeline Pty Ltd to construct and operate a buried 622km high pressure gas pipeline. The decision is stated to take effect from the granting of tenure.

Western Downs Alliance is incorporated in Australia (*Associations Incorporations Act 1981* [Qld] - IA55226) and its' constitutional objectives are:

*“to protect the natural, cultural and agricultural resources of Queensland from inappropriate mining; to educate and empower Queenslanders to demand sustainable solutions to food and energy production and to protect and enhance the health of the people of Queensland, its Aboriginal cultural heritage, water systems, agricultural land for food and fibre production, bushlands, wetlands and wildlife and the conservation of the environment”*

As such we request the reasons for this decision and look forward to their receipt.

Yours sincerely



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