

Procedure No: CS-ENV-05
 TRIM Ref No: B/D/11/31093
 Reviewed: 02/19
 Amended: 02/19
 Review Due: 02/21



CS ENERGY PROCEDURE FOR ENVIRONMENTAL LEGAL COMPLIANCE CS-ENV-05

Responsible Officer: Environmental Specialist
 Responsible Manager: Head of Environment
 Responsible Executive: Executive General Manager Plant Operations

DOCUMENT HISTORY

Key Changes	Prepared By	Checked By	Approved By	Date
Original Issue				27/01/1999
Update responsibilities				17/05/2000
Expand Section 3.1 other requirements				03/07/2000
Added diagram				28/08/2000
Added Review and Auditable Outputs				17/11/2000
Minor Editorial changes, Reference to CS-ENVLEGAL-1.				24/11/2000
Updated document history, ERA to maintain licence				16/02/2001
Reference documentation updated				31/10/2001
Replacement of "Environmental Legislation Register" with "Environmental Legal Compliance Manual", reference to Legal Hotline, removal of reference to EMRO, minor editing.				18/11/2002
Minor editing				25/11/2003
Document owner; minor editing; updated Reference Documentation including reference to CPM Env Mgt Implementation Plan.				06/06/2005
Clarification and amendment of processes detailed in Sections 3.1, 3.2 and 3.3; inclusion of Early Warning Updates in Section 6; update organisational titles; minor editing.				19/04/2006
EPA replaced with DERM; references to site-specific documentation removed; 'Legal Officer' changed to 'Corporate Legal Counsel'; responsibilities for Corporate Legal Counsel added to s. 4; references to 'licence' or 'authority' changed to 'approval'; update organisational titles; minor editing.				6/07/2009
Document transferred to new CS Energy template, minor editing.	J Lafferty		R Hartigan	17/11/2011
Updated to reflect current business processes and address internal EMS audit recommendations	S Harabasz	R Hartigan	T Wiltshire	22/01/2016
Updated to reflect current business processes and address internal EMS audit recommendations and findings	S Harabasz	S Verano	B Monckton	15/02/2019



CONTENTS

DOCUMENT HISTORY	1
1 PURPOSE	3
2 SCOPE	3
3 ACTIONS	3
3.1 Identification of Legal and Other Requirements	3
3.2 Distribution and Use of Legal Information	4
3.3 Maintenance of Legal Information	4
4 RESPONSIBILITIES	5
4.1 Head of Environment	5
4.2 Corporate Legal Counsel	5
5 REVIEW	5
6 AUDITABLE OUTPUTS	5
7 DEFINITIONS	6
8 REFERENCES	6
9 RECORDS MANAGEMENT	6

1 PURPOSE

This procedure documents the process which ensures that staff have access to up-to-date legal information pertaining to CS Energy operations. The Environmental Legal Compliance Manual (ELCM) is compiled and maintained by an external legal adviser and is made available to CS Energy staff through the CS Energy Intranet.

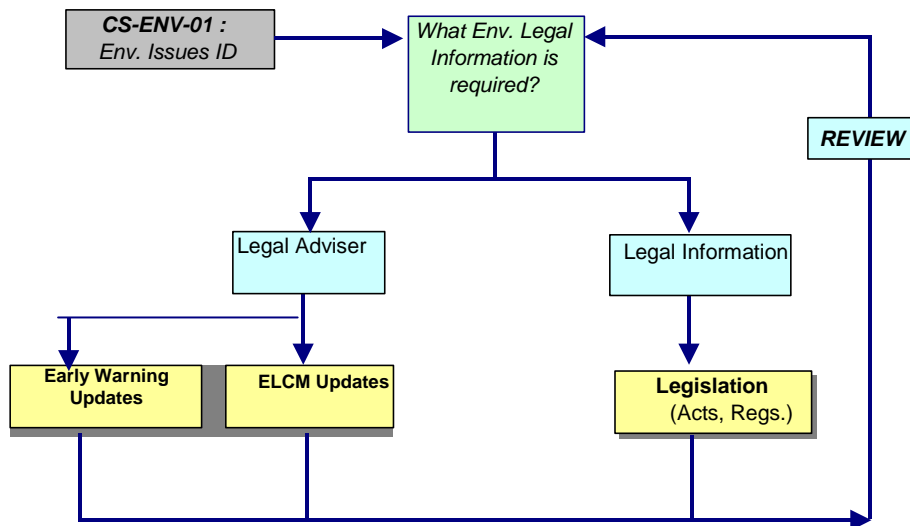


Figure EMSP-05: Environmental Legal Information Flow Diagram

2 SCOPE

The Environmental Legal Compliance Manual covers all legal and related matters relevant to the activities carried out by the organisation.

This procedure covers the Manual, legislation to be available on-site and suggested reference material.

3 ACTIONS

3.1 Identification of Legal and Other Requirements

Legal and other environmental requirements are identified from the nature of major activities undertaken by the organisation. This information is used by the legal adviser to identify relevant content for the ELCM and the issue of Early Warning Updates or other publications relating to legal changes.

Legal Requirements

- Lists of relevant legislation.
- Description of the relevance of the legislation to the business operations.
- Incorporates Early Warning Updates.

Other Requirements

- Lists of Industry Codes of Practice.
- Lists of Standards.

- Lists of Guidelines issued by the Department of Environment and Science (DES).
- Lists of sampling and analysis manuals published by the DES.

These legal and other requirements are incorporated into the Enterprise Risk and Compliance Management Framework (CS-RISK-01) – Refer to Section 12.2 of CS-RISK-01 which describes the process for linking legal obligations within the Enterprise Risk Management System to significant risks.

3.2 Distribution and Use of Legal Information

Any staff member must request legal advice, through the CS Energy Corporate Legal Counsel, where significant environmental legal compliance matters are identified as relevant, before any of the following events:

- Commencement of a new project which has been identified as having an impact on the environment;
- During internal reviews of procedures which influence the control of any environmental issue; and
- Any enquiries raised by other staff members concerning environmental issues.

To assist in deciding whether any of the above may have a legal consequence, first refer to the Environmental Legal Compliance Manual.

The Corporate Legal Counsel, utilising the services of an external Legal Adviser as required, can also be used to identify any relevant legal issues.

Environmental staff are to refer to the Environmental Legal Compliance Manual and Early Warning Updates before advising or distributing legal information relating to environmental issues. Corporate environmental staff coordinate provision of legal support and also forward legal update information via email to site Environmental Business Partners.

Legislation and environmental approval information is available through the Internet or the CS Energy Intranet. Each site is to hold or have access to the following information:

- Commonwealth legislation – accessible on-line at <http://www.australia.gov.au/about-government/publications/commonwealth-legislation>.
- Queensland Environmental Protection legislation (e.g. Qld Environmental Protection Act 1994, Environmental Protection Regulations and Environmental Protection Policies) – accessible on-line through the Office of the Queensland Parliamentary Counsel (OQPC) (<https://www.legislation.qld.gov.au/OQPChome.htm>). In addition, staff can register on-line for the weekly Queensland Legislation e-mail update service provided by the OQPC.
- Latest version of Environmental Authorities (licences) or Development Approvals (CS Energy Intranet).
- The CS Energy Environmental Legal Compliance Manual (CS Energy Intranet).
- A copy of any local authority environmental legal requirements (refer to ELCM).
- Subscription to appropriate journals or newsletters (refer to CS-ENV-03 Environmental Communication and Training Process).

3.3 Maintenance of Legal Information

Legal information described by this procedure is to be maintained as required by significant legal changes or initiatives to improve the usefulness of the ELCM.

4 RESPONSIBILITIES

4.1 Head of Environment

- Manage the updating of the Environmental Legal Compliance Manual.
- Supply of additional reference material to site Environmental Business Partners.

4.2 Corporate Legal Counsel

- Notify Head of Environment of any significant changes in environmental legislation with potential to influence operations.
- Offer legal advice upon request for specific legal environmental issues.

5 REVIEW

The following items are described in CS-ENV-07 Environmental Audit, Review and Performance Evaluation:

- EMS Audit Program encompasses the checking of this document to ensure it is appropriate and being followed correctly.
- The Environmental Legal Compliance Review will check the appropriateness of the Legal Compliance Manual.
- Documentation review will check that appropriate environmental approval, statutory and other legal requirements are referenced in these documents where deviation in processes can affect legal compliance.

6 AUDITABLE OUTPUTS

- Early Warning Updates and other publications relating to legal changes.
- Environmental Legal Compliance Manual

7 DEFINITIONS

Term	Definition

8 REFERENCES

Reference No	Reference Title	Author
N/A	Environmental Protection Legislation	Aust Govt
N/A	Environmental Protection Legislation	Qld Govt
B/D/16/2453 (Vol. 1)	Environmental Legal Compliance Manual (ELCM) Volume 1	CS Energy
B/D/16/2454 (Vol. 2)	Environmental Legal Compliance Manual (ELCM) Volume 2	
"B/D/11/31091"	Procedure - CS-ENV-03 - Environmental Communication and Training Process	CS Energy
"B/D/11/31095"	Procedure - CS-ENV-07 - Environmental Audit Review and Performance Evaluation	CS Energy
"B/D/12/63934"	CS-RISK-01 - Risk and Compliance Management Framework	CS Energy

9 RECORDS MANAGEMENT

In order to maintain continual improvement, suitability, safety and effectiveness of the organisation, CS Energy's registered documents will be reviewed on a two-yearly basis or at intervals specified by legislative or regulatory requirements. Review of controlled documents should occur where it has been identified that there are changes in technology, legislation, standards, regulation or where experience identifies the need for alteration to the content. Registered documents should also be reviewed following an incident, change management process, modification or where directed as part of a risk assessment process. A 'review' can simply mean that it has been identified, confirmed and appropriately recorded that no changes are required and that the existing process remains the same.

CS Energy must ensure that records are retained according to accountability, legal, administrative, financial, commercial and operational requirements and expectations. In compliance with records retention and disposal, all documentation created in relation to CS Energy business must be retained in line with minimum retention periods as detailed in legal retention and disposal schedules.