Permit

Environmental Protection Act 1994

Environmental authority EA0001103

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: EA0001103

Environmental authority takes effect on 17 January 2018

Environmental authority holder(s)

Name(s)	Registered address
YARRANLEA SOLAR PTY LTD	Level 2 39 Sherwood Rd TOOWONG QLD 4066 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	LOT 2/A34925

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the Environmental Protection Act 1994 (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term ‘duty to notify’.

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Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Planning Act 2016 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 05 March 2018

Enquiries:
Extraction, Energy and Chemical Industries Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Obligations under the Environmental Protection Act 1994

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Legislative Requirements and Conditions of Environmental Authority

Legislative Requirements

PLR024 Development Approval

This permit is not a development approval under the Planning Act 2016. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Heritage Protection to ensure that you have the most current version of the environmental authority relating to this site.

Condition

General

G1 Any activity operating under this environmental authority must not be conducted contrary to any of the following limitations:

1. Extraction to take place only on Lot 2 Plan A34925 and within the polygon indicated in Attachment 1 – Site boundary for proposed ERA 16(2)(a).

G2 All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.

G3 Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.

G4 Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.

G5 When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.

G6 An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.

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G7 All records must be kept for a period of at least five years and provided to the administering authority upon request.

G8 All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification, or an equivalent certification, for such analyses.

G9 You must record the following details of all environmental complaints received:
1. date and time the complaint was received
2. name and contact details of the complainant when provided and authorised by the complainant
3. nature of the complaint
4. investigation undertaken
5. conclusions formed
6. actions taken.

G10 Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.

G11 The activity must be undertaken in accordance with written procedures that:
1. identify potential risks to the environment from the activity during routine operations, closure and an emergency
2. establish and maintain control measures that minimise the potential for environmental harm
3. ensure plant, equipment and measures are maintained in a proper and effective condition
4. ensure plant, equipment and measures are operated in a proper and effective manner
5. ensure that staff are trained in and aware of their obligations under *the Environmental Protection Act 1994*
6. ensure that reviews of environmental performance are undertaken at least annually.

G12 All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Condition

Acoustic

N1 Noise from the activity must not exceed the levels identified in Table - Noise limits when measured in accordance with the associated monitoring requirements.

Table - Noise limits

Noise level measured in dB(A)	Monday to Friday		Monday to Saturday	Saturday	Sunday	All other times and public holidays
	7am - 6pm	6pm-10p	6am-7am	7am-12pm	12pm-6pr	6pm-10pm
Noise measured at a sensitive place						

LAmax adj, T	Bkg +5	Bkg	Bkg +5	Bkg +5	Bkg	Bkg
Noise measured at a commercial place						
LAmax adj, T	Bkg +5	Bkg	Bkg +10	Bkg +10	Bkg	Bkg

Bkg = for a specified time interval, in relation to an investigation of a noise, means the A–weighted sound pressure level that is equalled or exceeded for 90% of that part of the interval in which the investigated noise is absent.

1. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.

2. Any monitoring must be in accordance with the most recent version of the administering authority's Noise Measurement Manual.

3. Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation.

N2 When required by the administering authority, noise monitoring must be undertaken in accordance with the associated monitoring requirements of Table - Noise Limits, and the results notified within 14 days to the administering authority. Monitoring must include:

1. $L_{Aeq, adj, T}$

2. Background noise (Background) as $L_{A\ 90,adj, T}$

3. $Max_{LpA,T}$

4. the level and frequency of occurrence of any impulsive or tonal noise

5. atmospheric conditions including wind speed and direction

6. Effects due to extraneous factors such as traffic noise

7. recording of location, date and time of measurements.

N3 Blasting or the generation of substantial low frequency noise is not permitted.

Condition

Air

A1 Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance at a sensitive place or commercial place.

Condition

Land

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L1 Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that:
1. suitable native species of vegetation for the location are established and sustained for earthen surfaces;
2. potential for erosion is minimised;
3. the quality of water released from the site, including seepage, does not cause environmental harm;
4. potential for environmental nuisance caused by dust is minimised;
5. the water quality of any residual water body does not have potential to cause environmental harm;
6. the final landform is stable and protects public safety.

Condition

Water

W1 Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

W2 Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

W3 Contaminants must not be released to groundwater or at a location where they are likely to release to groundwater.

Definition

PD002 Activity means the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.

PD010 Contaminant(s) means as defined in Section 11 of the Environmental Protection Act 1994.

PD011 Environmental harm means as defined in Section 14 of the Environmental Protection Act 1994.

PD012 Environmental nuisance means as defined in Section 15 of the Environmental Protection Act 1994.

PD016 Land means land excluding waters and the atmosphere. Land includes land on the authorised place.

PD018 Minimise means minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters:

(a) the nature of the harm or potential harm
(b) the sensitivity of the receiving environment
(c) the current state of technical knowledge for the activity
(d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects
(e) the financial implications of the different measures as they would relate to the type of activity
(f) if the adverse effect is caused by the location of the activity being carrying out, whether it is feasible to carry out the activity at another location.

PD027 Waters means 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, stormwater drain, roadside gutter, stormwater run-off, and underground water.

PD078 Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.

PD099

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

PD129 Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

PD163 Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

PD167 Release of a contaminant into the environment means to:
(a) deposit, discharge, emit or disturb the contaminant
(b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed
(c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed
(d) allow the contaminant to escape
(e) fail to prevent the contaminant from escaping.

PD172

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

PD176

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:
1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the Nature Conservation Act 1992, the Marine Parks Act 2004 or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

PD185 Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

PD202 You means the holder of the environmental authority.

Appendices

Attachment 1 Attachment 1 – Site boundary for proposed ERA 16(2)(a)

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