# Permit

***Environmental Protection Act 1994***

## Environmental authority EA0001994

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

### Environmental authority number: EA0001994

**Environmental authority takes effect on 14 October 2019**

### Environmental authority holder(s)

| Name(s) | Registered address |
|---|---|
| Jill Thomasson | Burdekin River CHARTERS TOWERS QLD 4820 |

### Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|---|
| ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t | Lot 9471 on MPH13891 |

**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:



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- 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'.

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.

Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
*Environmental Protection Act 1994*

**Date issued: 11 October 2019**

**Enquiries:**
Extraction, Energy and Chemical Industries Assessment
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.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)

## General

**G1** Activities under this environmental authority must be conducted in accordance with the following limitations:

a) Screening must generally take place within the area bounded by the GPS set out points in Appendix B – Set out points (as shown on Drawing MP1349-SK02-Extractive Industry Proposal Plan).

b) Stockpiling of material must generally take place within Lot 9471 on MPH13891 in the area indicated in orange in Appendix A – Drawing M1349-SK02-Extractive Industry Proposal Plan.

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

**G3** 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.

**G4** Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.

**G5** Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the **administering authority, or nominated delegate** upon request**,** within the required timeframe and in the specified format.

**G6** An appropriately qualified person 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.

**G7** 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.

**G8** 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.

**G7** The activity must be undertaken in accordance with written procedures that:

a) Identify potential risk to the environment form the activity during routine operations, closure and an emergency.

b) Establish and maintain control measures that minimise the potential for environmental harm.

c) Ensure plant, equipment and measures are maintained in a proper and effective condition.

d) Ensure plant, equipment and measures are operated in a proper and effective manner.
e) Ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*.
f) Ensure that reviews of environmental performance are undertaken at least annually.

**G8** Chemicals and fuel stored on-site in containers greater than 15 litres must be stored in a secondary containment system.

**G9** Chemical storage must not be located in areas where flooding occurs during events with an Average Exceedance Probability of greater than 5%.

**G10** All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.

## Land

**L1** Contaminants from the activity must not be released to land.

**L2** Acid sulfate soils must not be processed.

## Water

**W1** Contaminants must not be released to waters.

**W2** Stormwater that is not contaminated by the activity must be diverted away from areas where it may become contaminated by the activity. Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

**W3** Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

## Air

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

**A2** Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place:

a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions); or

b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS3580.9.6 (or more recent editions) or any other method approved by the administering authority.

## Acoustic

**N1** Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.

**N2** 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 Saturday | | Sundays and Public Holidays |
|---|---|---|---|
| | 7am – 6pm | 6pm – 7am | |
| | Noise measured at any sensitive place | | |
| $L_{Aeq, adj, T}$ | Background + 5 dBA | No audible noise | No audible noise |
| $L_{Amax,adj,T}$ | Background + 10 dB | No audible noise | No audible noise |

***Associated monitoring requirements***

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.*

**N3** 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:

a) $L_{Aeq, adj, T}$
b) Background noise (Background) as $L_{A,90, adj, T}$
c) $L_{Amax,adj,T}$
d) the level and frequency of occurrence of any impulsive or tonal noise;
e) atmospheric conditions including wind speed and direction;
f) effects due to extraneous factors such as traffic noise; and
g) recording of location, date and time of measurements.

## Definitions

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

**"Audible noise"** is noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.

**"Chemical"** is as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.

**"Contaminant(s)"** is as defined in Section 11 of the Environmental Protection Act 1994.

**"Environmental harm"** is as defined in Section 14 of the Environmental Protection Act 1994.

**"Environmental nuisance"** is as defined in Section 15 of the Environmental Protection Act 1994.

**"Land"** is the land excluding waters and the atmosphere. Land includes land on the authorised place.

**"Maintenance"** is as defined in Schedule 6 of the Transport Infrastructure Act 1994.

**"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 carried out, whether it is feasible to carry out the activity at another location.

**"Nuisance sensitive place"** includes:

- within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises
- within or outside of a motel, hotel or hostel
- within or outside of a kindergarten, school, university or other educational institution
- within or outside of a medical centre or hospital
- within a protected area under the Nature Conservation Act 1992, within a marine park under the Marine Parks Act 1992 or a world heritage area
- within a public thoroughfare, park or gardens
- within or outside of 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.

**"Waters"** is 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.