Permit

Environmental Protection Act 1994

Environmental authority EA0002215

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

Environmental authority number: EA0002215

Environmental authority takes effect on the date that related development approval MCU19/0011 takes effect. Within 20 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence.
The first annual fee is payable within 20 business days of the effective date.
The anniversary date of this environmental authority is the same day each year as the effective date.
The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name(s)	Registered address
North Queensland Natural Resource Holdings Pty Ltd	143 Ross River Road MUNDINGBURRA QLD 4812 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Adjacent to LOT 18 on EP31

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.

Queensland Government

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'.

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.

Amanda Gray
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 27 March 2020

Enquiries:
Coastal and Marine 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)

Conditions of environmental authority

General	
G1	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.
G3	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G4	The **activity** must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the **activity** during routine operations and emergencies; and b) establish and maintain control **measures** that minimise the potential for environmental harm; and c) ensure plant, equipment and **measures** are maintained in a proper and effective condition; and d) ensure plant, equipment and **measures** are operated in a proper and effective manner; and e) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and f) ensure that reviews of environmental performance are undertaken at least annually.
G5	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request and in a specific electronic format. WaTERS is a recognised means for providing data to the administering authority.
G6	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G7	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**

<table>
<tr><td>G8</td><td>An appropriately qualified person(s) must monitor and record all indicator(s) required by and in accordance with Table 1 – Monitoring and Wastewater Release Limits and the associated monitoring requirements.

Table 1 – Monitoring and Wastewater Release Limits
<table>
<tr><th>Indicator(s)</th><th>Measurement (units)</th><th>Minimum frequency</th><th>Limit
Maximum Values[1]</th></tr>
<tr><td>pH</td><td>pH unit</td><td>Weekly during operations</td><td>6.5-7.5</td></tr>
<tr><td>TSS (total suspended solids)</td><td>mg/L</td><td>Weekly during operations</td><td><20</td></tr>
<tr><td>Turbidity</td><td>NTU</td><td>Weekly during operations</td><td>Turbidity <10NTU above background value when background is <100 NTU.

OR

Turbidity <10% above background value when background is >100NTU.</td></tr>
</table>
[1]Set as lower and upper limits (e.g. pH: 7.2–8.2), or as a single value to be achieved by median of test data (e.g. <15). Median values to be calculated from a minimum of 4 consecutive samples.

Associated monitoring requirements
1. Monitoring must be in accordance with the ANZECC and ARMCANZ (2000) Australian Guidelines for Water Quality Monitoring and Reporting and AS/NZS 5667 (parts 1,4-8, 10-12):1998 water quality – sampling.
2. Monitoring must be undertaken during operational works, with a maximum distance 20m upstream and downstream of the sand location area, as depicted in Appendix 1.
3. All monitoring devices must be effectively calibrated and maintained in accordance with Australian Standards.
4. Water quality monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Monitoring and Sampling Manual.
5. Samples must be representative of the release.</td></tr>
<tr><td>G9</td><td>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.</td></tr>
<tr><td>G10</td><td>The dredging operation must be conducted in accordance with the following limitations:
1. Maximum extraction rate of 20,000 cubic metres per year;

2. Extraction only occurs within the allocation area as shown on site plan in Appendix 1: "Haughton River Sand Deposits Giru", drawn by Mike O'Sullivan, dated 8/06/2019, reference Nqn/Hau/App19006</td></tr>
<tr><td></td><td>Air</td></tr>
<tr><td>A1</td><td>Odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.</td></tr>
</table>

	Noise
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
	Water
WT1	Contaminants must not be released to **groundwater** or at a location where they are likely to release to **groundwater**.
WT2	Erosion and sediment control measures which are in accordance with the *Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association),* are to be installed and maintained to prevent the release of sediment to tidal waters.
	Waste
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
	Land
L1	Treatment and management of acid sulfate soils must comply with the guidance provided in the current edition of the *Queensland Acid Sulfate Soil Technical Manual.*
L2	**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.
L3	No material can be stockpiled on Unallocated State Coastal Land without prior submission to the **administering authority,** consisting of a dredge management plan (DMP) that outlines the stockpile location, site-based management plan and stockpile containment system.

Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

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

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.

Boundary means within 1m of the cadastral **boundary** of the approved place.

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.

Disturbed areas includes areas:

1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

Dredging includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal **waters**. Dredging does not include the banks of a waterway.

Dredging operation includes all components of the activities necessary for the removal, transport, handling, **rehandling** and disposal of **quarry material** and **dredged material**.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Environmental value as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Financial assurance as defined in Chapter 5 of the *Environmental Protection Act 1994*.

General waste means waste other than regulated waste.

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

Land does not include **waters**.

Liquid means any substance that:

1. has an angle of repose of less than five degrees; or
2. becomes free flowing at or below 60 degrees Celsius or when it is transported; or
3. is not generally capable of being picked up by a spade or shovel.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

NATA means National Association of Testing Authorities.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.

Prescribed water contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

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

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.

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.

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).

Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position**.**

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

WaTERS is the Wastewater Tracking and Electronic Reporting System (WaTERS) database formally known as the Point Source Database (PSD).

You means the holder of the environmental authority.

Appendix 1: Approved plan indicating sand location area for extraction

