

Permit

Environmental Protection Act 1994

Environmental authority EA0002365

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

Environmental authority number: EA0002365

Environmental authority takes effect on 9 June 2020

Environmental authority holder(s)

Name(s)	Registered address
Darcy Bowyer	13 Hastings Drive MAREEBA QLD 4880

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
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	Artemis Station off Strathgordon Road, Musgrave Lot 4365 on SP182310
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	

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'.

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.

Rachel Copp
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 2 July 2020

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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

Agency interest: General	
Condition number	Condition
G1	In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
G2	Within 30 days from commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be developed and implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The SBMP must address the following matters: a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. b) Identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement. l) Stormwater management plan.
G3	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G4	The operator of an ERA to which this approval relates must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; b) maintain such measures, plant and equipment in a proper and efficient condition; and c) operate such measures, plant and equipment in a proper and efficient manner.

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G5	An appropriate spill kit, personal protective equipment and relevant operator instructions/ emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used.
G6	Anyone operating under this approval must be trained in the use of the spill kit.
G7	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G8	All records required by this approval must be kept for 5 years.
G9	The permit holder must telephone the administering authority's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
G10	Extractive areas are restricted to the staged areas as shown in Appendix 1- Drawing number: Sales Permit Area Artemis Station PR103091-4.
G11	The permit holder must telephone the administering authority's Pollution Hotline or RSPCA QLD hotline as soon as practicable when locating injured, sick or orphaned wildlife.
G12	If the registered operator of an ERA to which this approval relates becomes aware of unlawful material environmental harm or serious environmental harm as a result of carrying out the environmentally relevant activity (ERA) then all activities must cease immediately.
G13	The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken.
Agency interest: Air	
Condition number	Condition
A1	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause, or be likely to cause, a nuisance at or beyond the boundary of the approved place.

A2	When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at up wind control sites and must include: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A3	Stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to: a) use of water spray; b) use of dust-suppressant shielding; c) storage in bunkers; and d) covering loads with tarpaulins.
A4	Trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to: a) keeping surfaces clean; b) sealing with suitable material; c) using water sprays; d) adopting and adhering to speed limits; and e) using dust suppressants and wind breaks.
Agency interest: Noise	
Condition number	Condition
N1	Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
N2	When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include: a) LA 10, adj, 10 mins; b) LA 1, adj, 10 mins;

	c) the level and frequency of occurrence of impulsive or tonal noise; d) atmospheric conditions including wind speed and direction; e) effects due to extraneous factors such as traffic noise; and f) location, date and time of recording.						
N3	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual, or its most recent equivalent.						
N4	Vibration emitted from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.						
N5	Blasting is only permitted during the hours of 9am to 3pm, Monday to Friday, and from 9am to 1pm on Saturdays, and will not take place on Sundays or public holidays.						
N6	All blasting will be carried out by a registered, and suitably qualified contractor, and be in accordance with a blast management plan and limits set in Table 1.						
N7	A Blast Management Plan is to be designed and implemented prior to any blasting occurring on site.						
N8	When requested by the administering authority for the purposes of investigating complaints of noise and vibration annoyance that in the opinion of an authorised officer are a complaint, monitoring must be undertaken (and results notified within 14 days to the administering authority) and at least the following descriptors, characteristics and conditions determined: a) maximum instantaneous charge (MIC) in kg; b) location of the blast within the quarry (including which bench level); c) airblast overpressure level, dB (linear) peak; d) peak particle velocity (mms^{-1}); e) location, date and time of recording; f) meteorological conditions (including temperature, relative humidity, temperature gradient, cloud cover, wind speed and direction); and g) distance/s from the blast site to noise-affected building/s, structure/s, or the boundary of any noise sensitive place.						
N9	Air blast over pressure level, vibration limits and blast timings must comply with the levels specified in Table 1. Table 1- Air blast overpressure level & vibration limits at a nuisance sensitive place <table><tr><th>Location</th><th>Monday to Friday 9am - 3pm Saturday 9am -1pm</th><th>Sundays and public holidays</th></tr><tr><td></td><td></td><td></td></tr></table>	Location	Monday to Friday 9am - 3pm Saturday 9am -1pm	Sundays and public holidays			
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	Air Blast Overpressure Level		
	Nuisance Sensitive Place- Houses and low rise residential buildings	The air blast overpressure must not be more than 115dB (linear) peak for nine out of any ten consecutive blasts initiated, regardless of the interval between blasts. The airblast overpressure must not exceed 120dB (linear) peak for any blast.	No blasting to occur
	Nuisance sensitive Place- Commercial and industrial buildings or structures or reinforced concrete or steel construction.		
	Vibration Limits		
	Nuisance Sensitive Place- Houses and low rise residential buildings	The ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated. The ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.	No blasting to occur
	Nuisance sensitive Place- Commercial and industrial buildings or structures or reinforced concrete or steel construction.		

Agency interest: Waste	
Condition number	Condition
W1	All waste generated must be lawfully transported and disposed of to a facility which can lawfully accept such waste.

Agency interest: Water	
Condition number	Condition
WA1	Contaminants must not be directly or indirectly released to any waters, including groundwater, or to the bed or banks of any waters.
WA2	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

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WA3	An Erosion and Sediment Control Plan must be prepared and implemented within 30 days from the date of this approval for all land disturbances associated with the extractive industry.
WA4	The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.
WA5	All activities related to this environmental authority, including extraction, screening, crushing, stockpiling, haul access and any other form a site disturbance, must not occur within 25 metres of any watercourse.
WA6	The holder of this environmental authority, and any associated operators, must not build a sedimentation dam within any watercourse, gully or stream.
Agency interest: Land	
Condition number	Condition
L1	Contaminants must not be released to land.
L2	The site (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) must be rehabilitated in a manner so that: a) suitable native species of vegetation are planted and established; b) potential for erosion of the site is minimised; c) the quality of water and seepage released from the site is such that releases of contaminants are not likely to cause environmental harm; d) the likelihood of environmental nuisance being caused by release of dust is minimised; e) the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm; f) the actions of natural events including, but not limited to, rainfall, bushfire and wind events, may not result in environmental harm; and g) the final landform is stable and not subject to slumping.
L3	Rehabilitation of disturbed areas must take place progressively as stages are completed and new stages of extraction are commenced.
L4	Access to areas awaiting rehabilitation or being rehabilitated must be restricted by suitable barriers to prevent disturbance of these areas.
Agency interest: Non-Standard Conditions	

Condition number	Condition
NS1	A Post Closure Report must be submitted to the administering authority for comment within 30 days after the completion of each Stage. The Post Closure Report must contain the following: a) rehabilitation report for any completed Stage; b) a biodiversity survey including constraint mapping and recommended actions for next Stage; c) proposed Sedimentation and Erosion Control Plan for the next Stage; d) site based management plan; and e) an estimated commencement date for next Stage.
NS2	The species used in the rehabilitation process under condition L2, must include where possible, the same species as present on the extractive area prior to the activity commencing.

[illegible]

END OF ENVIRONMENTAL AUTHORITY