

Permit

Environmental Protection Act 1994

Environmental authority EPPR00228013

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

Environmental authority number: EPPR00228013

Environmental authority takes effect on 09 October 2018

Environmental authority holder(s)

Name(s)	Registered address
MCKINLAYS WESTERN CREEK SAND PTY LTD	1 Kitchener Street TOOWOOMBA QLD 4350

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Adjacent to Lot 154/FTY1763
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Adjacent to Lot 154/FTY1763
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Lot 10/DY218
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 12/DY979
Prescribed ERA, 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	Lot 2/DY381
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 9/SP187046
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Lot 10/DY387
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Lot 18/RP234416

Environmental authority

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.

Environmental authority

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

Enquiries:
Coastal and Marine Assessment
Department of Environment and Science
Phone: 1300 130 372
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Date issued: 09 October 2018

Environmental authority

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

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

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.

Schedule 1

Standard Conditions

This environmental authority contains standard conditions.

Environmentally relevant activity	Location
ERA 16(3)(a) – Screening, in a year, the following quantity of material, 5000t to 100,000t	Lot 18 RP234416

The conditions of approval for the environmentally relevant activity conducted at the location described above must be conducted in accordance with the standard conditions contained within the attached document entitled:

- ***Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – Version 2.***

Schedule 2

PART 1

Conditions of environmental authority

Environmentally relevant activity	Locations
16 -1(a) - dredging, in a year, 1,000t to 10,000t of materials	O'Connors Road CATTLE CREEK QLD 4407 - Lot 10 Plan DY218
	Stewart Road CATTLE CREEK - Lot 12 Plan DY979

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G1-1	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.
G1-2	A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with Part 1 condition G1-1: a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release, j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
G1-3	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.

G1-4	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; and 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.
G1-5	From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be 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.
G1-6	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G1-7	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
A1-1	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 upwind 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 (pm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A1-2	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.
A1-3	The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A1-4	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive 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 of 2003 (or more recent editions); OR b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: • Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet -Gravimetric method'; or • any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
Agency interest: Land	
Condition number	Condition
L1-1	Access for machinery over the banks of the watercourse to the authorised site must be via existing tracks only.

L1-2	Excavation permitted under the authority of this approval is to be limited to the bed of the watercourse.																																																							
L1-3	All machinery used in the works is to be stored, refuelled and maintained outside the high banks of the watercourse.																																																							
L1-4	No native vegetation shall be destroyed or damaged.																																																							
Agency interest: Noise																																																								
Condition number	Condition																																																							
N1-1	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.																																																							
N1-2	Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place																																																							
N1-3	All noise nuisance from activities must not exceed the levels specified in Table 1 - Noise limits at any sensitive or commercial place. Table 1 - Noise limits <table><tr><th rowspan="2">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr><tr><th>7am - 6pm</th><th>6pm - 10pm</th><th>10pm - 7am</th><th>9am - 6pm</th><th>6pm - 10pm</th><th>10pm - 9am</th></tr><tr><td colspan="7">Noise measured at a 'Noise sensitive place'</td></tr><tr><td>LA10,adj, 10mins</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td></tr><tr><td>¹LA1,adj, 10mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr><tr><td colspan="7">Noise measured at a 'Commercial place'</td></tr><tr><td>LA10, adj, 10 mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr><tr><td>LA1, adj, 10 mins</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td></tr></table>	Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am	Noise measured at a 'Noise sensitive place'							LA10,adj, 10mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0	¹ LA1,adj, 10mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5	Noise measured at a 'Commercial place'							LA10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5	LA1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10
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LA1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10																																																		
N1-4	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.																																																							

Agency interest: Water	
Condition number	Condition
W1-1	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
W1-2	Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of surface waters.
W1-3	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
W1-4	No stockpiling of fill is to be undertaken within the watercourse.

PART 2

Conditions of environmental authority

Environmentally relevant activity	Location
16 -1(a) - dredging, in a year, 1,000t to 10,000t of materials	O'Connors Road CATTLE CREEK QLD 4407 - Lot 10 Plan DY218

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G2-1	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
Agency interest: Air	
Condition number	Condition
A2-1	When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by a release to the atmosphere from a release point at the site, and the results thereof notified to the administering authority within 14 days following completion of monitoring.
Agency interest: Land	
Condition number	Condition
L2-1	Contaminants must not be released to land.
L2-2	Dredging within the watercourse is not permitted if there is waterflow in watercourse.

PART 3

Conditions of environmental authority

Environmentally relevant activity	Location
16 -1(a) - dredging, in a year, 1,000t to 10,000t of materials	Stewart Road CATTLE CREEK - Lot 12 Plan DY979

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G3-1	The daily operation of the waste water treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

PART 4

Conditions of environmental authority

Environmentally relevant activity	Locations
16 -1(b) - dredging, in a year, 10,000t to 100,000t of materials	Adjacent to Lot 154 Plan FTY1763 Western Creek in New Dunmore State Forest at Coordinates - 27.8533°S 150.8619°E

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G4-1	In carrying out an ERA to which this approval relates all reasonable and practicable measures must be taken to prevent and/or minimise the likelihood of environmental harm being caused.
G4-2	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; and 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.
G4-3	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G4-4	All records required by this approval must be kept for 5 years
G4-5	A competent person(s) must conduct any monitoring required by this approval.
G4-6	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 if the activity is a mobile ERA.

G4-7	From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be 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.
G4-8	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G4-9	Telephone the EPA'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.
G4-10	All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.
G4-11	Anyone operating under this approval must be trained in the use of the spill kit.
G4-12	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
A4-1	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place: f) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR g) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size- (selective inlet - Gravimetric method; or any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
A4-2	The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A4-3	When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by a release to the atmosphere from a release point at the site, and the results thereof notified to the administering authority within 14 days following completion of monitoring.
A4-4	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 upwind 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 c) metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere over a 24hr averaging time.
Agency interest: Land	
Condition number	Condition
L4-1	Contaminants must not be released to land.

L4-2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.
Agency interest: Noise	
Condition number	Condition
N4-1	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Resource Management's Noise Measurement Manual.
N4-2	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: - LA 10, adj, 10 mins - LA 1, adj, 10 mins - the level and frequency of occurrence of impulsive or tonal noise; - atmospheric conditions including wind speed and direction; - effects due to extraneous factors such as traffic noise; and - location, date and time of recording.
N4-3	Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place
Agency interest: Water	
Condition number	Condition
W4-1	No stockpiling of material is to be undertaken within the bed and banks of any waters.
W4-2	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
W4-3	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
W4-4	Dredging within the watercourse is not permitted if there is waterflow in the watercourse.
W4-5	Contaminants must not be released from the site to any waters or the bed and banks of any waters.
W4-6	All machinery used in the works are to be stored, refuelled and maintained outside the high banks of the watercourse.

PART 5

Conditions of environmental authority

Environmentally relevant activity	Location
16 -3(a) - screening, in a year, 5,000t to 100,000t of materials	Adjacent to Lot 154 Plan FTY1763 Western Creek in New Dunmore State Forest at Coordinates - 27.8533°S 150.8619°E

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G5-1	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.
G5-2	All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.
G5-3	Telephone the EPA'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.
G5-4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G5-5	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; and 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.

G5-6	From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be 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.
G5-7	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G5-8	A competent person(s) must conduct any monitoring required by this approval.
G5-9	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 if the activity is a mobile ERA.
G5-10	Anyone operating under this approval must be trained in the use of the spill kit.
G5-11	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
A5-1	When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by a release to the atmosphere from a release point at the site, and the results thereof notified to the administering authority within 14 days following completion of monitoring.
A5-2	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.
A5-3	The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A5-4	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 upwind 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 (pm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A5-5	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive 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 of 2003 (or more recent editions); OR b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

Agency interest: Land	
Condition number	Condition
L5-1	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 – Storage and Handling of Flammable and Combustible Liquids.
L5-2	Contaminants must not be released to land.
Agency interest: Noise	
Condition number	Condition
N5-1	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Resource Management's Noise Measurement Manual.
N5-2	Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place
N5-3	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: – LA 10, adj, 10 mins – LA 1, adj, 10 mins – the level and frequency of occurrence of impulsive or tonal noise; – atmospheric conditions including wind speed and direction; – effects due to extraneous factors such as traffic noise; and – location, date and time of recording.
Agency interest: Water	
Condition number	Condition
W5-1	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
W5-2	Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of surface waters.
W5-3	No stockpiling of material is to be undertaken within the bed and banks of any waters.
W5-4	All machinery used in the works are to be stored, refuelled and maintained outside the high banks of the watercourse.

W5-5	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
W5-6	Contaminants must not be released from the site to any waters or the bed and banks of any waters

PART 6

Conditions of environmental authority

Environmentally relevant activity	Location
16 -1(a) - dredging, in a year, 1,000t to 10,000t of materials	Prospect CECIL PLAINS - Lot 10 Plan DY387, Lot 2 Plan DY381 and Lot 9 Plan SP187046

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G6-1	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.
G6-2	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; and 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.

G6-3	From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be 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.
G6-4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G6-5	Telephone the EPA'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.
G6-6	The daily operation of the waste water treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

G6-7	A written notice detailing the following information must be provided to the EPA within 14 days of any advice provided in accordance with condition General 5: a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release, j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
G6-8	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
A6-1	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 upwind 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 (pm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A6-2	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.

A6-3	The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A6-4	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive 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 of 2003 (or more recent editions); OR b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: – Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet -Gravimetric method'; or – any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
Agency interest: Land	
Condition number	Condition
L6-1	Access for machinery over the banks of the watercourse to the authorised site must be via existing tracks only.
L6-2	Excavation permitted under the authority of this approval is to be limited to the bed of the watercourse.
L6-3	All machinery used in the works is to be stored, refuelled and maintained outside the high banks of the watercourse.
L6-4	No native vegetation shall be destroyed or damaged.
L6-5	No stockpiling of fill is to be undertaken within the watercourse.
Agency interest: Noise	
Condition number	Condition
N6-1	The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.
N6-2	Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place

N6-3	All noise from activities must not exceed the levels specified in Table 1 - Noise limits at any nuisance sensitive or commercial place. Table 1 - Noise limits <table><tr><th rowspan="3">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr><tr><th>7am - 6pm</th><th>6pm - 10pm</th><th>10pm - 7am</th><th>9am - 6pm</th><th>6pm - 10pm</th><th>10pm - 9am</th></tr><tr><th colspan="6">Noise measured at a 'Noise sensitive place'</th></tr><tr><td>LA10,adj, 10mins</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td></tr><tr><td>LA1,adj, 10mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr><tr><th colspan="7">Noise measured at a 'Commercial place'</th></tr><tr><td>LA10, adj, 10 mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr><tr><td>LA1, adj, 10 mins</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td></tr></table>	Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am	Noise measured at a 'Noise sensitive place'						LA10,adj, 10mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0	LA1,adj, 10mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5	Noise measured at a 'Commercial place'							LA10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5	LA1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10
Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays																																																			
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LA10,adj, 10mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0																																																	
LA1,adj, 10mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5																																																	
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LA10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5																																																	
LA1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10																																																	
N6-4	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.																																																						
Agency interest: Water																																																							
Condition number	Condition																																																						
W6-1	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.																																																						
W6-2	Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of surface waters.																																																						
W6-3	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.																																																						

Definitions

Key terms and/or phrases bolded in this environmental authority 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.

24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24-hour duration precipitation event with an average recurrence interval of once in 10 years. For example, an Intensity–Frequency–Duration table for a 24-hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm.

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.

Background bore means **groundwater** monitoring bore, constructed in accordance with the <insert relevant standard>, and used to sample **groundwater** from an aquifer the water quality of which may be potentially affected by the **activity**. This may be an **up-gradient bore**, **down-gradient bore** or bore in the same aquifer in a nearby location unaffected by the **activity**.

Blasting is the use of explosives to fracture:

- (a) rock, coal and other minerals for later recovery; or
- (b) structural components or other items to facilitate removal from a site or for reuse.

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.

Compliance bore means a bore, constructed in accordance with the <insert relevant standard>, and used to monitor compliance with the groundwater quality limits.

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.

Down-gradient bore means a **background bore** in a location hydraulically down gradient of those aspects of the **activity** that may affect groundwater quality.

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.

Early warning bore means a down-gradient bore located between the landfilled waste or other contamination risk and compliance bore(s) to provide early warning of contaminant release.

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.

Groundwater monitoring system means a system of **groundwater** monitoring devices, such as monitoring bores, used to provide data in respect to the level and quality of **groundwater** in the uppermost aquifer where the location of the **groundwater** monitoring devices is such that comparisons of **groundwater** quality and **groundwater** level can be made between **groundwater** flowing from beneath the site (down-gradient flow) of the **activity** and **groundwater** flowing towards the site of the **activity** (up-gradient flow).

Incompatible waste means waste that may chemically react when:

1. placed in proximity to other wastes; and/or
2. mixed with other wastes.

$L_{Aeq\ adj, T}$ means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than one hour when the approved **activity** is causing an intermittent noise.

$L_{Amax, T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

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.

Receiving environment monitoring program means a monitoring program designed to monitor and assess the potential impacts of controlled and/or uncontrolled releases of contaminants to the environment from the **activity**.

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).

Up-gradient bore means a **background bore**, in a location hydraulically up gradient of all potential influences of the **activity** that may affect **groundwater** quality.

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.

END OF ENVIRONMENTAL AUTHORITY

Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 3a - screening 5000 tonnes to 100,000 tonnes of material in a year.

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the ERA are able to be managed by the standard conditions. Eligibility criteria set out the circumstances in which a standard or variation application for an environmental authority can be made.

Standard conditions

Standard conditions are the minimum operating requirements an environmental authority holder must comply with.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they can make a standard application. Applicants are required to complete a 'Standard application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Variation applications

If an applicant can meet all of the eligibility criteria but needs to vary one or more of the standard conditions to suit their operational needs, then they can make a variation application. Applicants are required to complete a 'Variation application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Site specific applications

Applicants who cannot meet the eligibility criteria must make a site specific application. Applicants are required to complete a 'Site specific application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Amendment applications

If the holder of an environmental authority needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Definitions

Some terms used in this document are defined in Appendix 1.

Version history

Version	Date	Description of changes
1	6 December 2013	Eligibility criteria and standard conditions take effect
2	30 September 2015	Updated for repeal of wild river provisions (as allowed in section 715C of the <i>Environmental Protection Act 1994</i>) and version history added
2	15 August 2016	Added publication number ESR/2015/1704

Eligibility criteria and standard conditions

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material screened does not exceed 100,000 tonnes per year.
Activity location	The facility is not within 1000 metres of: • a dwelling, residential allotment, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital • a protected area under the <i>Nature Conservation Act 1992</i> • a public park or gardens unless the facility is only for the screening of material for the construction or maintenance of rail transport infrastructure and roads and those residing at any of the above places, or the landowner where there are no residents, have agreed in writing to the facility. The facility is not carried out in any category A or B environmentally sensitive area. The facility is not within 100 metres of any watercourse, wetland or spring. The facility is not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.
Air	The combustion of fuel, other than natural gases, does not exceed 500 kilograms per hour.
Water	There is no release of aqueous waste from the activity to waters.

Standard conditions

Conditions
General
G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.
G2: The activity must be undertaken in accordance with written procedures that: • identify potential risks to the environment from the activity during routine operations and emergencies • establish control measures that minimise the potential for environmental harm • ensure plant and equipment is maintained and operated in proper and effective condition • ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i> • ensure that reviews of environmental performance are undertaken at least annually.
G3: The activity must not cause environmental nuisance at a nuisance sensitive place.
G4: The activity must not cause the release of dust or particulates that causes environmental nuisance beyond the boundary of the site.
G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
Noise
N1: The activity must not cause audible noise (a) on a business day or Saturday, before 7.00am or after 7.00pm; or (b) on any other day, before 8.00am or after 7.00pm at any of the following places: - a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises - a kindergarten, school, university, library, childcare centre or other educational institution - a medical centre or hospital.
Land
L1: Contaminants must not be released to land from the activity.
L2: Acid sulfate soils, acid producing rock and marine sediments must not be processed.
Water
W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to: • prevent any release of aqueous waste from the ponds • ensure the stability of the pond structure.
W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the

Eligibility criteria and standard conditions

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

release of sediment.
W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.
Waste
R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Appendix 1: Terms and definitions

Term	Definition
Activity	the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.
Aqueous waste	any aqueous waste including process water, water that has otherwise been used in the carrying out of the activity or sewage, whether or not the waste has been treated, but excluding stormwater and water used for dust suppression that has been treated to remove contaminants.
Audible noise	noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Category A or B environmentally sensitive area	as defined in Schedule 12, Part 1 of the Environmental Protection Regulation 2008.
Chemical	as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.
Contaminant(s)	as defined in Section 11 of the <i>Environmental Protection Act 1994</i> .
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Environmental harm	as defined in Section 14 of the <i>Environmental Protection Act 1994</i> .
Environmental nuisance	as defined in Section 15 of the <i>Environmental Protection Act 1994</i> .
Facility	the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.
Land	land excluding waters and the atmosphere. Land includes land on the authorised place.
Maintenance	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Minimise	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	nuisance sensitive place includes: • within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises

Eligibility criteria and standard conditions

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

	• 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 <i>Nature Conservation Act 1992</i>, within a marine park under the <i>Marine Parks Act 1992</i> 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.
Rail transport infrastructure	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Road	as defined in section 93 of the Land Act 1994
Spring	the land to which water rises naturally from below the ground and the land over which the water then flows.
Waters	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.
Watercourse	as defined in Section 8, Schedule 12 of the Environmental Protection Regulation 2008.
Wetland	as defined in Schedule 12 of the Environmental Protection Regulation 2008, means an area shown as a wetland on the map of referable wetlands.

Appendix 2: General obligations for environmental authority holders

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and holders are encouraged to familiarise themselves with all requirements related to their specific operation.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of the standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994* which may apply unless the environmental harm is authorised by the conditions of the environmental authority.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However, maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection (EHP) website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - the activity has caused the unauthorised connection of two or more aquifers.

For more information on the duty to notify requirements refer to the guideline 'Duty to notify of environmental harm' (EM467).

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of more than \$5000 also constitute serious environmental harm.

Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the Environment Protection (Waste Management) Regulation 2000

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

