

# Permit

Environmental Protection Act 1994

## Environmental authority EPPR00234613

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

**Environmental authority number: EPPR00234613**

**Environmental authority takes effect on 11 February 2019**

### Environmental authority holder(s)

Name(s)	Registered address
SIBELCO LIME (NSW) PTY LTD	Level 16 111 Pacific Highway NORTH SYDNEY NSW 2060

### Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 80/USL34972
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 209/DL673
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 1/RP909046
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 1/MPH3895
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 1/DT40155
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 29/DL673

### 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

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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](http://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.

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

**Date issued: 12 February 2019**

**Enquiries:**  
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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
A1	<p><b>Prevent and/or minimise the likelihood of environmental harm</b></p> <p>In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.</p> <p><b>NOTE:</b> This authority/approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.</p>
A2	<p><b>Maintenance of measures, plant and equipment</b></p> <p>The holder must:</p> <ul style="list-style-type: none"> <li>a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and</li> <li>b) maintain such measures, plant and equipment in a proper and efficient condition; and</li> <li>c) operate such measures, plant and equipment in a proper and efficient manner.</li> </ul>
A3	<p><b>Site based management plan</b></p> <p>From commencement of the activity, 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 Environmentally Relevant Activities that are carried out.</p> <p>The site based management plan must address the following matters:</p> <ul style="list-style-type: none"> <li>a) Environmental commitments - a commitment by senior management to achieve environmental goals;</li> <li>b) Identification of environmental issues and potential impacts;</li> <li>c) Control measures for routine operations to minimise likelihood of environmental harm;</li> <li>d) Contingency plans and emergency procedures for non-routine situations;</li> <li>e) Organisational structure and responsibility;</li> <li>f) Effective communication;</li> <li>g) Monitoring of the contaminant releases;</li> <li>h) Conducting environmental impact assessments;</li> <li>i) Staff training;</li> <li>j) Record keeping; and</li> <li>k) Periodic review of environmental performance and continual improvement.</li> </ul>

Agency interest: Air	
Condition number	Condition
B1	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 odour sensitive place.
B2	<p><b>Dust nuisance</b></p> <p>The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.</p> <p>Excedence of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition B1.</p> <ul style="list-style-type: none"> <li>a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 2003; or</li> <li>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 dust sensitive place downwind of the site, when monitored in accordance with: <ul style="list-style-type: none"> <li>i. Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or</li> <li>ii. 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.</li> </ul> </li> </ul>
B3	<p>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:</p> <ul style="list-style-type: none"> <li>a) for a complaint alleging dust nuisance, dust deposition; and</li> <li>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.</li> </ul>
Agency interest: Water	
Condition number	Condition
C1	All reasonable and practicable erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
C2	Prevent the release of sediment to waters or a build up of sediment in any stormwater drain.

C3	<b>Release to waters</b> Contaminants must not be released from the site to any waters or the bed and banks of any waters.
C4	<b>Stormwater management</b> 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.
<b>Agency interest: Land</b>	
<b>Condition number</b>	<b>Condition</b>
E1	<b>Preventing contaminant release to land</b> Contaminants must not be released to land.
E2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.  <b>NOTE:</b> All petroleum product storage's must be designed, constructed and maintained in accordance with Section 5.9 of AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 2017.
<b>Agency interest: Noise and Vibration</b>	
<b>Condition number</b>	<b>Condition</b>
F1	<b>Noise nuisance</b> Noise from activities must not cause an environmental nuisance at any noise sensitive place, any commercial place or any noise-affected premises.
F2	<b>Noise monitoring</b> 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: <ul style="list-style-type: none"> <li>a) <math>L_A</math> 10, adj, 10 mins;</li> <li>b) <math>L_A</math> 1, adj, 10 mins;</li> <li>c) the level and frequency of occurrence of impulsive or tonal noise;</li> <li>d) atmospheric conditions including wind speed and direction;</li> <li>e) effects due to extraneous factors such as traffic noise; and</li> <li>f) location, date and time of recording.</li> </ul>
F3	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authorities' Noise Measurement Manual.



Agency interest: Waste	
Condition number	Condition
G1	<b>Waste handling</b> All regulated waste removed from the site must be removed by a person who holds a current environmental authority to transport such waste under the provisions of the <i>Environmental Protection Act 1994</i> .
Agency interest: Reporting	
Condition number	Condition
H1	<b>Complaint response</b> All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

## 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.

**"acceptance criteria"** means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding:

- a) vegetation establishment, survival and succession;
- b) vegetation productivity, sustained growth and structure development;
- c) fauna colonisation and habitat development;
- d) ecosystem processes such as soil development and nutrient cycling, and the recolonisation
- e) of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- f) microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- g) effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- h) resilience of vegetation to disease, insect attack, drought and fire;
- i) vegetation water use and effects on ground water levels and catchment yields.

**"airblast overpressure"** means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dB).

**"ambient (or total) noise"** at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.

**"competent person"** means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.

**"authority"** means environmental authority (mining activities) under the *Environmental Protection Act 1994*.

**"blasting"** means the use of explosive materials 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.

**"commercial place"** means a work place used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees accommodation or public roads.

**"cubic metre" ("m<sup>3</sup>")** means the volume of dry gaseous contaminant which occupies 1 cubic metre at a temperature of zero degrees Celsius and at an absolute pressure of 101.3 kilopascals.

**"dam"** means a containment or proposed containment whether permanent or temporary, which is designed to contain, divert or control flowable substances. However this does not include a fabricated or manufactured tank or container designed to a recognised standard.

**"dust sensitive place"** means —

- a) a dwelling, mobile home or caravan park, residential marina or other residential place;
- b) a motel, hotel or hostel;
- c) a kindergarten, school, university or other educational institution;
- d) a medical centre or hospital;
- e) a protected area;
- f) a park or gardens or;
- g) a place used as an office or for business or commercial purposes and includes the curtilage of any such place.

**"environmental authority holder"** means the holder of this environmental authority.

**"hazardous waste"** means any substance, whether liquid, solid or gaseous, derived by or resulting from, the processing of minerals that tends to destroy life or impair or endanger health.

**"infrastructure"** means water storage dams, roads and tracks, buildings and other structures built for the purpose of mining activities but does not include facilities required for the long term management of mining impacts or the protection of potential resources. Such facilities include dams containing hazardous waste, waste rock dumps, voids, or ore stockpiles and buildings or other structures whose ownership can be transferred and which have a residual beneficial use for the next owner of the operational land or the background land owner.

**"L<sub>A</sub> 10, adj, 10 mins"** means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for 10% of any 10-minute measurement period, using Fast response.

**"L<sub>A</sub> 1, adj, 10 mins"** means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for 1% of any 10-minute measurement period, using Fast response.

**"L<sub>A, max adj, T</sub>"** means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

**"land"** in the "land schedule" of this document means land excluding waters and the atmosphere.

**"land capability"** as defined in the DNRME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

**"land suitability"** as defined in the DNRME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

**"land use"** term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

**"mandatory reporting level"** means the volume below the spillway crest, equivalent to the lower of the AEP, 72 hour storm or the AEP wave allowance (AEP is the annual exceedance probability).

**"mineral"** means a substance which normally occurs naturally as part of the earth's crust or is dissolved or suspended in water within or upon the earth's crust and includes a substance which may be extracted from such a substance, and includes:

- a) clay if mined for use for its ceramic properties, kaolin and bentonite;
- b) foundry sand;
- c) hydrocarbons and other substances or matter occurring in association with shale or coal and necessarily mined, extracted, produced or released by or in connection with mining for shale or coal or for the purpose of enhancing the safety of current or future mining operations for coal or the extraction or production of mineral oil therefrom;
- d) limestone if mined for use for its chemical properties;
- e) marble;
- f) mineral oil or gas extracted or produced from shale or coal by in situ processes;
- g) peat;
- h) salt including brine;
- i) shale from which mineral oil may be extracted or produced;
- j) silica, including silica sand, if mined for use for its chemical properties; or
- k) rock mined in block or slab form for building or monumental purposes;

but does not include —

- l) living matter;
- m) petroleum within the meaning of the *Petroleum Act 1923*;
- n) soil, sand, gravel or rock (other than rock mined in block or slab form for building or monumental purposes) to be used or to be supplied for use as such, whether intact or in broken form; or
- o) water.

**"noxious"** means harmful or injurious to health or physical well being, other than trivial harm.

**"non-standard"** means a mining operation that if in the opinion of the administering authority does not have a low risk of serious environmental harm and the activities can not comply with the criteria for standard mining activities prescribed in schedule 1A of the Environmental Protection Regulation 2008. The standard mining activity trigger criteria are as follows;

- a) the mining activities do not or will not cause more than 10 ha of land to be significantly disturbed at any one time;
- b) the mining activities do not or will not cause more than 5 ha of land to be significantly disturbed at any one time;
- c) in a riverine area;
  - i. because of mine workings;
  - ii. the mining activities are not or will not be carried out in, or within 2 km of a category A Environmentally Sensitive Area;
- d) the mining activities are not or will not be carried out in, or within 1 km of a category B Environmentally sensitive area;
- e) the mining activities do not include a level 1 environmentally relevant activity;
- f) no more than 20 persons are carrying out or will, at any one time, carry out the mining activities.

**"offensive"** means causing reasonable offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive; other than trivial harm.

**"peak particle velocity (ppv)"** means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mms<sup>-1</sup>).

**"protected area"** means'- a protected area under the *Nature Conservation Act 1992*; or

- a) a marine park under the *Marine Parks Act 2004*; or
- b) a World Heritage Area.

**"progressive rehabilitation"** means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

**"reference site"** (or analogue site) may reflect the original location, adjacent area or another area where rehabilitation success has been completed for a similar biodiversity. Details of the reference site may be as photographs, computer generated images and vegetation models, etc.

**"rehabilitation"** the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

**"representative"** means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

**"residual void"** means an open pit resulting from the removal of ore and/or waste rock which will remain following the cessation of all mining activities and completion of rehabilitation processes.

**"self sustaining"** means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority.

**"sensitive place"** means;

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other
- b) residential premises; or
- c) a motel, hotel or hostel; or
- d) an educational institution; or
- e) a medical center or hospital; or
- f) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- g) a public park or gardens.

**"significant disturbance"** — includes land

- a) if it is contaminated land; or
- b) it has been disturbed and human intervention is needed to rehabilitate it.
- c) to a state required under the relevant environmental authority; or
- d) if the environmental authority does not require the land to be rehabilitated to a particular state —to its state immediately before the disturbance.

Some examples of disturbed land include:

- a) areas where soil has been compacted, removed, covered, exposed or stockpiled;
- b) areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- c) areas where land use suitability or capability has been diminished;
- d) areas within a watercourse, waterway, wetland or lake where mining activities occur;

- e) areas submerged by tailings or hazardous contaminant storage and dam walls in all cases; areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads, etc) which is to be removed after mining activities have ceased; or
- f) areas where land has been contaminated and a suitability statement has not been issued.

However, the following areas are not included:

- g) areas off lease (e.g. roads or tracks which provide access to the mining lease);
- h) areas previously significantly disturbed which have achieved the rehabilitation outcomes; by agreement with the Administering Authority, areas previously significantly disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- i) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the administering authority;
- j) disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

**"waters"** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea) or any part thereof.

## END OF ENVIRONMENTAL AUTHORITY