Queensland Government

Department of
Environment and Heritage Protection

To: Paroo Shire Council
PO Box 75
CUNNAMULLA QLD 4490

Email: chris.cowley@paroo.qld.gov.au;
anthony.white@paroo.qld.gov.au

Your reference: EPPR00408913
Our reference: 222691

Application details

I refer to the application that was received by the administering authority on 25-Oct-2016 to amend an environmental authority.

Land description: Westlea Pit located at Thurulgoona Road CUNNAMULLA QLD 4490 - Lot 6 Plan KU18

Decision

Your application has been approved and your environmental authority (reference EPPR00408913) is attached.

Additional comments or advice

You are advised that if you are not the owner of the land to which the environmental authority relates, you have 10 business days from receipt of this environmental authority to give each owner of the land, written notice that you have been issued this environmental authority.

Should you have any further enquiries, please contact Sara Tynan on telephone 1300 130 372.

Yours sincerely

Signature	Date
Chrooney	7/12/16

Chris Mooney
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Sara Tynan
Heritage, Utilities and Government Organisations Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
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Enclosed

Permit - environmental authority (reference EPPR00408913)

Permit[1]

Environmental Protection Act 1994

Environmental authority EPPR00408913

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

Permit[1] number: EPPR00408913

Environmental authority takes effect on the day the delegate signs this document

The anniversary date of this environmental authority is 18 February each year. An annual return and the payment of the annual fee will be due each year on this day

Environmental authority holder(s)

Name	Registered address
Paroo Shire Council	49 Stockyard Street CUNNAMULLA QLD 4490

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2a) Extractive >5000t but <100000t yr	Glenoxford Pit CUNNAMULLA QLD 4490 - Lot 5 Plan NB32 and Lot 1 Plan NO16 Thurrulgoonia Pit Jobs Gate Road CUNNAMULLA QLD 4490 - Lot 3 Plan SP238532 and Lot 1 Plan NO16
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Old Charleville Road CUNNAMULLA QLD 4490 - Lot 8 Plan SP109211 Yowah Waste Disposal -Bluff Road - - Lot 11 Plan WN235
60-(2b) Waste disposal >2000t but <5000t yr (1)(b)	Old Charleville Road CUNNAMULLA QLD 4490 - Lot 84 Plan C14610
63-(1c) Sewage treatment >1500 to 4000EP	Wicks Street CUNNAMULLA QLD 4490 - Lot 4 Plan C1466, Lot 5 Plan C1466 and Lot 6 Plan C1466

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Environmentally relevant activity(ies)	Location(s)
Sites covered by standard conditions for ERA 16: 16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	9 Mile Hlil Eulo Pit Adventure Way EULO QLD 4491 No lot or plan as the site is in a road reserve Aldville Pit Humeburn Road WYANDRA QLD 4489 - Lot 5 Plan HU44 Allawoona 1625 Western Warrego Road,WYANDRA QLD 4489 - Lot 7 Plan SP103478 Alpha Pit Elmina Road WYANDRA QLD 4489 - Lot 2 Plan P5353 Boobara #2 Pit Humeburn Road WYANDRA QLD 4489 - Lot 21 Plan HU53 Bulloo Development Road and Adventure Way EULO QLD 4491 - Lot 9 Plan W51224 Charlotte Plains Borrow Pit Balonne Highway CUNNAMULLA QLD - Lot 2 Plan NO12 Springvale Pit 15.8km Hungerford Road EULO QLD 4491 - Lot 2 Plan WN18 Springvale Pit 5km Hungerford Road EULO QLD 4491 - Lot 15 Plan WN60 Tarko Pit 1 29.2km LHS Hungerford Road EULO QLD 4491 - Lot 1 Plan NL21 Tarko Pit 2 29.2km RHS Hungerford EULO QLD 4491 - Lot 1 Plan NL21 Tarko Intersection Tarko, Hungerford Rd – Lot 7 W5165 Thurrulgoonia Road CUNNAMULLA QLD 4490 - Lot 5 Plan KU58 Tinnenburra Pit Cuttaburra Road CUNNAMULLA QLD 4490 - Lot 3 Plan KU42 Trunkey Hill Borrow Pit - Mitchell Highway Cunnamulla - Lot 1 Plan WN105 Turn Turn Pit 1 35.9km LHS Hungerford Road EULO QLD 4491 - Lot 5 Plan NL22 Turn Turn Pit 2 35.9km RHS Hungerford Road EULO QLD 4491 - Lot 5 Plan NL22 Turn Turn Pit 3 39.1km LHS Hungerford Road EULO QLD 4491 - Lot 5 Plan NL22 Turn Turn Pit 4 39.1km RHS Hungerford Road EULO QLD 4491 - Lot 5 Plan NL22

Environmentally relevant activity(ies)	Location(s)
	Turn Turn Pit 5 46.2km Hungerford Road EULO QLD 4491 - Lot 8 Plan NL23 Turn Turn Pit 6 50.4km Hungerford Road EULO QLD 4491 - Lot 8 Plan NL23 Westlea Pit Thurulgoona Road CUNNAMULLA QLD 4490 – Lot 6 Plan KU18
Sites covered by standard conditions for ERA 16: 16-(2a) Extractive >5000t but <100000t yr	Claverton Road WYANDRA QLD 4489 - Lot 29 Plan P532 Darrawong Pit Jobs Gate Road CUNNAMULLA QLD 4490 - Lot 4 Plan NB7 South Plains Pit Munda Munda Road CUNNAMULLA QLD 4490 - Lot 1 Plan CS8 Tarko #Red Hungerford Road EULO QLD 4491 - Lot 1 Plan NL21 Turn Turn #8 Hungerford Road and EULO QLD 4491 - Lot 8 Plan NL23 Turn Turn #Red Hungerford Road EULO QLD 4491 Qld 4491 - Lot 5 Plan NL22

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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 land give written notice to the chief executive if they become aware of the following:

- a notifiable activity (as defined in Schedule 3) that is being, or has been, carried out on the land (notice must be given within 20 business days)

- an event involving a hazardous contaminant on the land, or a change in the condition of the contaminated land, that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours).

For further information, including the form for giving written notice, refer to the Queensland Government website http://www.qld.gov.au/ (using the search term 'managing contaminated land').

Signature	Date
CMooney	7/12/16

Chris Mooney
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Heritage, Utilities and Government Organisations Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 6037
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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

Part One

Environmentally relevant activities	Locations
60-(2b) Waste disposal >2000t but <5000t yr (1)(b)	Old Charleville Road, Cunnamulla, Lot 84 Plan C14610
63-(1c) Sewage treatment >1500 to 4000EP	Wicks Street, Cunnamulla, Lot 4 Plan C1466, Lot 5 Plan C1466, Lot 6 Plan C1466
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Old Charleville Road, Cunnamulla, Lot 8 Plan SP109211 Yowah Waste Disposal Facility, Bluff Road, Lot 11 Plan WN235
16-(2a) Extractive >5000t but <100000t yr	Thurrulgoonia Pit, Adjacent to Lot 1 Plan NO16, Lot 3 Plan SP238532 Glenoxford Pit, Adjacent to Lot 1 Plan NO16, Lot 5 Plan NB32

The environmentally relevant activity(ies) 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**
1G-1	All reasonable and practicable **measures** must be taken to prevent the likelihood of environmental harm being caused.

1G-2	The **activity** must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the **activity** during routine operations, closure and an emergency; b) establish and maintain control **measures** that minimise the potential for environmental harm; c) ensure plant, equipment and **measures** are maintained in a proper and effective condition; d) ensure plant, equipment and **measures** are operated in a proper and effective manner; e) ensure that staff are trained in and aware of their obligations under the *Environmental Protection Act 1994;* and f) ensure that reviews of environmental performance are undertaken at least annually.
1G-3	All information and **records** required by the conditions of this environmental **authority** must be kept for a minimum of five years with the exception of environmental monitoring results which must be kept until surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the **administering authority** upon request and in the format requested.
1G-4	**You** must record the following details for all environmental complaints received: a) date and time complaint was received; b) name and contact details of the complainant; c) nature of the complaint; d) investigations undertaken; e) conclusions formed; and f) actions taken.
1G-5	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable, or at most, within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.

Part Two

Environmentally relevant activities	Locations
63-(1c) Sewage treatment >1500 to 4000EP	Wicks Street, Cunnamulla, Lot 4 Plan C1466, Lot 5 Plan C1466, Lot 6 Plan C1466

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

Agency interest: Water

Condition number	Condition
2WT-1	The only pump stations permitted to release contaminants to any **waters** are those listed below at the corresponding overflow locations:

Pump Station Number/Description		Overflow Location
a) Outside No. 2 Murray Street	Cunnamulla	Warrego River
b) Rear of 49. Stockyard Street	Cunnamulla	Warrego River
c) Outside 25. Bowra Street	Cunnamulla	Warrego River
d) Outside No. 34 Alice Street	Cunnamulla	open drain and swamp
e) Cnr. Wick and Emma Streets	Cunnamulla	open drain and swamp

Part Three

Environmentally relevant activities	Locations
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Yowah Waste Disposal Facility, Bluff Road, Lot 11 Plan WN235
60-(2b) Waste disposal >2000t but <5000t yr (1)(b)	Old Charleville Road, Cunnamulla, Lot 84 Plan C14610
63-(1c) Sewage treatment >1500 to 4000EP	Wicks Street, Cunnamulla, Lot 4 Plan C1466, Lot 5 Plan C1466, Lot 6 Plan C1466

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

Agency interest: Noise

Condition number	Condition
3N-1	Noise from the **activity** must not exceed the levels identified in Part 2 - Table 1 Noise limits when measured in accordance with the associated monitoring requirements.

Part 2 – Table 1 Noise Limits

Time period	Noise level at a 'Noise sensitive place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$ Note 1
7am - 6pm	Background noise level plus 5 dB(A)
6pm - 10pm	Background noise level plus 5 dB(A)
10pm - 7am	Background noise level plus 3 dB(A)
Time period	**Noise level at a 'Commercial place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$**
7am - 6pm	Background noise level plus 10 dB(A)
6pm - 10pm	Background noise level plus 10 dB(A)
10pm - 7am	Background noise level plus 8 dB(A)

Note 1: $L_{A\ 10,\ adj,\ 15\ mins}$ levels may be substituted for $L_{Amax,\ adj,\ 15\ mins}$ levels if evidence is provided that $L_{A\ 10,\ adj,\ 15\ mins}$ levels are representative of component noise levels from source(s)/premises under investigation.

Associated requirements:
Any monitoring must be in accordance with the most recent version of the **administering authority's** *Noise Measurement Manual.*

Part Four

Environmentally relevant activities	Locations
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Old Charleville Road, Cunnamulla, Lot 8 Plan SP109211

The environmentally relevant activity(ies) 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**
4G-1	All reasonable and practicable **measures** must be taken to prevent the likelihood of environmental harm being caused.
4G-2	When the deposition of waste to the landfill unit ceases, a final capping system to the landfill unit must be designed by an **appropriately qualified person** and installed to minimise: a) infiltration of water into the landfill unit and water ponding on the surface; and b) the likelihood of any erosion occurring to either the final capping system or the landfilled materials. A final capping system is not required where the deposition of waste to a landfill unit ceases temporarily for the purpose of using an alternative working face.
4G-3	Following cessation of deposition of waste in the landfill unit, post-closure care of the landfill unit must be conducted for a period of 30 years or until the **administering authority** determines, on the basis of correct information, that the landfill unit and surrounding site are stable and that no release of waste materials, leachate, landfill gas or other contaminants that may cause environmental harm is likely.
4G-4	A site management plan pursuant to Chapter 7, Part 8, of the *Environmental Protection Act 1994* must be developed and provided to the **administering authority** at least 12 months before the expected final receipt of waste in the landfill unit. The site management plan must include, but is not to be limited to, the future land use and actions intended to taken for compliance with the closure and post-closure care requirements of this approval.
4G-5	An annual monitoring report must be prepared and submitted to the **administering authority** by 30 November each year, for the preceding financial year.
Agency interest: Air	
Condition number	**Condition**
4A-1	Odours or airborne contaminants which are **noxious** or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any **sensitive place** or **commercial place**.

4A-2	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 (µm) (PM_{10}) 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: i) *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 ii) any alternative method of monitoring PM_{10} which may be permitted by the *'Air Quality Sampling Manual'* as published from time to time by the administering authority.
4A-3	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 (µm) (PM_{10}) suspended in the atmosphere over a 24hr averaging time.
Agency interest: Land	
Condition number	**Condition**
4L-1	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
Agency interest: Noise	
Condition number	**Condition**
4N-1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**

Agency interest: Waste	
Condition number	**Condition**
4WS-1	Notwithstanding any condition of this approval, the following waste materials are not permitted or allowed to be deposited in the landfill unit: a) liquid or semiliquid waste other than liquid or semiliquid waste which has been produced in carrying out the ERA; b) hot ash; c) material that is smouldering or aflame; d) material containing a substance which is ignitable, corrosive, reactive or toxic (other than materials containing a toxic substance from domestic premises) unless this material is to be deposited into a dedicated monocell approved in writing by the **administering authority**; e) an explosive; f) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction; and g) whole scrap tyres at the rate exceeding 10,000 equivalent passenger-tyre units (EPU) per annum.
Agency interest: Water	
Condition number	**Condition**
4WT-1	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**.
4WT-2	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
4WT-3	The following materials must not be used for dust suppression purposes: a) used oil; and b) landfill gas condensate; and c) any other material such as leachate or stormwater contaminated by contact with wastes, when the use of the said material causes or is likely to cause unlawful environmental harm.

Part Five

Environmentally relevant activities	Locations
16-(2a) Extractive >5000t but <100000t yr	Thurrulgoonia Pit, Adjacent to Lot 1 Plan NO16, Lot 3 Plan SP238532 Glenoxford Pit, Adjacent to Lot 1 Plan NO16, Lot 5 Plan NB32

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

Agency interest: Air	
Condition number	**Condition**
5A-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 (µm) (PM_{10}) suspended in the atmosphere over a 24hr averaging time.
5A-2	Odours or airborne contaminants must not cause **environmental nuisance** at a **sensitive place** or **commercial place**.
5A-3	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 (µm) (PM_{10}) 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: i) *Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air - Particulate matter* - Determination of suspended particulate PM_{10} high-volume sampler with size-selective inlet -Gravimetric method'; or ii) any alternative method of monitoring PM_{10} 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**
5L-1	**Land** that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: a) suitable species of vegetation for the location are established and sustained for earthen surfaces; b) potential for erosion is minimised; c) the quality of **water**, including seepage, released from the site does not cause environmental harm; d) potential for **environmental nuisance** caused by dust is minimised; e) the water quality of any residual water body does not have potential to cause **environmental harm**; f) the final landform is stable and protects public safety; and g) the contaminant concentrations within the final capping layer are appropriate for the final land use and in accordance with the *'National Environmental Protection (Assessment of Soil Contamination) Measure 1999.'*
5L-2	Following cessation of deposition of waste in the landfill unit, post-closure care of the landfill unit must be conducted for a period of 30 years or until the **administering authority** determines, on the basis of correct information, that the landfill unit and surrounding site are stable and that no release of waste materials, leachate, landfill gas or other contaminants that may cause environmental harm is likely.
5L-3	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
5L-4	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
Agency interest: Noise	
Condition number	**Condition**
5N-1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency interest: Water	
Condition number	**Condition**
5WT-1	The size of any sedimentation dam must be sufficient to contain the run-off expected from a **24 hour storm with an average recurrence interval of 1 in 5 years**.
5WT-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**.

Part Six

Standard Conditions

The conditions of approval for the environmentally relevant activities conducted at the location as described in **Part 6 – Table 1** below are standard conditions as defined in the *Environmental Protection Regulation 2008* as:

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

All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.

Part 6 – Table 1: Sites covered by the standard conditions

ERA'S	PIT NAME	PROPERTY / ROAD	LOT / PLAN	LATITUDE	LONGITUDE
16-(2a) Extractive >5000t but <100000t yr	Claverton Road	Claverton Road, WYANDRA	29 P532	-27.2389 -27.2400 -27.2326 -27.2335	146.9774 146.9713 146.9684 146.9779
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Alpha	Elmina Rd	Road Reserve	-27.27802 -27.27614 -27.27659 -27.27851	146.14517 146.14534 146.15021 146.14997
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Boobara #2	Humeburn Rd	21 HU53	-27.53266 -27.53401 -27.53538 -27.53383	145.28815 145.29091 145.29004 145.28733
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Aldville	Humeburn Rd	5 HU44	-27.36716 -27.35954 -27.36119 -27.35871	145.20711 145.21112 145.20992 145.20595
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	9 Mile Hill Eulo	Adventure Way	Road Reserve	-28.14808 -28.14907 -28.14879 -28.14786	144.94757 144.94756 144.94464 144.94482
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Springvale 5km	Springvale, Hungerford Rd	15 WN60	-28.19382 -28.19418 -28.19570 -28.19535	144.97583 144.97678 144.97588 144.97511
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Springvale 15.8km	Springvale , Hungerford Rd	2 WN18	-28.28135 -28.28111 -28.28314 -28.28287	144.93491 144.93425 144.93411 144.93330
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Tarko Intersection	Tarko, Hungerford Rd	7 W5165	-28.33186 -28.33145 -28.33215	144.90585 144.90628 144.90723

ERA'S	PIT NAME	PROPERTY / ROAD	LOT / PLAN	LATITUDE	LONGITUDE
				-28.33266	144.90681
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Tarko 1 29.2km LHS	Tarko, Hungerford Rd	1 NL21	-28.37742	144.85477
				-28.37781	144.85857
				-28.37337	144.85995
				-28.37587	144.86151
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Tarko 2 29.2km RHS	Tarko, Hungerford Rd	1 NL21	-28.37429	144.85208
				-28.37352	144.85265
				-28.37581	144.85484
				-28.37408	144.85583
16-(2a) Extractive >5000t but <100000t yr	Tarko #Red	Hungerford Road, Eulo	1 NL21	-28.36401	144.87150
				-28.36315	144.87075
				-28.36135	144.87362
				-28.36194	144.87421
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 1 35.9km LHS	Turn Turn, Hungerford Rd	5 NL22	-28.42448	144.81252
				-28.42447	144.81372
				-28.42147	144.81252
				-28.42128	144.81401
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 2 35.9km RHS	Turn Turn, Hungerford Rd	5 NL22	-28.42449	144.81229
				-28.42439	144.81075
				-28.42126	144.81221
				-28.42115	144.81059
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 3 39.1km LHS	Turn Turn, Hungerford Rd	5 NL22	-28.45310	144.81313
				-28.45291	144.81473
				-28.44928	144.81306
				-28.44921	144.81419
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 4 39.1km RHS	Turn Turn, Hungerford Rd	5 NL22	-28.45339	144.81285
				-28.45367	144.81204
				-28.44926	144.81277
				-28.44914	144.81186
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 5 46.2km	Turn Turn, Hungerford Rd	8NL23	-28.51406	144.80391
				-28.51424	144.80458
				-28.51508	144.80423
				-28.51525	144.80377
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Turn Turn 6 50.4km	Turn Turn, Hungerford Rd	8NL23	-28.55111	144.79874
				-28.55103	144.79921
				-28.55293	144.79895
				-28.55309	144.79842
16-(2a) Extractive >5000t but <100000t yr	Turn Turn #Red	Hungerford Road, Eulo	5NL22	-28.46524	144.81102
				-28.46719	144.81072
				-28.46705	144.80877
				-28.46509	144.80919

ERA'S	PIT NAME	PROPERTY / ROAD	LOT / PLAN	LATITUDE	LONGITUDE
16-(2a) Extractive >5000t but <100000t yr	Turn Turn #8	Hungerford Road, Eulo	8NL23	-28.57916	144.79367
				-28.57997	144.79313
				-28.57933	144.79200
				-28.57933	144.79145
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Bulloo Development Road & Adventure Way LHS	Bulloo Development Road & Adventure Way, Eulo	9 W51224	-28.15321	145.06165
				-28.14566	145.06537
				-28.14975	145.06738
				-28.14778	145.07494
				-28.14869	145.06369
				-28.14602	145.06815
				-28.14914	145.07043
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Allawoona	Western Warrego Road, Cunnamulla	7 SP103478	-27.40915	145.74167
				-27.40759	145.74121
				-27.40881	145.74348
				-27.40681	145.74294
				-27.40925	145.74277
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Thurrulgoona Reserve	Thurrulgoona Road, Cunnamulla	5 KU58	-28.67636	145.92735
				-28.67694	145.92725
				-28.67669	145.92596
				-28.67861	145.92563
				-28.67846	145.92485
				-28.67623	145.92535
				-28.67452	145.92046
16-(2a) Extractive >5000t but <100000t yr	Darrawong	Jobs Gate Road, Cunnamulla	4 NB7	-28.69980	146.59781
				-28.69942	146.59610
				-28.69876	146.59798
				-28.69865	146.59616
				-28.77184	146.69798
16-(2a) Extractive >5000t but <100000t yr	South Plains	Munda Munda Rd, Cunnamulla	1 CS8	-28.38885	146.70708
				-28.38889	146.70834
				-28.39013	146.70930
				-28.39094	146.70827
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Tinnenburra	Cuttaburra Rd, Cunnamulla	3 KU42	-28.73767	145.50781
				-28.73623	145.51048
				-28.73605	145.50966
				-28.73739	145.50697
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Charlotte Plains	Balonne Highway Cunnamulla	2 NO12 Road Reserve	- 27.97917	146.10057
				- 27.97761	146.10051
				- 27.97731	146.10307
				- 27.97874	146.10350

ERA'S	PIT NAME	PROPERTY / ROAD	LOT / PLAN	LATITUDE	LONGITUDE
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Trunkey Hill Borrow Pit	Mitchell Highway, Cunnamulla	Lot 1 WN105	-28.31991 -28.31995 -28.31801 -28.31759	145.74323 145.74588 145.74568 145.74428
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Westlea Pit	Thurulgoona Road Cunnamulla	Lot 6 Plan KU18	-28.67572 -28.67564 -28.67519 -28.67509 -28.67355 -28.67415	145.93097 145.92966 145.92972 145.92870 145.93018 145.93115

Definitions

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

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

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

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the environmental authority 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.

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.

Dredge spoil is **dredge material** that has been disturbed (i.e. extracted, transported, placed or disposed).

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

$L_{A\ 10,\ adj,\ 10\ mins}$ **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.

$L_{A,\ max\ adj,\ T}$ means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

Land means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes **tidal land**).

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

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

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

Release of a contaminant into the environment means to:

- deposit, discharge, emit or disturb the contaminant;
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed;
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed;
- allow the contaminant to escape; or
- fail to prevent the contaminant from escaping.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or

- a public park or garden; or
- for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

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.

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

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.

You means the holder of the environmental authority.

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.

END OF PERMIT

Attachments

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

Eligibility criteria and standard conditions for extracting material (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 2a - extracting 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 *Environmental Protection Act 1994*) and version history added
2	15 August 2016	Added publication number ESR/2015/1711

ABN 46 640 294 485

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material extracted 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 *Nature Conservation Act 1992* • a public park or gardens unless the facility is only for the extraction 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 in any category A or B environmentally sensitive area.
	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.
	The facility is not within 100 metres of any watercourse, wetland or spring.
	The maximum area of extraction workings is 5.0 hectares.
Activity operations	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.
Groundwater	The activity will not impact on the level of groundwater or on groundwater quality at or adjacent to the location where it is conducted.

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 *Environmental Protection Act 1994* • 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 cause 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.
Land
L1: Contaminants from the activity must not be released to land.
L2: As soon as practicable after completion of operational work land disturbed by the activity must be rehabilitated to achieve the following: 1. the land is safe for humans and fauna 2. the land has no subsidence or erosion gullies following completion of the rehabilitation 3. there is no ongoing contamination to waters 4. the maintenance requirements for the land are no greater than for the land before it was disturbed.
L3: Acid sulphate soils, acid-producing rock and marine sediments must not be processed.
Noise and Vibration
N1: The activity must not cause audible noise (a) on a business day or Saturday, before 7am or after 7pm (b) on any other day, before 8am or after 7pm 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.
N2: Blasting operations must comply with the following: 1. a blast management plan must be developed for each blasting activity in accordance with Australian Standard 2187 2. the airblast overpressure is less than 115dB Z Peak for 4 out of any 5 consecutive blasts

3. the airblast overpressure is less than 120dB Z Peak for all blasts 4. the ground vibration is not: (i) for vibrations of more than 35Hz—more than 25 millimetres (mm) a second ground vibration, peak particle velocity (ii) for vibrations of no more than 35Hz—more than 10mm a second ground vibration, peak particle velocity.
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 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	means noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Australian Standard 2187	Australian Standard AS 2187.2- 2006 Explosives – Storage, transport and use – use of explosives.
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.
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Contaminant(s)	as defined in Section 11 of the *Environmental Protection Act 1994.*
Environmental harm	as defined in Section 14 of the *Environmental Protection Act 1994.*
Environmental nuisance	as defined in Section 15 of the *Environmental Protection Act 1994.*
Extraction workings	extraction workings means an area from which quarry material or overburden has been extracted, or on which product or waste rock is stored and that has not been rehabilitated in accordance with condition L2
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 *Transport Infrastructure Act 1994.*
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 • within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a world heritage area • within a public thoroughfare, park or gardens • within or outside of a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.
Rail transport infrastructure	as defined in Schedule 6 of the *Transport Infrastructure Act 1994*.
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 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 2 or more aquifers.

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

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 over $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.

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

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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

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Definitions

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

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2	30 September 2015	Updated for repeal of wild river provisions (as allowed in section 715C of the *Environmental Protection Act 1994*) and version history added
2	15 August 2016	Added publication number ESR/2015/1704

Queensland Government

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 *Nature Conservation Act 1992* • 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 *Environmental Protection Act 1994* • 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

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 *Environmental Protection Act 1994.*
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Environmental harm	as defined in Section 14 of the *Environmental Protection Act 1994.*
Environmental nuisance	as defined in Section 15 of the *Environmental Protection Act 1994.*
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 *Transport Infrastructure Act 1994.*
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

	• within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a world heritage area • within a public thoroughfare, park or gardens • within or outside of a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.
Rail transport infrastructure	as defined in Schedule 6 of the *Transport Infrastructure Act 1994*.
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).

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.