

Permit

Environmental Protection Act 1994

Environmental authority EPPR00552913

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

Environmental authority number: EPPR00552913

Environmental authority takes effect on 28 June 2017

Environmental authority holder(s)

Name(s)	Registered address
Cypress Bark & Mulch Pty Ltd	286 Oakey Flat Rd MORAYFIELD QLD 4506 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 151/LY269

Additional information for applicants

Environmentally relevant activities

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

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the Environmental Protection Act 1994 (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Environmental authority

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.

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

Date issued: 29 June 2017

Enquiries:
Extraction, Energy and Chemical Industries
Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Obligations under the Environmental Protection Act 1994

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Legislative Requirements and Conditions of Environmental Authority

Condition

General

- A1 A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
- A2 Any record or document required to be kept by a condition of this environmental authority must be kept at the holder's administrative office, for a period of at least five years and be available for examination by an authorised person. For daily and weekly records, the record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.
- A3 No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority. An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.
- A4 All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.
- A5 All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.
- A9 The holder of this environmental authority must:
(a) develop and implement an Integrated Environmental Management System which provides for the following functions:
(i) the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; and
(ii) staff training and awareness of environmental issues; and
(iii) the conduct of environmental and energy audits; and
(iv) waste prevention, treatment and disposal; and
(v) a program for continuous improvements; and
(vi) reporting arrangements on the effectiveness of the environmental management of the activities.
(b) implement the Integrated Environmental Management System.
- A10 A copy of the Integrated Environmental Management System must be kept at the holder's administrative office,
- A11 The holder of this environmental authority shall ensure that the operation and maintenance of the extraction is carried out by or under the supervision of a person competent to operate and maintain the extraction pit.
- G1 Where regulated waste is removed from the authorised place (other than by a release as permitted under this environmental authority), the holder of this environmental authority must monitor and keep records of the following:
(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste.

- G2 If the holder of this environmental authority becomes aware that a person has removed regulated waste from the authorised place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.
- H1 All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the authorised place must be recorded and kept with the following details:
- (a) time, date and nature of complaint;
 - (b) type of communication (telephone, letter, personal etc.);
 - (c) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
 - (d) response and investigation undertaken as a result of the complaint;
 - (e) name of person responsible for investigating complaint; and
 - (f) action taken as a result of the complaint investigation and signature of responsible person.
- H2 A record must be maintained of at least the following events:
- (a) the time, date and duration of equipment malfunctions where the failure of the equipment resulted in the release of contaminants reasonably likely to cause environmental harm;
 - (b) any uncontrolled release of contaminants reasonably likely to cause environmental harm; and
 - (c) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.
- H3 Where the holder of this environmental authority has not given notification to the administering authority under section 320DA of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.
- H4 Where the holder of this environmental authority has not given notification to the administering authority under section 320DA of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number, H3, must include but not be limited to the following:
- (a) the holder of the environmental authority;
 - (b) the location of the emergency or incident;
 - (c) the number of the environmental authority;
 - (d) the name and telephone number of the designated contact person;
 - (e) the time of the release;
 - (f) the time the holder of the environmental authority became aware of the release;
 - (g) the suspected cause of the release;
 - (h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
 - (i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.
- H5 Where the holder of this environmental authority has not given notification to the administering authority under section 320DA of the Environmental Protection Act, not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number, H4, in addition to:
- (a) proposed actions to prevent a recurrence of the emergency or incident;
 - (b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

- H6 The holder of this environmental authority must notify the administering authority in writing within 28 days of completion of analysis of any result of a monitoring program required by a condition of this environmental authority, which indicates an exceedance of any limit specified in this environmental authority.
- H7 The written notification required by condition number H6, above, must include:
(a) the full analysis results; and
(b) details of investigation or corrective actions taken; and
(c) any subsequent analysis.

Acoustic

- NSF The emission of noise from the licensed activities shall conform to the contents of the Environmental Protection (Noise) Policy 1997.

Air

- B1 In the event of a complaint made to the administering authority regarding odour generated on the authorised place that constitutes annoyance and the administering authority considers that complaint to be neither frivolous or vexatious, the holder of this environmental authority must take measures to mitigate the odour source and to minimise noxious or offensive odour being released beyond the boundaries of the authorised place.
- B2 Any stockpiles of inert cover material must be managed so as to minimise wind blown dust emissions.
- B3 The holder of this environmental authority must ensure that all wastes accepted onto the authorised place are handled, disposed of or stockpiled in such a way as to minimise dust generation.

Definitions

"regulated waste" Defined in Schedule 7 of the Environmental Protection Regulation 2008.