

Permit

Environmental Protection Act 1994

Environmental authority EPPR00700213

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

Environmental authority number: EPPR00700213

Environmental authority takes effect on 25 January 2023.

Environmental authority holder(s)

Name(s)	Registered address
NINE MILE SANDS PTY LTD	920 Uncle Toms Road, Tarramba 4702

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	1/RP603316
ERA 16 - Extraction and Screening - 3(a) - Screening, in a year, the following quantity of material - 5,000t to 100,000t	1/RP603316
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	250/R2621
ERA 16 - Extraction and Screening - 3(a) - Screening, in a year, the following quantity of material - 5,000t to 100,000t	250/R2621
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	4/LN883

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening - 3(a) - Screening, in a year, the following quantity of material - 5,000t to 100,000t	4/LN883
ERA 33 – crushing, grinding, milling or screening more than 5,000t of material in a year	250/R2621
ERA 54 (1) – operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste only.	250/R2621

Additional information for applicants

Environmentally relevant activities

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

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

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

Contaminated land

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

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

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

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

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

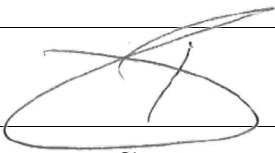
- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the original take effect date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day.

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.


Signature

25 January 2023
Date

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

Enquiries:

Energy and Extractive Resources Business
Centre

GPO Box 2454, BRISBANE QLD 4001

Phone: (07) 3330 5715

Email: EnergyandExtractive@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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)

Other permits required

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

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at <https://www.rshq.qld.gov.au/>, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. If you are unsure that you have the most current version of the environmental authority relating to this site please visit <https://apps.des.qld.gov.au/env-authorities/> to access all environmental authorities currently approved.

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
A1	Scale and Intensity of Activity - The amount of sand extracted from the quarry in any one (1) year is to be no more than 100,000 tonnes. - The only wastes or materials permitted to be reprocessed under ERA 33 and ERA 54 are: - returned concrete, - solid concrete washout; - recycled aggregates consisting of waste bricks, pavers, ceramics, railway ballast, hardened concrete, and recovered pavement material; and - furnace bottom ash from Stanwell Power Station - The amount of waste or materials to be reprocessed must not exceed 37,500 tonnes per annum. - Wastes or materials must be reprocessed only within existing operational areas for extractive and screening activities on Lot 250 on R2621.
A2	Location of Extraction and Screening Activities Extraction and screening activities are only approved for Lot 250 on R2621. Lot 1 on RP603316 and Lot 4 on LN883 are only approved for access to the extraction and screening activities. No extraction and screening activities are to be conducted on Lot 1 on RP603316 or Lot 4 on LN883.
A3	Approved Plans The development is approved generally in accordance with Drawing No. WD 1057.2, titled 'Proposed Site Development Layout A' and Drawing No. WD 1057.2, titled 'Proposed Site Development Layout B' dated September 2010 and prepared by Schlencker Surveying.
A4	Hours of operation Extraction and screening activities must only be carried out from Monday to Saturday inclusive (excluding public holidays), between 0600 and 1800 hours and Sundays (excluding public holidays) between 0600 and 1500 hours.
A5	Prevent and/or minimise likelihood of environmental harm A person carrying out an environmentally relevant activity (ERA) to which this approval relates, must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused.

A6	A copy of this approval must be kept in a location readily accessible to personnel carrying out the activity.
A7	Record Keeping The operator of an ERA authorised by this approval must record, compile and keep all data required by this approval. These data must be made available to the administering authority with the submission of each annual return.
A8	All records required by this approval must be kept for 5 years.
A9	Notification Any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonably expected to be in accordance with the conditions of this approval must be reported by telephone to the administering authorities' Pollution Hotline or the district office located in the area where the release occurred. Any such release must be reported as soon as the holder of the approval becomes aware of the emergency incident or event. Note: as at 20.12.2011 the number for the Pollution Hotline was 1300 130 372. This number may change at any time in the future and should be checked prior to use.
A10	Information to follow notification A written notice detailing the following information must be provided to the administering authority within 7 days of any advice provided in accordance with condition A7. a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) the quantity and nature of the substance released; d) vehicle and registration details; e) the names of person/s involved in the release and/or cleanup; f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) details of the area of impact; j) the results of any sampling performed in relation to the release, k) actions taken to mitigate any environmental harm caused by the release and details of the success of these actions; and l) proposed actions to prevent a recurrence of the release.

Agency interest: Air	
Condition number	Condition
B1	Nuisance The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive place.
B2	Dust Nuisance The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.
B3	Dust suppression measures must be implemented and maintained on site to prevent the movement of dust, created as a result of the activity, past the site boundaries.
B4	Dust and particulate matter emissions must not exceed the following concentrations at any nuisance sensitive place: a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority.
B5	When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within 7 days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance 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) (PM₁₀) suspended in the atmosphere over a 24hr averaging time.
Agency interest: Land	
Condition number	Condition
C1	Topsoil must be:

	a) removed, where practicable, from areas to be significantly disturbed prior to the commencement of extraction activities; and b) stockpiled in a manner that will preserve its biological and chemical integrity; and used for onsite rehabilitation purposes.
C2	Protecting Land from Contaminants Activities on site must be conducted in a way that prevents any potential or actual release of contaminants to land.
C3	There are to be no fuels or oils stored on site. Extraction equipment will be refuelled by transporting fuel to the site.
C4	Rehabilitation As soon as practicable, but no later than 6 months after completing extraction in each stage, disturbed areas must be rehabilitated in accordance with the Rehabilitation Management Plan (refer to condition C5). This includes rehabilitating all disturbed areas such as slopes, borrow pits, stockpile storage, and sediment basins.
C5	Rehabilitation Management Plan Not more than one (1) year after the commencement of activities on site, the holder of this approval must complete an investigation into rehabilitation of disturbed areas and submit a Rehabilitation Management Plan for the administering authority's review, comment and acceptance. On acceptance of the plan it must be implemented immediately. The Rehabilitation Management Plan must, at a minimum: a) map areas of rehabilitation; b) specify soil characteristics, soil analysis, soil separation for use on rehabilitation; c) detail rehabilitation methods applied to areas; d) contain landform design criteria including end of quarry design; e) explain planned vegetation rehabilitation areas and corridors; f) describe post quarry land uses across the site.
C6	Maintenance of rehabilitated areas must take place to ensure: a) erosion control measures remain effective; b) significant plant losses are examined for possible causes; c) the rehabilitated land should be capable of withstanding normal disturbances such as fire or flood.
C7	Spill Kit(s) Appropriate spill kit(s) and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.
C8	All relevant personnel operating under this approval must be trained in the use of the spill kit(s).

Agency interest: Acoustic																
Condition number	Condition															
D1	Nuisance Noise resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.															
D2	Noise from activities must not result in measured levels greater than those specified in the following table. Noise limits – Nuisance sensitive place <table><tr><th rowspan="2">Noise level dB(A) measured as</th><th>Monday to Saturday</th><th>Sunday</th></tr><tr><th>6am to 6pm Blasting limits</th><th>6am to 6pm</th></tr><tr><td>LA90, adj, 15mins</td><td>lesser of bg+3 or 48</td><td>lesser of bg+3 or 48</td></tr><tr><td>LA10, adj 15mins</td><td>lesser of bg+5 or 50</td><td>lesser of bg+5 or 50</td></tr><tr><td>LA1, adj, 15mins</td><td>lesser of bg+10 or 55</td><td>lesser of bg+10 or 55</td></tr></table> bg = badqqground noise level, LA90, 15 mins. In the event that measured bg is less than 25 dB(A), then 25 dB(A) is to be used. The noise levels specified are measured outdoors in the free field at a location at least 4m from the external façade of a building at the nuisance sensitive place Measured levels include background plus the activity.		Noise level dB(A) measured as	Monday to Saturday	Sunday	6am to 6pm Blasting limits	6am to 6pm	LA90, adj, 15mins	lesser of bg+3 or 48	lesser of bg+3 or 48	LA10, adj 15mins	lesser of bg+5 or 50	lesser of bg+5 or 50	LA1, adj, 15mins	lesser of bg+10 or 55	lesser of bg+10 or 55
Noise level dB(A) measured as	Monday to Saturday	Sunday														
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LA10, adj 15mins	lesser of bg+5 or 50	lesser of bg+5 or 50														
LA1, adj, 15mins	lesser of bg+10 or 55	lesser of bg+10 or 55														
D3	When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any complaint about noise nuisance being caused by the activity, and the noise monitoring results notified to the administering authority within 7 days.															
D4	The method of measurement and reporting of noise levels in response to any noise monitoring conducted under this approval must be in accordance with the most recently published edition of the administering authorities Noise Measurement Manual or an equivalent authoritative document approved by the administering authority (e.g. AS 1055 Acoustics — Description and measurement of environmental noise).															
Agency interest: Social																
Condition number	Condition															
E1	Complaint Response The operator of the activity must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant;															

	b) the allegation made by the complainant; c) details of communications with the complainant; d) any investigations undertaken; e) conclusions formed; and any actions taken
E2	The operator of the activity must attempt to make contact with any complainant within 24 hours of a complaint being received and initiate complaint resolution measures as set out in any Site Based Management Plan developed for the site.
Agency interest: Waste	
Condition number	Condition
F1	All waste (not including overburden) generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste. No waste is to be disposed of on site.
F2	Waste, including vegetation matter, must not be burnt on site.
F3	Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any waters.
Agency interest: Water	
Condition number	Condition
G1	Erosion protection measures and sediment control measures must be implemented and maintained to minimise: a) erosion of soils in areas disturbed by the activity; and b) the release of sediment to any waters.
G2	Any process water (e.g. water used during screening and washing) flowing over disturbed areas including but not limited to the screening and storage areas, must be diverted to an onsite sediment basin.
G3	Sediment basins must be constructed and maintained: a) so as to minimise the likelihood of any release of contaminants or wastes through the bed or banks of the structure to any waters (including groundwater) b) so that a freeboard of not less than 0.5 metres is maintained at all times, except in the event of exceptional weather conditions where the maintenance of such is impossible.
G4	Contaminants must not be directly or indirectly released to any waters, including groundwater, or the bed or banks of any waters.

G5	Groundwater A groundwater monitoring program must be developed prior to commencing operation of the extractive activity. The groundwater monitoring program will be submitted to the administering authority to assess its suitability. The groundwater monitoring program will address at least the following: a) The installation of at least 3 monitoring bores around the property boundary of the proposed quarry site; b) Groundwater level in monitoring bores must be recorded at least once in every month to an accuracy of 0.01 m; c) Where quarrying is conducted by removal of groundwater prior to the extraction of quarry material, using an appropriate flow meter, the volume of groundwater extracted from all groundwater sources used in the operation must be determined and recorded as monthly totals.
G6	Where quarrying is conducted by removal of ground water prior to the extraction of quarry material, the production bore must only be operated so as to maintain a sufficient drawdown level in the extraction pit to permit the continued extraction of sand.
G7	Where quarrying is conducted by removal of groundwater prior to the extraction of quarry material, the removed groundwater must be directed to a sediment basin.
G8	Where quarrying is conducted by pumping of sand and groundwater, residual water may be either returned to the quarrying pit or directed to a sediment basin. Any residual water that is directed back to the extraction pit must be free of contaminants other than sediment from the extraction process.
G9	Stormwater Management Suitable banks and/or diversion drains must be installed and maintained so that all stormwater originating from land up-gradient of disturbed areas, including extraction and storage areas is diverted away from entering these areas and any ponds or other structures used for the storage or treatment of contaminants.
G10	All stormwater flowing over disturbed areas including but not limited to the extraction area and storage areas, must be diverted to an onsite sediment basin.
G11	Contaminants other than settled/treated stormwater runoff water must not be released to surface waters or the bed or banks of any watercourse.
G12	Suitable banks/bund walls must be installed and maintained around extraction pits to achieve immunity from a Q100 flood event and ensure flood water can not enter the pits should a Q100 flood be experienced.

Definitions

Key terms and/or phrases used in this document 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.

Activity means — an environmentally relevant activity, or associated auxiliary activity to which this approval relates.

Administering authority means —

- a) for a matter, the administration and enforcement of which has been devolved to a local government under section 514 of the *Environmental Protection Act 1994* — the local government; or
- b) for all other matters — the Chief Executive of the Department of Environment Science; or
- c) another State Government Department, Authority, Storage Operator, Board or Trust, whose role is to administer provisions under another enacted legislation.

Authorised place means — the place authorised under this approval for the carrying out of the specified environmentally relevant activities.

Bund means —

- a) an earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil etc.); or
- b) a structure to prevent or reduce soil erosion.

Contaminant means — (Section 11 of the EP Act)

- a) a gas, liquid or solid; or
- b) an odour; or
- c) an organism (whether alive or dead), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants

Deposit means — drop, place or throw a contaminant in waters or onto a place or releases the contaminant or otherwise cause it to move into waters or onto a place.

Dwelling means — any of the following structures or vehicles that is principally used as a residence —

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

Effective dust control system means — a method, process, procedure or course of action that if taken, will minimise the likelihood of environmental nuisance being caused.

Environmental nuisance means — (Section 15 of the EP Act) unreasonable interference or likely interference with an environmental value caused by:

- a) noise, dust, odour, light; or
- b) an unhealthy, offensive or unsightly condition because of contamination; or
- c) another way prescribed by regulation (e.g. unreasonable noise or dust emissions).

Furnace bottom ash means the agglomerated particles formed at the bottom of the furnace. Furnace bottom ash is typically grey to black in colour, is quite angular, and has a porous surface structure.

Hardened concrete means a building or construction material made from a mixture of aggregate, sand, cement, and water.

Impulse adjustment means — an adjustment applied if impulsiveness is a significant characteristic of the sound within a measurement time interval. If impulsive components are clearly audible, the adjustment will be 5 dB(A). If the components are only just detectable, an adjustment of 2 dB(A) will be appropriate.

Nuisance sensitive place means — any of the following places:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a library, childcare centre, kindergarten, school, college, university or other educational institution; or
- d) a hospital, surgery or other medical institution; or
- e) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment); or
- f) a protected area; or
- g) a place used as an office, business or commercial purposes; and includes a place within the curtilage of such, a place reasonably used by persons at that place.
- h) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Offensive means —causing offence or displeasure; is disagreeable to the sense; disgusting; nauseous or repulsive.

Person means as per Part 8 of the *Acts Interpretation Act 1954*.

Prescribed water contaminant means - as per Schedule 9 of the Environment Protection Regulation 2008.

Protected area means —

- a) a protected area under the *Nature Conservation Act 1992*; or
- b) a marine park under the *Marine Parks Act 1992*; or
- c) a World Heritage Area

Railway ballast means free draining coarse aggregate of high strength used as support for railway tracks.

Recovered pavement material means removed, surplus and/or unused pavement materials, including road base and sub-base materials, containing asphalt, sprayed seals, granular material, stabilised materials (including those stabilised with cementitious binders and bitumen) and/or aggregates.

Recycled aggregates means either railway ballast that does not require mechanical reprocessing for its intended reuse or aggregates produced from mechanically reprocessing waste bricks, pavers, ceramics, railway ballast, hardened concrete, and recovered pavement material.

Registration certificate means — a certificate given under section 73F of the EP Act to the principal holder of an ERA.

Release of a contaminant, includes —

- a) to deposit, discharge, emit or disturb the contaminant; and
- b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
- c) to allow the contaminant to escape; and
- d) to fail to prevent the contaminant from escaping.

Reprocessed (reprocessing) means mechanically crushing, milling, grinding, shredding, screening or sorting waste or material.

Returned concrete means any form of concrete product in its hardened or plastic state, and which is not reused in any concrete pour. It excludes construction and demolition waste.

Site means land on or in which it is proposed to carry out the development approved under this development approval.

Solid concrete washout means returned concrete which is washed out of concrete transport trucks and includes a mixture of fine aggregate (e.g. sand) and coarse aggregate (e.g. gravel and crushed stone) from the original concrete, and contains cement and other cementitious materials or chemicals that give the solid concrete washout resource significant residual alkalinity.

Topsoil means — the surface layer of a soil profile, which is usually more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

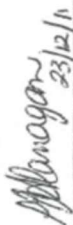
Water means —

- a) water in a watercourse, lake or spring;
- b) underground water;
- c) overland flow water; or
- d) water that has been collected in a dam.

Watercourse means — the meaning assigned to it in schedule 4 of the *Water Act 2000*.

Appendices





END OF ENVIRONMENTAL AUTHORITY