Permit

Environmental Protection Act 1994

Environmental authority EPPR00814313

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

Environmental authority number: EPPR00814313

Environmental authority takes effect on 01 May 2024

Environmental authority holder(s)

Name(s)	Registered address
ACLAND PASTORAL CO. PTY LTD	120 Muldu Plainview Road, MULDU QLD 4401

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 63 - Sewage Treatment 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of (a-i) 21 to 100EP if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme	Lot 1 on SP162572
ERA 50 - Mineral and bulk material handling 1: Loading or unloading 100t or more of minerals in a day, other than loading or unloading mentioned in item 3, or storing 50,000t or more of minerals (a) within 5km of the highest astronomical tide or 1km of a watercourse	Lot 1 on SP162572 Lot 2 on SP162572

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.

Queensland Government

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

Contaminated land

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

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

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

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

Take effect

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

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or

b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or

c) otherwise-on the day the authority is issued.

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

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

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Ben Byrd
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 5 May 2024

Enquiries:
Business Centre (Coal)
Department of Environment, Science and Innovation
PO Box 3028
EMERALD QLD 4720
Phone: (07) 4987 9320
Email: CRMining@des.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)

Conditions of Environmental Authority

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. This environmental authority consists of the following Schedules and Appendices:

Schedule G	General
Schedule A	Air
Schedule W	Water
Schedule N	Noise
Schedule L	Land
Schedule WS	Waste
Schedule C	Reporting and community complaint response
Appendices	Figures

Schedule: General	
Condition number	**Condition**
G1	In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused. **NOTE:** This environmental authority does not authorise environmental harm unless a condition contained within this environmental authority explicitly authorises that harm. Where there is no condition or the environmental authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
G2	The holder of this approval must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and (b) maintain such measures, plant and equipment in a proper and efficient operating condition; and (c) operate such measures, plant and equipment in a competent and efficient manner.

G3	From commencement of an ERA to which this approval relates, a site-based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The SBMP must address the following matters: (a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. (b) Identification of environmental issues and potential impacts. (c) Control measures for routine operations to minimise likelihood of environmental harm. (d) Contingency plans and emergency procedures for non-routine situations. (e) Organisational structure and responsibility. (f) Effective communication. (g) Monitoring of contaminant releases. (h) Conducting environmental impact assessments. (i) Staff training. (j) Record keeping. (k) Periodic review of environmental performance and continual improvement.
G4	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G5	The scale of the activities authorised by this approval in respect of loading coal trucks and trains is up to 5.2 million tonnes per annum based on the period August 1 to July 31 the following year.
G6	Throughput tonnages for the six months periods (August to January inclusive and February to July inclusive) are to be reported to the administering authority, in writing within one month of the completion period.
G7	The total capacity of product coal stockpiled at the JRLF at any one time will be restricted to less than or equal to 250,000 tonnes except due to extenuating circumstances subject to agreement with the administering authority. For the purpose of this condition "extenuating circumstances" are responding to a request in relation to an emergency situation, by or for an emergency service or other local or state government authority.

Schedule: Air	
Condition number	**Condition**
A1	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.
A2	When requested by the administering authority, odour monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within **fourteen (14) days** to the administering authority following completion of monitoring.
A3	If the administering authority determines the odour released to constitute an environmental nuisance, then the environmental authority holder must: (a) address the complaint including the use of appropriate dispute resolution if required; and (b) immediately implement odour abatement measures so that emissions of odour from the activity do not result in further environmental nuisance.
A4	The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A5	The environmental authority holder must ensure that dust and particulate matter emissions generated by the activity do not cause exceedances of the following levels when measured at any sensitive place or commercial place: (a) Dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of Standards Australia *AS/NZS 3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulate matter - Deposited matter - Gravimetric method*; (b) A concentration of particulate matter suspended in the atmosphere (TSP) of 80 micrograms per cubic metre over a 24-hour averaging time, when monitored consistent with the most recent version of *AS/NZS3580.9.8:2008 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - Total suspended particulate matter (TSP) – PM_{10} continuous direct mass method using a tapered element oscillating microbalance*[1], or an alternative method of monitoring TSP specifically permitted by the administering authority for this EA. (c) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time when monitored in accordance with the most recent version of Standards Australia AS 3580.9.8 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM_{10} continuous direct mass method using a tapered element oscillating microbalance analyser, or an alternative method of monitoring TSP specifically permitted by the administering authority for this EA.

A6	The holder of this approval must conduct a dust monitoring program in accordance with **Table A1 – Air quality monitoring program requirements** and **Figure 1 – Air quality monitoring locations**.
A7	The program must include: (a) the collection of air quality and meteorological data relevant to the locations described in **Table A1– Air quality monitoring program requirements**; (b) a forecasting system to identify adverse meteorological conditions likely to produce elevated levels of particulate matter at a sensitive place due to the environmentally relevant activities; and (c) a dust control strategy that would activate the timely implementation of high management dust control actions (listed in **Table A2 - Dust and particulate control actions**) in addition to the best practice dust control measures during periods identified in (b).

[1] Consistent with means use of a TSP inlet head in place of a size selective PM_{10} inlet head

A8

Table A1 — Air quality monitoring program requirements

Monitoring Location	Latitude (GDA94)	Longitude (GDA94)	Instrument	Frequency
DM1	27.37165	151.599178	TEOM	Continuous[1]
DM2	27.37377	151.59067	TEOM	Continuous[1]
AD27	27.37048	151.59374	Depositional gauge	Monthly
AD28	27.37180	151.59903	Depositional gauge	Monthly
AD29	27.373855	151.611698	Depositional gauge	Monthly
AD33	27.367017	151.594917	Depositional gauge	Monthly
AD35	27.368612	151.591045	Depositional gauge	Monthly
AD36	27.37377	151.59055	Depositional gauge	Monthly

[1]Instrument availability not less than 80% in any month

A9

The holder of the approval must report annually to the administering authority:

(a) the findings of the data analysis of dust and particulate matter monitoring including consideration of relevant meteorological data. The data should be included, and conclusions and recommendations made based on the findings;
(b) details of the use of high management control measures including the dust and atmospheric conditions that triggered the action, when, where and what action was applied, and the effectiveness of the action meeting the requirements of **Conditions A5** and **A6**;
(c) identification of any trends (daily or seasonally) that should be considered in management of the activities and dust management practices; and
(d) any changes to the dust and particulate control actions and monitoring resulting from an analysis of (a), (b) and (c).

<table>
<tr><td>A10</td><td>The holder of this approval must maintain equipment and implement operational procedures for the minimisation and abatement of wind-blown particulates generated from the carrying out of the activity. The procedures must provide for:

(a) control of dust from stockpiles including the permanent use of road sweepers and the trial of foggers, wheel shakers/washers and the use of surfactants on roads, and the implementation of these measures if deemed appropriate and/or effective;
(b) dust control at conveyors, roadways transfer points and loading/unloading equipment; and
(c) induction training of all relevant new employees (and retraining every two years) in the nature of all coal types and the methods to be applied and accountability for controlling dust emissions.</td></tr>
<tr><td>A11</td><td>Water sprays (or other suitable measures) must be operated for roadways, stockpiles and train and truck loading facilities as necessary to minimise the release of dust and particulate matter to the atmosphere.

Table A2 — Dust and particulate control actions

<table><tr><th>Activity</th><th>High management control</th></tr><tr><td>Truck loading coal</td><td>Relocation/Cease activity/limit hours of operation</td></tr><tr><td>Train loading coal</td><td>Relocation/Cease activity/limit hours of operation</td></tr><tr><td>Movement of coal trucks around site</td><td>Water sprays/Relocation/Cease activity/limit hours of operation</td></tr><tr><td>Bulldozing – coal stockpiles</td><td>Relocation/Cease activity/limit hours of operation</td></tr></table></td></tr>
<tr><td>A12</td><td>When requested by the administering authority, additional dust monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust, and the data and analysed results notified to the administering authority within twenty-eight (28) days of completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive place(s) and at upwind control sites, and must include:

(a) for a complaint alleging dust nuisance, dust deposition and/or TSP; 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 twenty-four (24) hour averaging time, (AS 3580.9.6 — 2003) or more recent editions.</td></tr>
</table>

A13	If monitoring at a nuisance sensitive place indicates **Condition A5** and/or **A6** is not being complied with, the environmental authority holder must: (a) address the complaint including the use of appropriate dispute resolution if required; and (b) immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.

Schedule: Water

Condition number	Condition
W1	Contaminants that will or have the potential to cause environmental harm must not be released to any waters except as permitted under the conditions of this environmental authority.
W2	**Contaminant affected water release to waters** The release of contaminant affected water to waters must only occur from the release points specified in **Table W1 - Monitoring locations and frequency** and depicted in **Figure 2 - Release Points and Receiving Environment water monitoring locations**.
W3	Monitoring of waters must be undertaken in accordance with **Table W1 – Monitoring locations and frequency** and **Figure 2 - Release Points and Receiving Environment water monitoring locations** and comply with characteristics specified in **Table W2 - Contaminant release limits**.

Table W1 - Monitoring locations and frequency

Monitoring Location	Location Type	Longitude (GDA94)	Latitude (GDA94)	Monitoring Frequency*	Monitoring Parameters
Spillway of western dam	Release Point	151.599927	-27.370787	1. Prior to any release to waters from the release points. 2. As soon as reasonably practicable but within 5 hours from commencement of release. 3. Daily during the release. 4. For a period of 1 day post cessation of any release to waters from the release points.	pH, total suspended solids (mg/L), electrical conductivity (µS/cm), sulfate (SO_4^{2-}) (mg/L), time of day, water temperature, flow rate (m/s)
100m downstream of confluence of Lagoon Creek and JRLF dam overflow	Receiving Environment Monitoring Point	151.594267	-27.36973		
Spillway of eastern dam	Release Point	151.610993	-27.37880		
Downstream of confluence of Doctors Creek and JRLF drain	Receiving Environment Monitoring Point	151.611530	-27.388386		
Doctors Creek Upstream	Receiving Environment Monitoring Point	151.622419	-27.383990		
Lagoon Creek Upstream	Receiving Environment Monitoring Point	151.600333	-27.368194		

*Refer to notations for **Condition W4**.

<table>
<tr><td>W4</td><td>The release of contaminant affected water to waters in accordance with Conditions W2 and W3 must not exceed the release limits stated in Table W2 - Contaminant Release Limits when measured at the release points specified in Table W1 - Monitoring locations and frequency and Figure 2 - Release Points and Receiving Environment water monitoring locations.

Table W2 – Contaminant Release Limits**
<table><tr><th>Parameter</th><th>Release limit</th></tr><tr><td>pH (pH units)</td><td>6.0 (minimum) to 9.0 (maximum)</td></tr><tr><td>Electrical Conductivity (µS/cm)</td><td>1,500</td></tr><tr><td>Total Suspended Solids (mg/L)</td><td>100</td></tr></table>*NOTE: In the event of monitoring equipment being inundated by floodwaters, the environmental authority holder must sample from within the Western Dam, Eastern Dam and Sediment Basin 1.

**NOTE: The administering authority will take into consideration any extenuating circumstances (including flood events impacting release points) prior to determining an appropriate enforcement response in the event Condition W3, Table W1 and Table W2 is contravened. The administering authority expects the environmental authority holder to take all reasonable and practicable measures to maintain safe and practical access to designated monitoring locations.</td></tr>
<tr><td>W5</td><td>Despite any other condition of this environmental authority, the release of contaminant affected water to waters in accordance with Conditions W2 and W3 must only occur during period of natural flow in Lagoon Creek and Doctors Creek.</td></tr>
<tr><td>W6</td><td>All ponds and dams used for the storage or treatment of contaminants or wastes must be designed, constructed and maintained to ensure that:

a) they are structurally safe and stable;
b) they are fit for purpose; and
c) proactive measures are taken to manage the water and sediment in the ponds and dams to reduce the risk of any release of contaminants to waters (including groundwater).</td></tr>
<tr><td>W7</td><td>Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.</td></tr>
<tr><td>W8</td><td>Suitable banks and/or diversion drains must be installed and maintained to exclude uncontaminated stormwater runoff from entering any ponds, dams or other structures used for the storage or treatment of contaminants or wastes.</td></tr>
<tr><td>W9</td><td>The maintenance and cleaning of any vehicles, plant or equipment must not be carried out in areas from which contaminants can be released into any receiving waters.</td></tr>
<tr><td>W10</td><td>Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable to minimise the release of wastes, contaminants or materials to any stormwater drainage system or receiving waters.</td></tr>
</table>

W11	**Contaminant affected water release to land** Contaminant affected water from Western Dam may be irrigated to land in accordance with the requirements below: (a) the irrigation to land using contaminant affected water must not result in environmental harm. (b) the contaminant affected water must only be applied to the land identified as the 'irrigation area' in **Figure 3 – Irrigation area**. (c) the contaminant affected water must not exceed the contaminant release limits in **Table W3 – Irrigation water quality limits** when measured at Western Dam prior to irrigating to the land shown in **Figure 3 – Irrigation area**. (d) the irrigation to land must be carried out in a manner that does not result in ground saturation, ponding, or runoff within or outside of the irrigation area in **Figure 3 – Irrigation area**. (e) the irrigation to land must be carried out in a manner that does not result in any spray drift or over spray impacting any sensitive receptor. **Table W3 – Irrigation water quality limits**

Parameter	Release limit
pH (pH units)	6.0 (minimum) to 9.0 (maximum)
Electrical Conductivity (µS/cm)	750

<table>
<tr><th colspan="2">Schedule: Noise</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>N1</td><td>All noise from activities must not exceed the levels specified in Table N1 — Noise limits at any nuisance sensitive or commercial place.

Table N1 - Noise limits
<table>
<tr><th rowspan="2">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr>
<tr><th>7am-6pm</th><th>6pm-10pm</th><th>10pm-7am</th><th>9am-6pm</th><th>6pm-10pm</th><th>10pm-9am</th></tr>
<tr><td></td><td colspan="6">Noise measured at a ‘Noise sensitive place’</td></tr>
<tr><td>$L_{A10, adj, 10 mins}$</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td><td>Bkg + 5</td><td>Bk + 5</td><td>Bkg + 0</td></tr>
<tr><td>$L_{A1, adj, 10 mins}$</td><td>Bkg + 10</td><td>Bkg - 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr>
<tr><td></td><td colspan="6">Noise measured at a ‘Commercial place’</td></tr>
<tr><td>$L_{A10, adj, 10 mins}$</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg +10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr>
<tr><td>$L_{A1, adj, 10 mins}$</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td></tr>
</table></td></tr>
<tr><td>N2</td><td>In the event of a complaint, the holder will:
(a) in the first instance change procedures to reduce the noise that is the cause of the nuisance complaint; and
(b) liaise with the administering authority and/or complainant over remedial action.

Where the above actions do not resolve the noise issue and when requested by the administering authority, noise monitoring will be undertaken to investigate any complaint of environmental noise nuisance and the results notified within seven (7) days to the administering authority. Monitoring must include:
(a) $L_{Amax, adj T}$;
(b) LAN, T (where N equals statistical levels of 1, 10, and 90);
(c) the level and frequency of occurrence of impulsive or tonal noise;
(d) atmospheric conditions including temperature, relative humidity and wind speed and direction; and
(e) effects due to extraneous factors such as traffic noise.</td></tr>
<tr><td>N3</td><td>The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.</td></tr>
</table>

Schedule: Land	
Condition number	**Condition**
L1	Except where authorised under another condition of this environmental authority, contaminants must not be released to land.
L2	When conditions prevent the release of treated effluent to land (such as during or following rain events), the contaminants must be directed to a wet weather storage or alternative measures must be taken to store/lawfully dispose of effluent (such as wet weather storage or tanking off site to another treatment plant or sewer). A record must be kept of any removal or discharge off site, including destination, transporter, dates and volumes.
L3	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. **NOTE:** All petroleum product storages must be designed, constructed and maintained in accordance with *AS 1940 — Storage and Handling of Flammable and Combustible Liquids*.
L4	Land must be rehabilitated in a manner such that: (a) suitable species of vegetation, preferably native are planted and established; (b) potential for erosion of the site is minimised; (c) the quality of stormwater, water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm; (d) the likelihood of environmental nuisance being caused by release of dust is minimised; (e) the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm; and (f) the final landform is stable and not subject to slumping.

Schedule: Waste	
Condition number	**Condition**
WS1	Waste generated in carrying out the activities must be stored, handled and transferred in a proper and efficient manner. Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this environmental authority.
WS2	If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed 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 improper disposal.

Schedule: Reporting and Community Complaint Response	
Condition number	**Condition**
C1	All complaints received must be recorded including details of complainant, reasons for complaint, investigations undertaken, conclusions formed and actions taken. Except in circumstances where the complaint is considered to be a matter for which the holder is in compliance, is frivolous, vexatious, based on a mistaken belief or not relevant to the activities authorised by this environmental authority, the holder must act as soon as practicable to investigate the cause and resolve the complaint.

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.

"µg/m^3" means micrograms per cubic metre.

"µS/cm" means micro siemens per centimetre.

"Act" means the *Environmental Protection Act 1994.*

"administering authority" means the Department of Environment and Science or its successor.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009.*

"authorised place" means the place authorised under this environmental authority for the carrying out of the specified environmentally relevant activities.

"authority" means environmental authority under the *Environmental Protection Act 1994.*

"background noise level" or "Bkg" means noise, measured in the absence of the noise under investigation, as either:

- L A90, T being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, or
- **L** LAbg, T being the arithmetic average of the minimum readings during a representative time period of not less than 15 minutes, using Fast response.

"commercial place" means a place used as an office or for business or commercial purposes, other than a place within the boundaries of the operational land.

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

"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 watercraft in a marina.

"environmental nuisance" is 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

"JRLF" means the Jondaryan Rail Loading Facility operated by Acland Pastoral company a subsidiary of New Hope Corporation Pty Ltd.

"$L_{A1,}$ adj 10 mins" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10-minute measurement period, using Fast response.

"$L_{A10, adj. 10 mins}$" 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.

"land" means land excluding waters and the atmosphere.

"maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

"mg/L" means milligrams per litre.

"minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

"m/s" means metres per second.

"noise sensitive place" means

- a legal dwelling, 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; or
- a public park or gardens

  and includes the curtilage of any such place.

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

"nuisance sensitive place" includes

- 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 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- a place listed as a workplace, an office of for business or commercial purposes and includes a place within the cartilage of such a place reasonably used by persons at that place.

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

"protected area" means

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

"range" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

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

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

"sensitive place" (e.g. outdoor and dust) has the same meaning as and includes a noise sensitive place and a commercial place.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this environmental authority.

"spillway" means the passage or outlet from the dam through which surplus water flows.

"stable" means landform dimensions are or will be stable within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (traffic ability), erosion resistance and geochemical stability with respect to seepage and contaminant generation.

"the holder" means the holder of this Environmental Authority.

"tolerable limits" means that a range of values could be accepted to achieve an overall environmental management objective (e.g. a range of settlement of a tailing capping could still meet the objective of draining the cap quickly, preventing pondage and limiting infiltration and percolation).

"watercourse" means a river, creek or stream in which water flows permanently or intermittently —

- in a natural channel, whether artificially improved or not; or

- in an artificial channel that has changed the course of the watercourse.

"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, in confined water in natural or artificial watercourse, bed and bank or any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off and groundwater or any part thereof

"works" or "operation" means the development approved under this environmental authority.

APPENDIX

Figure 1: Air quality monitoring locations



Figure 2: Release Points and Receiving Environment water monitoring locations.



Figure 3: Irrigation area.



END OF ENVIRONMENTAL AUTHORITY