Queensland Government

Department of
Environment and Heritage Protection

26-AUG-2013

To: Jeebropilly Collieries Pty Ltd
PO Box 47
IPSWICH QLD 4305

Our reference: 350263

Application details

I refer to the application that was received by the administering authority on 15-AUG-2013.

Land description: Ebenezer Rail Loop, Coopers Road, WILLOWBANK QLD 4306 Lot 211 Plan RP233815, Lot 212 Plan RP233815 and Lot 210 Plan RP233815.

Decision

Your application has been approved and your environmental authority (reference EPPR01472913) is attached.

Should you have any further enquiries, please contact Kathryn Burdett on telephone 1300 130 372, option 4.

Yours sincerely

	26/08/2013
Signature	Date

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

Kathryn Burdett
Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
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Enclosed

Permit - environmental authority (reference EPPR01472913)

Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR01472913

Environmental authority takes effect on 26-AUG-2013.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee which is currently $16,118.40 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Jeebropilly Collieries Pty Ltd	PO Box 47 IPSWICH QLD 4305

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
50-(1a) Bulk mineral handling >100t or 50000t watercourse	Ebenezer Rail Loop, Coopers Road, WILLOWBANK QLD 4306 - Lot 211 Plan RP233815, Lot 212 Plan RP233815 and Lot 210 Plan RP233815

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

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

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

	26/08/2013
Signature	Date

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

Enquiries:
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Permit and Licence Management
Department of Environment and Heritage Protection
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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

Location: Ebenezer Rail Loop Coopers Road, WILLOWBANK QLD 4306

Lot 211 Plan RP233815, Lot 212 Plan RP233815 and Lot 210 Plan RP233815

Relevant activity/ies:

50 (1)(a)- Bulk material handling - loading or unloading 100t or more of minerals in a day or stockpiling 50000t or more of minerals — within 5km of the highest astronomical tide or 1km of a watercourse

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.

CONDITIONS

Schedule A: General	
A1	Activities conducted under this environmental authority must not exceed a throughput of 1,500,000 tonnes of coal per annum.
A2	All reasonable and practicable **measures** must be taken to minimise the likelihood of environmental harm being caused.
A3	Any breach of a condition of this environmental authority must be reported to the **administering authority** within 24 hours of becoming aware of the breach and record full details of the breach and any subsequent actions.
A4	All information and records that are required by the conditions of this environmental authority must be kept for a period of at least 5 years.
A5	An **appropriately qualified person(s)** must monitor, interpret and record all parameters that are required to be monitored.
A6	All analysis and tests required under this approval must be carried out by a laboratory that has NATA certification for such analysis and tests. The only exception to this condition is for the-situ monitoring of stormwater release parameters.
A7	If **you** become aware of any adverse impact on an **environmental value you** must notify the **administering authority** in writing of the full details of the adverse impact within 24 hours of becoming aware of the impact.

Schedule B: Air

B1 Odours or airborne contaminants which are **noxious** or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not be released to any **nuisance sensitive place** or **commercial place**

B2 The dust deposition rate and concentration of PM_{10} and PM_{TSP} must not exceed the limits specified in **Table 1 - Dust and Particulate Matter** for the contaminant when measured from a **nuisance sensitive** or **commercial place** in accordance with the measurement method specified.

Table 1 - Dust and particulate matter

Contaminant	Measure	Limit	Measurement method
Dust	Deposition rate	120 $mg/m^2/day$	Australian Standard AS3580.10.1 of 2003 (or more recent editions)
PM_{10}	Concentration	50µg/m^3 averaged over 24 hours Note – This limit is not to be exceeded on more than 5 days per year	Either of the following: (a) AS3580.9.6 of 2003 (or more recent editions); or (b) AS3580.9.8 of 2008 (or more recent editions)
Total Suspended Particulates (PM_{TSP})	Concentration	90 µg/m^3 as an annual average	Australian Standard AS/NZ3580.9.3.2003 (or more recent editions)

Note:

- Australian Standard AS3580.9.6 of 2003 (or more recent editions) Ambient Air – Particulate matter – Determination of suspended particulate matter PM_{10} high volume sampler with size selective inlet – Gravimetric method
- Australian Standard AS3580.9.8:2008 (or more recent editions) Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM10 continuous direct mass method using tapered element oscillating microbalance (TEOM) analyser.
- Australian Standard AS/NZ3580.9.3.2003 (or more recent editions) Methods for sampling and analysis of ambient air method 9.3: Determination of suspended particulate matter – Total suspended particulate matter (TSP) – High volume sampler gravimetric method.
- Any alternative method of monitoring which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

B3 Equipment to measure the dust deposition rate or the concentration of particulate matter (PM_{10} and PM_{TSP}) for condition **(B2)** is only required to be installed if directed to in writing by the administering authority or an authorised person to undertake monitoring for those contaminants. An additional sample must also be taken at a location upwind of the alleged source to assist in the determination of the impact from the alleged source on the sensitive receptor.

B4 Odour monitoring for contaminants released from the approved place at the site and other locations relevant to ascertaining the odour at any affected premises is only required to be undertaken if directed in writing by the administering authority or an authorised person,

B5 Odour monitoring must be performed by an independent person or body possessing appropriate experience and qualifications to perform the required measurements. Odour monitoring must be conducted in accordance with Australian and New Zealand Standard AS/NZS 4323.3:2001, Stationary source emissions – Determination of odour concentration by dynamic olfactometry; and a method as approved by Queensland, New South Wales of Victorian regulatory agencies.

B6 After investigating, or commissioning the investigation of any complaints of nuisance caused by noxious or offensive odours or dust or particulates and if the complaints are validated, reasonable adjustments to processes or equipment to prevent a recurrence must be undertaken.

Schedule C: Noise	
C1	Noise from the activity to which this environmental authority relates must not cause or be likely to cause an environmental nuisance at or beyond the boundary of the approved place.
C2	A noise management plan must be developed and implemented that addressed the following issues: 1. identify noise sources that are likely to impact on any sensitive receivers; 2. identify any measures employed to ameliorate the potential impact noise sources identified in **(1)** and the predicted reduction in noise at the identified sensitive receivers; 3. document procedures to identify nearby potentially sensitive receivers that are likely to be impacted by works associated with this activity and develop a means by which these sensitive receivers may be kept informed of the expected duration of works and establish lines of communication in the event that the sensitive receivers may require to contact the operator; 4. to identify specific noise sources and measures that may be employed to address these issues in response to any complaints; and 5. any training requirements for any employees or contractors working on the site regarding implemented noise reduction practices.
C3	Subject to condition **(C4)**, all complaints alleging noise nuisance[1] must be investigated.
C4	The obligation to investigate a nuisance complaint is negated if all the following apply: 1. the facts and circumstances forming the basis for the complaint are substantially the same as those alleged in a former complaint by the same complainant; 2. the results of an investigation into the former complaint was that the complaint cannot be substantiated; and 3. the administering authority or an authorised person has not, by written notice, otherwise revived the obligation to investigate the complaint.
C5	If directed by the administering authority or an authorised person, noise monitoring must be undertaken which includes the following parameters, to investigate a complaint of noise nuisance, and the results of the monitoring must be given or sent to the administering authority or authorised person within fourteen (14) days of the completion of the monitoring: 1. background noise; 2. $L_{A10, adj, 15}$; 3. $L_{A1, adj, 15}$ 4. $L_{Aeq, adj, 15}$; 5. the level and frequency or occurrence of impulsive or tonal noise; 6. atmospheric conditions including wind speed and direction; 7. effects due to extraneous factors such as traffic noise; and 8. location, date and time of recording.
C6	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.
C7	After investigating, or commissioning the investigation of any complaints of nuisance caused by noise and if the complaints are validated, reasonable adjustments to processes or equipment to prevent a recurrence must be undertaken. Examples of a reasonable adjustment may include: 1. changing the times of the day at which particular actions giving rise to the complaint happen; 2. installing or replacing acoustic housing of equipment; or 3. enclosing, covering or closing open or exposed infrastructure if enclosing, covering or closing the infrastructure would not compromise or reduce its effectiveness.

[1] The form of any investigations made under condition (C3) should be sufficient to enable a conclusion about the validity of the complaint to be made, but do not necessarily require formal noise monitoring in the form required under condition (C5).

Schedule D: Water

D1 Other than as permitted within this environmental authority, contaminants must not be released from the site to any waters or the bed and banks of any waters.

D2 Contaminants must not be released to groundwater.

D3 The only contaminants to be released to surface waters is treated stormwater in accordance with **Table 2 – Release Limits**

Table 2 – Release limits

Quality characteristic	Monitoring Point	Release limit	Monitoring frequency
Electrical conductivity (µS/cm)	Discharge Point	1500	Once daily during release. The first sample to be obtained within two (2) hours of the release commencing.
Dissolved oxygen (%saturation)	Discharge Point	85-110*	
pH (pH unit)	Discharge Point	6.5* minimum 8.5 maximum	
Turbidity (NTU)	Discharge Point	50*	

Note:
*Water Quality Objectives are derived from Schedule 1 of the Environmental Protection (Water) Policy 2009 (EPP Water) for lowland freshwaters of moderately disturbed ecosystems.
**Limit for suspended solids can be omitted if turbidity limit is included. Limit for turbidity not required if suspended solids limit included. Both indicators should be measured in all cases.

D4 Notwithstanding condition **(D3)**, any contaminants to waters beyond the boundaries of the site, directly or indirectly must not occur if either or both of the following apply —
1. the release produces any visible discolouration of receiving waters; and
2. the release produce any slick or other visible or odorous evidence of oil, grease or petrochemicals nor contain visible floating oil, grease, scum, litter or other objectionable matter.

D5 Contaminants may only be discharged from the location identified as the 'Discharge Point' on the **Attachment 1: Map – Ebenezer load out facility**

D6 All determinations of water quality must —
1. be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements;
2. be made in accordance with methods prescribed in the latest edition of the administering authority's Monitoring and Sampling Manual[2];
3. be made in accordance with methods prescribed in the latest edition of the administering authority's Monitoring and Sampling Manual[3];
4. be carried out on representative samples;
5. ensure that samples of the release are collected from the identified monitoring point at the frequency not less than that specified in **Table 2 – Release limits**; and
6. for each parameter stated in **Table 2 – Release limits**, ensure that samples of the discharge are collected and —
   a) for each parameter that the administering authority has given written approval to the holder of the environmental authority to monitor *in-situ* — ensure the analysis of the wastewater for the parameter is undertaken using the approved method for each relevant

[2] This condition requires the Monitoring and Sampling Manual to be followed and where it is not followed because of exceptional circumstances this should be explained and reported with the results
[3] This condition requires the Monitoring and Sampling Manual to be followed and where it is not followed because of exceptional circumstances this should be explained and reported with the results

	parameter; b) for any parameter not monitored in accordance with section (a) — ensure the samples are given or sent to a laboratory that holds NATA certification for each method for the relevant analyses that must be performed and cause such samples to be analysed for the parameter. 7. keep a record of the results of any analysis.
D7	All of the following must be undertaken — 1. ensure that any instrument or device used for the purpose of measuring or monitoring any physicochemical property *in situ* is appropriately maintained and calibrated according to the manufacturer's specifications; and 2. keep a copy of any certificate of calibration and any other document, however described, that demonstrates such maintenance or calibration has taken place.
D8	The following information must be recorded in relation to all water monitoring required under the conditions of this environmental authority and submitted to the administering authority in the specified format with each annual return — 1. the date on which the sample was taken; 2. the time at which the sample was taken; 3. the measured or estimated daily quantity of contaminated stormwater released; 4. the release flow rate at the time of sampling for each release point; 5. the results of all monitoring and details of any exceedances of the conditions of this environmental authority; and 6. water quality monitoring data must be provided to the administering authority in the specified electronic format upon request
D9	The point of discharge must be designed to be protected against erosion and scouring. Should scouring or erosion be found at the point of discharge, then the discharge of waters must cease until; 1. written notification has been provided to the administering authority that: (a) the area has been repaired; (b) a suitable means of preventing the issue from re-occuring has been established; and 2. the administering authority has provided written acceptance of this notification.
D10	A Stormwater Management Plan (SWP) must be developed and implemented which must include as a minimum: 1. the reuse, treatment and disposal of any contaminated stormwater collected from this approved site; 2. prevention of incident stormwater and stormwater runoff from contacting any disturbed areas (including stockpile areas and any unsealed roads) or any other contaminants; 3. diversion of upstream stormwater runoff away from areas containing wastes, areas of exposed soil or other disturbed areas, or other potential contaminants; 4. minimisation of the size of any areas of exposed soil or other disturbed areas; and 5. the installation of appropriately designed and sized silt traps, erosion protection measures, sediment control measures (including sedimentation basins) and stormwater diversion drains.
D11	The SWP must be — 1. periodically reviewed and revised, if necessary, every five (5) years to ensure that it accurately reflects the processes employed onsite and the activities being undertaken; and 2. if the SWP is amended or replaced, provide the administering authority with a copy — within fourteen (14) days of the SWP being amended or replaced.[4]

[4] Note: This requirement may be satisfied by giving the administering authority a copy of the SWP in electronic format

Schedule E: Waste	
E1	Only remove waste from the site by using a transporter lawfully able to transport it and to a place lawfully able to receive it.
E2	Waste must not be burnt.

Schedule F: Land	
F1	Contaminants must not be released to land.

Definitions

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.

Background noise 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 percent of the time period of not less than 15 minutes, using Fast response.

Boundary means within 1m of the cadastral **boundary** of the approved place.

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.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—

a) aerosols, fumes, light, noise, odour, particles or smoke; or
b) an unhealthy, **offensive** or unsightly condition because of contamination; or
c) another way prescribed by regulation.

Environmental value (the Act) is—

a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
b) another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

Prescribed contaminants means contaminants listed within Schedule 9 of *the Environmental Protection Regulation 2008*.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level **measures** on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than 1 hour when the approved **activity** is causing an intermittent noise.

Measures has 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.

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

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

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

h) a public thoroughfare, park or gardens; or

i) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

You means the holder of the environmental authority.

END OF PERMIT

Attachments

Attachment 1: Map – Ebenezer load out facility.

