

Permit

Environmental Protection Act 1994

Environmental authority EPPR01504113

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

Environmental authority number: EPPR01504113

Environmental authority takes effect on 13 January 2021

Environmental authority holder(s)

Name(s)	Registered address
HY-TEC INDUSTRIES (QUEENSLAND) PTY LTD	42-48 Fishermans Road MAROOCHYDORE QLD 4558

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 1 on RP733021
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	

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).

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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.

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Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 13 January 2021

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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

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

Agency interest: General	
Condition number	Condition
G1	The proposed Environmentally Relevant Activity (ERA) stages must comply with the approved conceptual layout - <i>Approved site plan (drawing number 1753.024 dated 22 September 2016)</i> , as shown in <i>Schedule 1—Approved site plan</i> , except as otherwise specified by a condition of this approval.
G2	The extent of the extractive activities on the site, including the extraction of sand (47.51 hectares) and any related activities such as stockpiles, material screening, equipment yards, site office and access tracks, must not exceed a maximum area of 55 hectares. No activities must take place in the separation area, as defined by the <i>State Planning Policy (SPP) 2/07 Protection of Extractive Resources</i>, with the exception of the access track at the entrance to the site.
G3	The maximum depth of extraction for Stages 1, 2, 3, 4, 8, 9, 10, 11, 12, 13 and 16 is 3.0m Australian Height Datum (AHD) , and the maximum depth of extraction for Stages 5, 6, 7, 14, 15 and 17 is 2.5m AHD as per staging shown in <i>Schedule 1—Approved site plan</i> .
G4	Upon commencement of the activity , a permanent survey mark of known AHD must be established by a Registered Surveyor.
G5	Additional reference points must be established in the 10 metre buffer area adjacent to each active extraction site , prior to the commencement of extractive activities in that particular site via laser sighting or equivalent method. These points are to be the "established reference points".
G6	Upon commencement of the activity, a site plan of the extractive activities must be developed and this site plan must be updated as each stage of the extractive activities progresses. The site plan must show the following areas, locations and depths: a) the sand extraction area approved in <i>Schedule 1—Approved site plan</i>; b) the current area of the active extraction site with GPS co-ordinates at each corner; c) the current area of the preparation site with GPS co-ordinates at each corner; d) the total area of the site that has been rehabilitated following sand extraction, e) the buffer areas maintained on the northern and southern boundary of the site and the frontage to Meehan Road; f) the permanent survey mark;

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	g) the "established reference points"; and h) all groundwater monitoring bores. The site plan must be to a suitable scale and be available for examination by the administering authority on request.
G7	A buffer area matching the separation area defined in <i>SPP 2/07</i> must be maintained in an undisturbed condition along the south west of the Lot at the corner of Meehan and Goodsell Road.
G8	A buffer area of at least 20 metres in width must be maintained in an undisturbed condition along the full length of the southern boundary of the Lot, and along the full length of the western boundary of the site (the frontage to Meehan Road) except where provision is made for vehicular access to and from the site .
G9	A buffer area of at least 420 metres in width must be maintained in an undisturbed condition between the National Park and the extraction area.
G10	All buffer areas must remain vegetated with endemic native species so as to provide an effective screen along the boundaries of the site .
G11	The activity must be undertaken in accordance with written procedures that: 1. identify potential risks to the environment from the activity during routine operations, closure and an emergency; and 2. establish and maintain control measures that minimise the potential for environmental harm; and 3. ensure plant, equipment and measures are maintained in a proper and effective condition; and 4. ensure plant, equipment and measures are operated in a proper and effective manner; and 5. ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i>; and 6. ensure that reviews of environmental performance are undertaken at least annually.
G12	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
G13	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.

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G14	All information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. Environmental monitoring results must be kept until surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the administering authority upon request.
G15	A record of at least the following events must be maintained: 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 identification of environmental issues and potential impacts.
G16	Any breach of a condition of this environmental authority, must be reported to the administering authority as soon as practicable, or at most, within 24 hours of you becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G17	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 G18: a) the name of the operator, including their registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); 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) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
G18	The operator of an ERA to which this approval relates must notify the administering authority in writing of any monitoring result which indicates an exceedance of any trigger values within 14 days of the completion of analysis.
G19	The written notification required by Condition G18 must include: a) The full analysis results; b) Details of investigation or corrective actions taken; and

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	c) Any subsequent analysis.																																
Agency interest: Water																																	
Condition number	Condition																																
WT1	Contaminants must not be directly or indirectly released from the site to any waters or the bed and banks of any waters , including groundwater.																																
WT2	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.																																
WT3	Notwithstanding any other condition of this approval , the release of stormwater from the authorised place must not: a) have any properties nor contain any organisms or other contaminants at concentrations which are capable of causing environmental harm; and b) produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other objectionable matter.																																
WT4	A report of the results from all water monitoring carried out as a requirement of this permit must be submitted to the administering authority on request.																																
WT5	Surface water within all existing extraction pits: a) must be monitored in accordance with <i>Table 1 – Standing Water Monitoring</i> and the associated monitoring requirements; and b) must not exceed the limits in <i>Table 1 – Standing Water Monitoring</i> . Table 1 – Standing Water Monitoring <table><tr><th>Monitoring Location</th><th>Water Quality Parameter</th><th>Units</th><th>Monitoring Frequency</th><th>Trigger Value</th><th>Limit</th><th>Trigger Value/Limit Type</th></tr><tr><td rowspan="4">Surface water within all existing extraction pits on the site</td><td>Standing Water Level</td><td>Metre</td><td>Fortnightly</td><td>-</td><td>-</td><td>-</td></tr><tr><td>pH</td><td>pH Range</td><td>Fortnightly</td><td>-</td><td>6.0 to 8.0</td><td>Range</td></tr><tr><td>Electrical Conductivity</td><td>µS/cm²</td><td>Fortnightly</td><td>2000</td><td>-</td><td>Maximum</td></tr><tr><td>Aluminium</td><td>mg/L</td><td>Quarterly</td><td>0.055</td><td>-</td><td>Maximum</td></tr></table>	Monitoring Location	Water Quality Parameter	Units	Monitoring Frequency	Trigger Value	Limit	Trigger Value/Limit Type	Surface water within all existing extraction pits on the site	Standing Water Level	Metre	Fortnightly	-	-	-	pH	pH Range	Fortnightly	-	6.0 to 8.0	Range	Electrical Conductivity	µS/cm ²	Fortnightly	2000	-	Maximum	Aluminium	mg/L	Quarterly	0.055	-	Maximum
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	Associated monitoring requirements 1. Water and sediment samples must be representative of the general condition of the water body or sediments. 2. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.
WT6	Upon commencement of the activity , a groundwater monitoring plan must be implemented so that it effectively detects any impacts on groundwater as a result of the extractive activities .
WT7	Groundwater monitoring bores 1-14 must be established at the locations specified in <i>Schedule 1—Approved site plan</i> and must form part of the groundwater monitoring plan. Three additional bores must be included within the extraction area and must form part of the groundwater monitoring plan.
WT8	All groundwater monitoring bores required under this permit must be installed to the following specifications: a) installed and maintained by a person possessing appropriate qualifications and experience in the fields of hydrogeology and groundwater monitoring program design to be able to competently make recommendations about these matters; b) drilled to a depth of 6 metres, where practicable; c) lined with a 50mm Class '12 uPVC casing, slotted over 30cm at the bottom, fitted with a bottom cap and a geo-fabric sock over the slotted section; d) fitted with a lockable cap which must be locked at all times other than at the time of sampling; e) surveyed and referenced to AHD; and f) establish the Standing Water Level (SWL) of each monitoring bore at the commencement of monitoring.
WT9	Prior to commencement of the activity , a background monitoring reading of all groundwater monitoring bores required under this permit must be conducted for both water levels and water quality parameters specified in <i>Table 2- Groundwater Monitoring</i> .

WT10

Groundwater must be monitored in accordance with *Table 2 -Groundwater Monitoring* and the associated requirements.

Table 2 – Groundwater Monitoring

Monitoring location	Water Quality Parameter	Units	Monitoring Frequency	Trigger Value	Trigger Value Type
Bores 1, 2, 3, 5, 9, 11, 12, 13 and 14 in <i>Schedule 1—Approved site plan</i>	Groundwater level	Metres AHD	Monthly	-	-
	pH	pH units	Monthly	6.0 to 8.0	Range
	Electrical Conductivity	µS/cm ²	Monthly	2000	Maximum
	Aluminium (filtered using a 0.45µm filter)	mg/L	Quarterly	0.2	Maximum
Bores 6, 7, 8, and 10 in <i>Schedule 1—Approved site plan</i>	Groundwater level	Metres AHD	Monthly	-	-
	pH	pH units	Monthly	6.5 to 8.5	Range
	Electrical Conductivity	µS/cm ²	Monthly	2600	Minimum
	Aluminium (filtered using a 0.45µm filter)	mg/L	Quarterly	0.2	Maximum
Bore 4 in <i>Schedule 1—Approved site plan</i>	Groundwater level	Metres AHD	Monthly	-	-
	pH	pH units	Monthly	-	-
	Electrical Conductivity	µS/cm ²	Monthly	-	-
	Aluminium (filtered using a 0.45µm filter)	mg/L	Quarterly	-	-

Associated monitoring requirements

1. Water and sediment samples must be representative of the general condition of the water body or sediments.

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	2. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.
WT11	Measurement of groundwater levels must be undertaken prior to any disturbance by sampling, and must be reported as the depth in metres, accurate to 0.01 metre, from the 'established reference point' to the water surface within the bore. The elevation of the 'established reference point' relative to AHD, for use in any groundwater level measurement must be determined to an accuracy of 0.005 metre.
WT12	All sampling and field testing of contaminants, surface water and groundwater and preservation of samples must be carried out in accordance with methods prescribed in the latest edition of the administering authority's Water Quality Sampling Manual.
WT13	The natural groundwater level must not be lowered by dewatering of any extraction pits or any other artificial means.
Agency interest: Air	
Condition number	Condition
A1	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place .
A2	When requested by the administering authority , dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include: a) for a complaint alleging dust nuisance, dust deposition.
A3	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place : a) dust deposition of 120 milligrams per square metre per day over a monthly averaging period, when monitored in accordance with Australian Standard AS 3580,10.1 of 2003 <i>Methods of sampling and analysis of ambient air— Determination of particulate matter— Deposited matter — Gravimetric method</i> (or more recent editions)

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Agency interest: Noise	
Condition number	Condition
N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .
N2	When required by the administering authority , noise monitoring must be undertaken and the results notified within 14 days to the administering authority . Monitoring must include: 1. $L_{Aeq, adj, T}$ 2. Background noise (Background) as LA 90, adj, T 3. $MaxL_{pA, T}$ 4. the level and frequency of occurrence of any impulsive or tonal noise 5. atmospheric conditions including wind speed and direction 6. effects due to extraneous factors such as traffic noise 7. location, date and time of recording.
N3	Blasting or the generation of substantial low frequency noise is not permitted.
Agency interest: Land	
Condition number	Condition
L1	Contaminants must not be released to land .
L2	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
L3	Treatment and management of acid sulfate soils must comply with the current edition of the <i>Queensland Acid Sulfate Soil Technical Manual</i> .
L4	Records must be kept of the nature, quantity, location of disturbance and location of burial of acid sulphate soils or potential acid sulphates soils on the site and submitted to the administering authority upon request.

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L5	The site (including all disturbed areas such as slopes, extraction pits, stockpile and screening areas) must be rehabilitated in a manner such that: a) the topsoil is reinstated; b) suitable native species of vegetation endemic to the locality in which the site is located are established or natural regeneration has occurred; c) rehabilitated areas, including wildlife refuge islands, must be monitored and maintained to have at least 50% vegetation cover; d) where vegetation regrowth has not achieved a 50% vegetation cover within three (3) months, supplementary seeding/planting of suitable native species must be undertaken; e) potential for erosion of the site is minimised; f) the quality of stormwater, other 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; g) the likelihood of environmental nuisance being caused by release of dust is minimised; h) the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm; i) the final landform is stable and not subject to slumping; and j) any actual and potential acid sulphate soils in or on the site are either not disturbed, or are submerged or treated, so as to not be likely to cause environmental harm.
L6	Clearing of vegetation, and rehabilitation of disturbed areas required under condition L5, must take place progressively as works are staged and new areas of extraction are commenced.
L7	Rehabilitation must continue as outlined in the Rehabilitation Management Plan and until there is evidence that the rehabilitation has been successful for at least 3 years.
Agency interest: Waste	
Condition number	Condition
WS1	All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.

Definitions

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

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

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

approval means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997.

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.

Australian Height Datum (AHD) means the datum used to determine elevations in Australia. The AHD is based on mean sea level being zero elevation.

authorised place means the place authorised under this development permit for the carrying out of the specified environmentally relevant activities.

background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 per cent of the time period of not less than 15 minutes, using Fast response.

Blasting is the use of explosives to fracture:

- rock, coal and other minerals for later recovery; or
- structural components or other items to facilitate removal from a site or for reuse.

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.

$L_{Aeq\ adj, T}$ means the adjusted A weighted equivalent continuous sound pressure level measured 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 one hour when the approved activity is causing an intermittent noise.

max $L_{pA,T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

land means land excluding waters and the atmosphere. "mg/L" means milligrams per litre.

measures has the broadest interpretation and includes plant, equipment, physical objects, bunding, containment systems, 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.

operator means any of the following:

- i. a person having the benefit of this development permit
- ii. the holder of a registration certificate for this development permit
- iii. anyone undertaking the activity to which this development permit relates (Note: it is an offence to carry out work under a development permit without a relevant registration certificate).

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

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

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

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

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurement, with a predominant component within the frequency range 10 to 200Hz. It includes any noise emission likely to cause an overall sound pressure level at a sensitive place exceeding 55dB(Z).

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

works means the development approved under this development permit.

you means the holder of the environmental authority.

END OF PERMIT

