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: EPPR02574414

Environmental authority takes effect on the 27th of October, 2014.

The anniversary date of this environmental authority is the 18th of November. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Steelcon Quarries Pty Ltd	Cnr Barkly Highway & Lake Moondarra Road MOUNT ISA QLD 4825

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(1b) Dredging >10000t but <100000t yr	Site 2 : Moonah Creek Dredging Site - Lot 3 Plan SP117500

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.

Signature	Date
	27-OCT-14

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

Enquiries:
Wes Davidson
ES - Reg Serv - Western - Twba - EPA
PO Box 731
TOOWOOMBA QLD 4350
Phone: (07) 46994333
Fax: (07) 4699 4388
Email: Wes.Davidson@derm.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

Location: Moonah Creek Dredging Site

Lot 3 Plan SP117500

Relevant activity/ies:

16-(1b) Dredging >10000t but <100000t yr

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.

Agency interest: General	
Condition number	**Condition**
G1	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicably possible, or at most, within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
G2	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: a) **Dredging**, in a year, more than the 100,000t of material.
G3	All reasonable and practicable **measures** must be taken to minimise the likelihood of environmental harm being caused.
G4	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G5	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 and provided to the **administering authority** upon request.
G6	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.

G7	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (**NATA**) certification, or an equivalent certification, for such analyses.
G8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority**, to investigate a complaint not considered by the **administering authority** to be frivolous or vexatious, of **environmental nuisance** arising from the **activity**. The monitoring results must be provided to the **administering authority** upon request.
G9	The **activity** must be undertaken in accordance with written procedures that: 1. identify potential risks to the environment from the **activity** during routine operations and emergencies 2. establish and maintain control **measures** that minimise the potential for environmental harm 3. ensure plant, equipment and **measures** are maintained in a proper and effective condition 4. ensure plant, equipment and **measures** are operated in a proper and effective manner 5. ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* 6. ensure that reviews of environmental performance are undertaken at least annually

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**.

Agency interest: Water	
Condition number	**Condition**
WA1	Erosion protection **measures** and sediment control **measures** must be implemented and maintained to minimise erosion and the release of sediment.
WA2	Release to **waters**. Contaminants must not be released from the site to any **waters** or the bed and banks of any **waters**.
WA3	Stormwater management. There must be no release of stormwater runoff that has been in contact with any contaminants at the sites to any **waters**, roadside gutter or stormwater drain.

Agency interest: Noise	
Condition number	**Condition**
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**

Agency interest: Land	
Condition number	**Condition**
L1	Contaminants must not be released to land.
L2	Chemicals and fuels in bulk or in containers of greater than 15 litres must be stored within a secondary containment system and controlled in a manner that prevents environmental harm.
L3	Treatment and management of acid sulfate soils must comply with the current edition of the *Queensland Acid Sulfate Soil Technical Manual.*
L4	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: 1. suitable native species of vegetation for the location are established and sustained for earthen surfaces 2. potential for erosion is minimised 3. the quality of water, including seepage, released from the site does not cause environmental harm 4. potential for **environmental nuisance** caused by dust is minimised 5. the water quality of any residual water body does not have potential to cause environmental harm 6. the final landform is stable and protects public safety.
L5	Rehabilitation of disturbed areas required under condition L4, must take place progressively as works are staged and new areas of **dredging** are commenced.
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.
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.
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 percent of the time period of not less than 15 minutes, using Fast response.
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.
Dredging includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal **waters**. **Dredging** does not include the banks of a waterway.
Environmental nuisance as defined under Chapter 1 of the *Environmental Protection Act 1994.*
Environmental value as defined under Chapter 1 of the *Environmental Protection Act 1994.*
General waste means waste other than regulated waste.
Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.
NATA means National Association of Testing Authorities.
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.
Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.
Release of a contaminant into the environment includes:

1. to deposit, discharge, emit or disturb the contaminant; and
2. to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
3. to fail to prevent the contaminant from being deposited, discharged emitted or disturbed; and
4. to allow the contaminant to escape; and
5. to fail to prevent the contaminant from escaping.

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

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
6. a public thoroughfare, park or gardens; or

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

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.

You means the holder of the environmental authority.

END OF PERMIT