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: EPPR02743614

Environmental authority takes effect the day the development permit takes effect.

The first annual fee is payable within 20 business days of the effective date.

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 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Stockland Development Pty Ltd	Level 25 133 Castlereagh Street SYDNEY NSW 2000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2b) Extractive >100000t but <1000000t yr	167 Bells Creek Road, Bells Creek - Lot 3 Plan RP910849, Lot 561 Plan FTY1884 and Lot 505 Plan RP884348

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

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.

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

J.A.M.D.K.	14 - Dec - 2015
Signature	Date

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

Enquiries:
Industry and Development Assessment
PO Box 731
TOOWOOMBA QLD 4350
Phone: (07) 4699 4333
Fax: (07) 4699 4388

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.

<table>
<tr><th colspan="2">Agency interest: General</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>G1</td><td>Activities conducted under this environmental authority must be conducted in accordance with the following limitations:
a) Extractive activities must not exceed 800,000t in a year.
b) Extractive activities must only occur on Lot 505 Plan RP884348.
c) Clearing of remanet vegetation is not permitted.
d) Activities must not have a significant residual impact on a prescribed environmental matter.
e) Extractive activities must not be conducted within the buffer zones identified in Table 1 – Buffer Zones.
Table 1 – Buffer Zones
<table>
<tr><th>Environmental Value</th><th>Minimum buffer distance</th></tr>
<tr><td>High Ecological Significance wetland</td><td>100 metres</td></tr>
<tr><td>Wildlife Habitat</td><td>30 metres</td></tr>
<tr><td>Regulated Vegetation</td><td>100 metres</td></tr>
<tr><td>Protected Area</td><td>200 Metres</td></tr>
</table>
Note: For the purposes of this condition, the 'Extractive activities' does not include the 'Outlet Swale'.</td></tr>
<tr><td>G2</td><td>All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.</td></tr>
<tr><td>G3</td><td>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.</td></tr>
<tr><td>G4</td><td>Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.</td></tr>
<tr><td>G5</td><td>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.</td></tr>
<tr><td>G6</td><td>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.</td></tr>
<tr><td>G7</td><td>All analyses required under this environmental authority must be carried out by a laboratory that has NATA certification, or an equivalent certification, for such analyses.</td></tr>
</table>

G8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority**, to investigate a complaint that is 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, closure and an emergency 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.
G10	A minimum buffer distance of 50m must be maintained between extraction areas and the high banks of any watercourse, lake or wetland. **Note:** For the purposes of this condition, the 'Extraction area' does not include the 'Outlet Swale'.
G11	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
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: Noise	
Condition number	**Condition**
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
N2	**Blasting** or the generation of **substantial low frequency noise** is not permitted.
Agency interest: Water	
Condition number	**Condition**
WT1	The stormwater runoff from disturbed areas, generated by (up to and including) a **24 hour storm event with an average recurrence interval of 1 in 10 years** must be retained on site or managed to remove contaminants before release.
WT2	A **receiving environment monitoring program** must be designed and implemented by an **appropriately qualified person(s)** to monitor the effects of the **activity** on **waters.**

WT3	The **receiving environment monitoring program** must include at least the following: (a) description of potentially affected receiving **waters** including key communities and background water and sediment quality characteristics based on accurate and reliable monitoring data that takes into consideration any temporal variation (e.g. seasonality); and (b) description of applicable **environmental value**s and sediment and water quality objectives to be achieved and (c) any relevant reports prepared by other governmental or professional research organisations that relate to the receiving environment within which the Receiving Environment Monitoring Program is proposed; and (d) water and sediment quality targets within the receiving environment to be achieved, and clarification of contaminant concentrations or levels indicating adverse environmental impacts during the monitoring program.
Agency interest: Land	
Condition number	**Condition**
L1	Treatment and management of acid sulfate soils must comply with the current edition of the Queensland Acid Sulfate Soil Technical Manual.
L2	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.
L3	Rehabilitation of disturbed areas required under condition L2, must take place progressively as works are staged and new areas of extraction are commenced.
Agency interest: Waste	
Condition number	**Condition**
W1	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.

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.

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

Prescribed environmental matter see section 10(1) of the Environmental Offsets Act 2014.

Release of a contaminant into the environment means to:
• deposit, discharge, emit or disturb the contaminant
• cause or allow the contaminant to be deposited, discharged, emitted or disturbed
• fail to prevent the contaminant from being deposited, discharged emitted or disturbed allow the contaminant to escape
• fail to prevent the contaminant from escaping.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

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.

Significant residual impact see section 8 of the Environmental Offsets Act 2014.

24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 10 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm*

Waters includes river, strea m, 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