

Permit

Environmental Protection Act 1994

Environmental authority EPPR03296915

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

Environmental authority number: EPPR03296915

Environmental authority takes effect on 14 December 2017

Environmental authority holder(s)

Name(s)	Registered address
JELLINBAH MINING PTY LTD	Level 7 12 Creek Street BRISBANE CITY QLD 4000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 63 - Sewage Treatment, 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of, (b-i) more than 100 but not more than 1500EP if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme	Lot 16/HT190

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).

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.

Environmental authority

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.

Kylie Breaker
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Petroleum and Gas Unit
Department of Environment and Heritage Protection
Phone: 3330 5715
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Date issued: 14 December 2017

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)

Legislative Requirements and Conditions of Environmental Authority

Agency Interest: General

- G1 **Activities** conducted under this environmental authority must be conducted in accordance with the following limitations:
- a) Inflows must not exceed the peak design capacity of 60 kL per **day**.
 - b) The **activity** must not occur in areas of **remnant vegetation**.
- G2 All reasonable and practicable **measures** must be taken to prevent the likelihood of environmental harm being caused.
- G3 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 becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
- 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 required by the conditions of this environmental authority must be kept for a minimum of five years with the exception of environmental monitoring results which 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 and in the format requested.
- 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. The only exception to this condition is for *in situ* monitoring of pH and electrical conductivity.

G8 **You** must record the following details for all environmental **complaints** received:

- a) date and time complaint was received
- b) name and contact details of the complainant
- c) nature of the complaint
- d) investigations undertaken
- e) conclusions formed
- f) actions taken.

G9 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.

G10 The activity must be undertaken in accordance with written procedures that:

- a) identify potential risks to the environment from the activity during routine operations, closure and an emergency
- b) establish and maintain control **measures** that minimise the potential for environmental harm
- c) ensure plant, equipment and measures are maintained in a proper and effective condition
- d) ensure plant, equipment and measures are operated in a proper and effective manner
- e) ensure that staff are trained in and aware of their obligations under the *Environmental Protection Act 1994*
- f) ensure that reviews of environmental performance are undertaken at least annually.

G11 Buffer zones must be established between the high banks of any watercourse, lake or wetland and the activity in accordance with Table 1 – Buffer Zones.

Table 1. Buffer Zones

Aspect of activity	Minimum buffer distance
Treated effluent storage and disposal areas	10m
All other aspects of the activity	50m

Agency Interest: Air

- A1 Odours or airborne contaminants must not cause **environmental nuisance** at a **sensitive place** or **commercial place**.

Agency Interest: Water

- WT1 Structures used for the storage or treatment of effluent or wastes must be constructed, installed and maintained to:
- a) prevent any release of effluent or wastes from the structure, other than under conditions (L1);
 - b) prevent ingress from surface runoff or floodwaters; and
 - c) ensure the stability of the structure.
- WT2 Suitable measures (such as bunding) must be established and maintained to ensure that no surface runoff from effluent disposal areas reaches any watercourse, lake or wetland.

Agency Interest: Land

- L1 The only contaminant to be released to land is treated effluent in accordance with Table 1 – Treated effluent release limits for disposal and the associated requirements.

Table 1. Treated effluent release limits for disposal

Quality Characteristic (units) ¹	Release limit for Release Point	Limit type	Minimum monitoring frequency ^{1,2,3}
Volume (L/ha/day)	28,000	Maximum	Daily
Total Nitrogen (mg/L as N) ⁴	30	Maximum	Monthly
Total Phosphorus (mg/L as P) ⁴	10	Maximum	
pH (pH units)	6.5-8.5	Range	
E.coli (CFU/100ml)	100	Maximum	
Electrical Conductivity (µS/cm)	1600	Maximum	

Associated requirements

- Monitoring must be in accordance with the administering authority's Water Quality Sampling Manual and all monitoring devices must be effectively calibrated and maintained.
- Monitoring is to be undertaken at the outlet of the Effluent Storage Dam for all parameters.
- Monitoring must be undertaken when treated sewage effluent is being disposed, unless disposal has ceased for longer than the relevant parameters specified minimum frequency (e.g. if TSS was only required to be monitored once a week, then a TSS sample would not be required after the first week following cessation of the release).
- Indicators for TN and TP are recommended to be done as grab samples.

- L2 Treated effluent released to land must be done in accordance with documentation that ensures:
- a) drainage to groundwater and subsurface flows of contaminants to surface **waters** are prevented
 - b) surface pondage and run-off of effluent is prevented
 - c) degradation of soil structure is minimised
 - d) soil sodicity and the build-up of nutrients and heavy metals in the soil and subsoil are minimised
 - e) spray drift or overspray does not carry beyond effluent disposal areas
 - f) effluent disposal areas are maintained with an appropriate crop in a viable state for transpiration and nutrient uptake
 - g) in addition to the requirements of condition (G11), sufficient buffer zones are maintained between disposal sites and sensitive environmental receptors.
- L3 When weather conditions or soil conditions preclude the release of treated sewage effluent to land, effluent must not be disposed to land.
- L4 Before applying to surrender this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform.

Agency Interest: Waste

- WS1 Other than effluent released to land in accordance with conditions (L1) and (L3), all waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

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.

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.

Day means any 24 hour period.

Environmental nuisance as defined under Chapter 1 of the *Environmental Protection Act 1994*.

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.

Release of a contaminant into the environment means to:

- a) deposit, discharge, emit or disturb the contaminant
- b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed

- c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed
- d) allow the contaminant to escape
- e) fail to prevent the contaminant from escaping.

Remnant vegetation as defined under the *Vegetation Management Act 1999*.

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

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

Total Nitrogen (TN) means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen, expressed as mg/L as Nitrogen. This includes both the inorganic and organic fraction of nitrogen.

Total Phosphorus (TP) means the sum of the reactive phosphorus, acid-hydrolysable phosphorus and organic phosphorus, as mg/L of Phosphorus. This includes both the inorganic and organic fraction of phosphorus.

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