

Environmental authority – EPPR03917416

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

Permit¹ number: EPPR03917416

Environmental authority takes effect on 3 June 2016.

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

Name	Principal address
Boral Resources (Qld) Pty. Limited	Level 6 88 Musk Ave KELVIN GROVE QLD 4059

Environmentally relevant activity and location details

Environmentally relevant activity	Locations
16-(3c) Screening, in a year, the following quantity of material – more than 1,000,000t	Various locations throughout the State of Queensland

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).

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of land give written notice to the chief executive if they become aware of the following:

- a notifiable activity (as defined in Schedule 3) that is being, or has been, carried out on the land (notice must be given within 20 business days);
- an event involving a hazardous contaminant on the land, or a change in the condition of the contaminated land, that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours).

For further information, including the form for giving written notice, refer to the Queensland Government website <http://www.qld.gov.au/> (using the search term 'managing contaminated land').

Mobile and Temporary Activities

As per Schedule 4 of the *EP Act*, a mobile and temporary environmentally relevant activity means a prescribed ERA, other than an activity that is dredging material, extracting rock or other material, or the incinerating of waste—

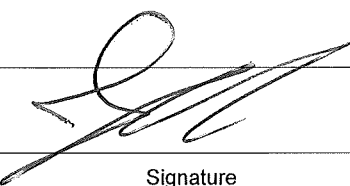
- (a) carried out at various locations using transportable plant or equipment, including a vehicle; and
- (b) that does not result in the building of any permanent structures or any physical change of the landform at the locations (other than minor alterations solely necessary for access and setup, including, for example, access ways, footings and temporary storage areas); and
- (c) carried out at any one of the locations—
 - (i) for less than 28 days in a calendar year; or
 - (ii) for 28 or more days in a calendar year only if the activity is necessarily associated with, and is exclusively used in, the construction or demolition phase of a project.

As per Chapter 5A, Part 5 of the *EP Act*, a registered suitable operator carrying out a prescribed ERA that is a mobile and temporary environmentally relevant activity, unless the activity is regulated waste transport, **must keep a diary in the approved form** (refer:

<https://www.business.qld.gov.au/business/running/environment/licences-permits/forms-fees-environmental-authority>) detailing:

- a) each location at which the mobile and temporary environmentally relevant activity is carried out; and
- b) the days on which the activity is carried out.

The registered suitable operator must record the information required under the approved form within 1 day after the day the operator vacates each location at which the mobile and temporary environmentally relevant activity is carried out. The registered suitable operator must keep the work diary for 2 years after the day on which the operator vacates the last location at which the mobile and temporary environmentally relevant activity is carried out. A registered suitable operator who becomes aware that the operator's work diary has been lost or stolen must, within 7 business days, give the chief executive written notice that the diary has been lost or stolen.


Signature

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

3/6/2016
Date

Enquiries:
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 6037
palm@ehp.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); and
- offence to place contaminant where environmental harm or nuisance may be caused (section 443).

Conditions of environmental authority

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

Agency interest: General	
Condition number	Condition
G1	Any activity operating under this environmental authority must be conducted in accordance with the following limitations: a) Not within 50 metres of any watercourse, wetland or spring. b) Not in any category A or B environmentally sensitive area. c) Not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.
G2	All reasonable and practicable measures must be taken to minimise 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 you becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G4	The activity must be undertaken in accordance with written procedures that: • identify potential risks to the environment from the activity during routine operations, closure and an emergency • establish and maintain control measures that minimise the potential for environmental harm • ensure plant, equipment and measures are maintained in a proper and effective condition • ensure plant, equipment and measures are operated in a proper and effective manner • ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i> • ensure that reviews of environmental performance are undertaken at least annually.
G5	Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

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: Land	
Condition number	Condition
L1	Contaminants must not be released to land from the activity.
L2	Acid sulfate soils, acid producing rock and marine sediments must not be processed.
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: Water	
Condition number	Condition
WT1	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
WT2	Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
Agency interest: Waste	
Condition number	Condition
WS1	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.

Category A or B environmentally sensitive areas are defined as follows as per Schedule 12, part 1 of the Environmental Protection Regulation 2008:

A Category A environmentally sensitive area means any of the following—

- (a) any of the following under the *Nature Conservation Act 1992*—
 - (i) a national park;
 - (ii) a national park (Aboriginal land);
 - (iii) a national park (Torres Strait Islander land);
 - (iv) a national park (Cape York Peninsula Aboriginal land);
 - (v) a regional park (general);
 - (vi) a forest reserve;
- (b) the wet tropics area under the *Wet Tropics World Heritage Protection and Management Act 1993*;
- (c) the Great Barrier Reef Region under the *Great Barrier Reef Marine Park Act 1975* (Cwlth);
- (d) a marine park under the *Marine Parks Act 2004*, other than a part of the park that is a general use zone under that Act.

A category B environmentally sensitive area means any of the following—

- (a) any of the following areas under the *Nature Conservation Act 1992*—
 - (i) a coordinated conservation area;
 - (ii) an area of critical habitat or major interest identified under a conservation plan;
 - (iii) an area subject to an interim conservation order;
- (b) an area subject to the following conventions to which Australia is a signatory—
 - (i) the 'Convention on the Conservation of Migratory Species of Wild Animals' (Bonn, 23 June 1979);
 - (ii) the 'Convention on Wetlands of International Importance, especially as Waterfowl Habitat' (Ramsar, Iran, 2 February 1971);
 - (iii) the 'Convention Concerning the Protection of the World Cultural and Natural Heritage' (Paris, 23 November 1972);
- (c) a zone of a marine park under the *Marine Parks Act 2004*;
- (d) an area to the seaward side of the highest astronomical tide;
- (e) the following under the *Queensland Heritage Act 1992*—
 - (i) a place of cultural heritage significance;
 - (ii) a Queensland heritage place, unless there is an exemption certificate issued under that Act;
- (f) an area recorded in the Aboriginal Cultural Heritage Register established under the *Aboriginal Cultural Heritage Act 2003*, section 46, other than the area known as the 'Stanbroke Pastoral Development Holding', leased under the *Land Act 1994* by lease number PH 13/5398;
- (g) a feature protection area, State forest park or scientific area under the *Forestry Act 1959*;
- (h) a declared fish habitat area under the *Fisheries Act 1994*;
- (i) a place in which a marine plant under the *Fisheries Act 1994* is situated;
- (j) an endangered regional ecosystem identified in the database known as the 'Regional ecosystem description database' kept by the department.

Editor's note—

The Regional ecosystem description database is available for inspection—

- (a) during office hours, at the Queensland Herbarium, Brisbane Botanic Gardens, Mt Coot-tha Road, Toowong and each regional office of the department; and
- (b) on the department's website.

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

Land means land excluding waters and the atmosphere. Land includes land on the authorised place.

Measures has the broadest interpretation and includes:

- **Procedural measures** such as standard operating procedures for dredging operations, environmental risk assessment, management actions, departmental direction and competency expectations under relevant guidelines
- **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

Nominated delegate means another government agency that provides services to the **administering authority**.

Noxious means harmful or injurious to health or physical well-being.

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

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:

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 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

You means the holder of the environmental authority.

END OF PERMIT



Department of
**Environment and
Heritage Protection**

To: Boral Resources (Qld) Pty Limited
PO Box 227
HAMILTON CENTRAL QLD 4007

Email: rob.presmaier@boral.com.au

Your reference: EPPR03917416
Our reference: 440152

Application details

I refer to the application for a new site specific environmental authority that was received by the administering authority on 12-APR-2016.

Land description: Mobile and temporary.

Decision

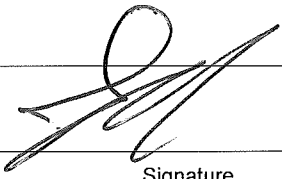
Your application has been approved and your environmental authority (reference EPPR03917416) is attached.

Additional comments or advice

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits/approvals from your local government authority and other State Government agencies prior to commencing any activity at the site. For example, this may include permits/approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources and Mines (to clear vegetation), and the Department of Agriculture Forestry and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Should you have any further enquiries, please contact Clare Davies on telephone 07 4699 4312.

Yours sincerely

	3/6/2016
Signature	Date

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR03917416)