

Permit

Environmental Protection Act 1994

Environmental authority P-EA-100193732

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

Environmental authority number: P-EA-100193732

Environmental authority takes effect on 12 August 2022.

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

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
BRISBANE CITY COUNCIL	Level 1, Green Square South Tower 505 St Pauls Terrace FORTITUDE VALLEY QLD 4006

Environmentally relevant activity and location details

Environmentally relevant activities	Locations
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	1/SP317401
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	159/RP87803
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	4/RP841311
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	5/SP315133

Environmentally relevant activities	Locations
ERA 16 - Extraction and Screening - 2(a) - Extracting, other than by dredging, in a year, the following quantity of material - 5,000t to 100,000t	989/SP301427

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.

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.

The anniversary day of this environmental authority is the same day each year as the original take effect date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

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.



Signature

12/08/2022

Date

Dorota Rosiak
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Utilities and Government Organisations
Assessment
Department of Environment and Science
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Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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)

Other permits required

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, other business units within the department 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 Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at <https://www.rshq.qld.gov.au/>, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. If you are unsure that you have the most current version of the environmental authority relating to this site please visit <https://apps.des.qld.gov.au/env-authorities/> to access all environmental authorities currently approved.

Conditions of environmental authority

Environmentally relevant activity	Locations
ERA16 Extractive and screening activities 2: extracting, other than by dredging, in a year, in a year, the following quantity of material (a) 5,000t to 100,000t.	Lot 5/SP315133 Lot 1/SP317401 Lot 159/RP87803 Lot 4/RP841311 Lot 989/SP301427

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

Agency interest: General	
Condition number	Condition
G1	Activities must be conducted in accordance with the following: a) A maximum of 34,500 tonnes is permitted to be extracted under this environmental authority; and b) Extraction activities must only be carried out within the extraction areas described as 'vegetated open channel', 'sediment basin', and 'Vied Road wetland' shown in Appendix 1 – <i>Location of extraction activities</i>; and c) The clearing must not exceed 0.54 ha of non-juvenile koala habitat trees (NJKHT); and d) The clearing of NJKHT must not occur outside of the areas defined in Appendix 2 - <i>Sweets road drainage project – Non-juvenile koala habitat tree (NJKHT) removal and MSES koala habitat mapping</i>.
G2	All reasonable and practicable measures must be taken to prevent or minimise any environmental harm caused, or likely to be caused by the activities .
G3	Any contravention of a condition of this environmental authority must be reported to the administering authority as soon as practicable, but no more than 24 hours of becoming aware of the contravention.
G4	Within 14 days of providing the notification under condition G3, or a longer period agreed to in writing by the administering authority, an investigation must be completed into any contravention of a condition of the environmental authority to determine: (a) the potential circumstances and actions that may have contributed to the contravention; and (b) the environmental impact of the contravention; and (c) reasonable measures that could be implemented to address the cause of the contravention to prevent future contraventions of this nature.
G5	Measures identified under condition G4(c) must be implemented within: (a) 28 days of the investigation required by condition G4 being completed; or (b) a longer period agreed to in writing by the administering authority.
G6	The following details must be recorded for all contraventions of conditions within the environmental authority: (a) date and time the contravention occurred; and (b) nature and details of the contravention; and (c) investigations carried out in response to the contravention as required by condition

	G4; and (d) the results of investigations; and (e) measures taken under condition G4(c).
G7	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G8	All records required by the conditions of this environmental authority must be kept for a minimum of five years, and all monitoring results and raw data must be kept until surrender of this environmental authority.
G9	All records required by the conditions of this environmental authority must be provided to the administering authority : (a) within the timeframe specified by the administering authority ; and (b) in the format requested by the administering authority .
G10	An appropriately qualified person(s) must monitor , record and interpret all parameters that are required to be monitored by this environmental authority.
G11	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) accreditation or an equivalent certification, for such analyses. The only exception to this condition is for <i>in situ</i> monitoring of dissolved oxygen (DO), temperature, pH and turbidity.
G12	An annual monitoring report (Annual Monitoring Report) must be prepared and submitted to the administering authority by 30 November each year, for the preceding financial year.
G13	The following details must be recorded for all environmental complaints received: (a) date and time the complaint was received; and (b) if authorised by the person making the complaint, their name and contact details; and (c) nature and details of the complaint; and (d) investigations carried out in response to the complaint as required by condition G14; and (e) the results of investigations; and (f) measures taken under condition G15.
G14	An investigation must be undertaken within 28 days (or a longer period agreed to in writing by the administering authority) into all complaints received to determine: (a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and (b) reasonable measures that could be implemented to address the complaint.
G15	Measures identified under condition G14 must be implemented within: (a) 28 days of the investigation required by condition G14 being finalised; or (b) a longer period agreed to in writing by the administering authority .
G16	When requested by the administering authority , monitoring must be undertaken in the manner and within the timeframe prescribed by the administering authority , to investigate any alleged environmental harm caused by the activity .
G17	The results, including an analysis of the results, of monitoring required by condition G16 must be provided to the administering authority : (a) within 10 days after you receive the monitoring results; or (b) A longer period agreed to in writing by the administering authority.
G18	Written procedures must be developed which: (a) identify all potential risks to the environment from the activity , including:

	(i) during routine operations; and (ii) in an emergency; and (b) identify measures to prevent or minimise the potential for environmental harm for each of the potential risks identified; and (c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and (d) establish a staff training program on obligations under this environmental authority and the <i>Environmental Protection Act 1994</i> to be conducted as part of staff inductions and at least annually thereafter; and (e) establish processes to review environmental risks, incidents, performance, and complaints.
G19	Written procedures required by condition G18 must be: (a) implemented; and (b) reviewed at least every two years; and (c) provided to the administering authority upon request and within a timeframe specified by the administering authority.
G20	Plant and equipment necessary to comply with the conditions of this environmental authority must be installed, operated, calibrated and maintained: (a) in a proper and effective manner; and (b) in accordance with the written procedures developed under condition G18 for the plant and equipment.
G21	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 from the activity must not cause environmental nuisance to any sensitive place or commercial place .
Agency interest: Water	
Condition number	Condition
WT1	Other than as permitted within this environmental authority, contaminants must not be released to any waters .
WT2	Contaminants from the activity must not be released to groundwater or at a location where they are likely to be released to groundwater .
WT3	The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one (1) in five (5) years must be retained on site and treated to remove contaminants before release .
WT4	Stormwater that is not contaminated by the activity must be diverted away from areas where it may become contaminated by the activity . Stormwater that is contaminated by the activity must be directed to a sediment pond.
WT5	The only contaminants to be released to the environment are settled treated stormwater runoff from areas of the site in accordance with <i>Table 1- Release limits</i> and the associated monitoring requirements.

Table 1- Release limits				
Release point	Quality characteristic (unit)	Limit	Limit Type	Monitoring Frequency
Sediment pond ¹ discharge outlet	Dissolved Oxygen (DO) (mg/L)	2	Minimum	Immediately prior to discharge and daily during discharge events
	pH (pH units)	6.5 – 8.5	Range	
	Turbidity (NTU)	Less than 10% above the upstream background value of Oxley Creek water	Maximum	
	Total Suspended Solids (mg/L)	50	Maximum	Immediately prior to discharge and weekly during discharge events
	Biochemical Oxygen Demand (BOD ₅) (mg/L) ²	-	-	Weekly when groundwater ingress is present in the sediment pond ¹
	Ammonia ²	900 µg/L	Maximum	
	Nickel ²	4.2 µg/L	Maximum	
	Zinc ²	24 µg/L	Maximum	
	Copper ²	33 µg/L	Maximum	
¹ The sediment pond means the sediment pond required by condition WT4.				
² If the limits for copper, zinc, nickel, or ammonia are exceeded, the water collected in the sediment pond ¹ must be lawfully disposed to a facility that can lawfully accept it.				
Associated monitoring requirements:				
1) Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Monitoring and Sampling Manual. 2) Water samples must be representative of the general condition of the water body. 3) All determinations must employ analytical practical quantification limits of sufficient sensitivity to enable comparisons to be made against water quality objectives/triggers/limits relevant to the particular water quality characteristic. 4) Monitoring must be undertaken during a release and at the frequency stated. 5) All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.				
WT6	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment to surface waters.			
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: Waste	
Condition number	Condition
W1	All waste generated by the activity must be lawfully reused or recycled, and/or lawfully removed to a facility that can lawfully accept the waste.
Agency interest: Land	
Condition number	
L1	Contaminants must not be released to land .
L2	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: a) suitable native species of vegetation for the location are established and sustained for earthen surfaces; and b) potential for erosion is minimised; and c) the quality of water released from the site, including seepage, does not cause environmental harm; and d) potential for environmental nuisance caused by dust is minimised; and e) the water quality of any residual water body does not have potential to cause environmental harm; and f) the final landform is stable and protects public safety.
L3	Treatment and management of acid sulfate soils must comply with the guidance provided in the current edition of the <i>Queensland Acid Sulfate Soil Technical Manual: Soil management Guidelines</i> .
L4	A Rehabilitation Management Plan (RMP) must be designed and implemented to: a) Ensure any lost non-juvenile koala habitat tree is replaced on site at a minimum ratio of three (3) replacement) to one (1) (loss); and b) All replacement trees required by subsection (a) above must be species of koala habitat trees.
L5	All areas subject to the RMP required under condition L4 must be maintained and monitored for a period of five (5) years after completion of the rehabilitation works. Records must be kept.
L6	A clay liner system must be installed and maintained to prevent groundwater ingress into the constructed wetlands described as 'sediment basin', and 'Vied Road wetland' in Appendix 1 – <i>Location of extraction activities</i> .

Definitions

Where a word or phrase in this document is **bolded**, it has its corresponding meaning that is defined below. Where a word or phrase in this document is **not bolded**, it has the meaning given to it in (in order of priority):

- (a) the *Environmental Protection Act 1994*, its regulations or its environmental protection policies;
- (b) *Environmental Offsets Act 2014*;
- (c) *Regional Planning Interests Act 2014*;
- (d) *Waste Reduction and Recycling Act 2011*;
- (e) *The Acts Interpretation Act 1954*;
- (f) the Macquarie Dictionary (taking account of the context in which the word or phrase is used in this document).

Defined words or phrases in the singular include the plural and vice versa.

Activity means the environmentally relevant activity(s) to which the environmental authority relates. An activity may be undertaken on the whole or a part of a site.

Administering authority means the Chief Executive administering the *Environmental Protection Act 1994*.

Appropriately qualified person means a person or persons who has professional qualifications, training, skills and experience relevant to the environmental authority (EA) requirements and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods and/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 of a calendar day.

Environmental complaints means an expression of dissatisfaction, concern or report, whether written or verbal, about the **activity** and/or its impact on the environment

Extraction areas means the areas described as 'vegetated open channel', 'sediment basin', and 'Vied Road wetland' shown in Appendix 1 – *Location of extraction activities*.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

Land means land excluding waters and the atmosphere.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Monitor, monitored and monitoring means monitoring the impact of an **activity** on the receiving environment and includes analysing, assessing, examining, inspecting, measuring, modelling or reporting any of the following matters—

- (a) the quantity, quality, characteristics, timing and variability of the release of any contaminant; and
- (b) the effectiveness of any control measure; and
- (c) the characteristics of, and impact on, the receiving environment; and
- (d) the effectiveness of remedial or rehabilitation measures (if applicable to the relevant monitoring requirement).

Person means an individual and a corporation, as per section 32D of the *Acts Interpretation Act 1954*.

Raw data means primary data collected from a source that has not been processed and includes monitoring sheets, monitoring device readings, laboratory analysis results and certificate of analysis.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Release of a contaminant into the environment or release means to:

- (a) deposit, discharge, emit or disturb the contaminant; or
- (b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed; or
- (c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed; or

- (d) allow the contaminant to escape; or
- (e) 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 any of the following places:

- (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 2004* or a World Heritage Area; or
- (f) a public park or garden; or
- (g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019; or
- (h) the area within the curtilage of any of the above places.

Species of koala habitat trees means:

- a) a food tree of the *Corymbia*, *Melaleuca*, or *Lophostemon* or *Eucalyptus* genera; or
- b) a preferred sheltered species such as *Angophora*.

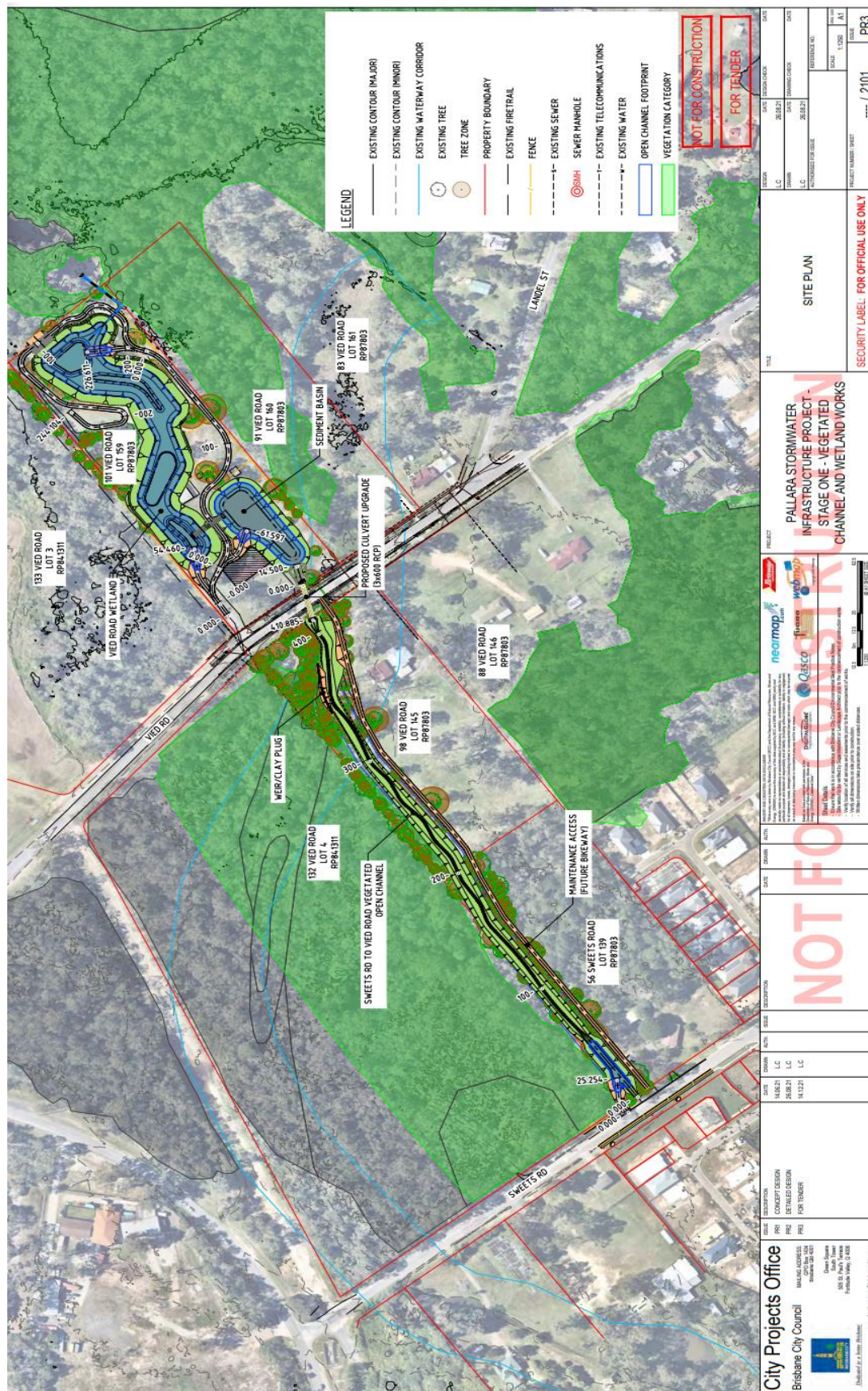
Surface water means water other than **groundwater**.

The site means the area of land identified as being approved for the carrying out of the activity as per Appendix 1 of this environmental authority.

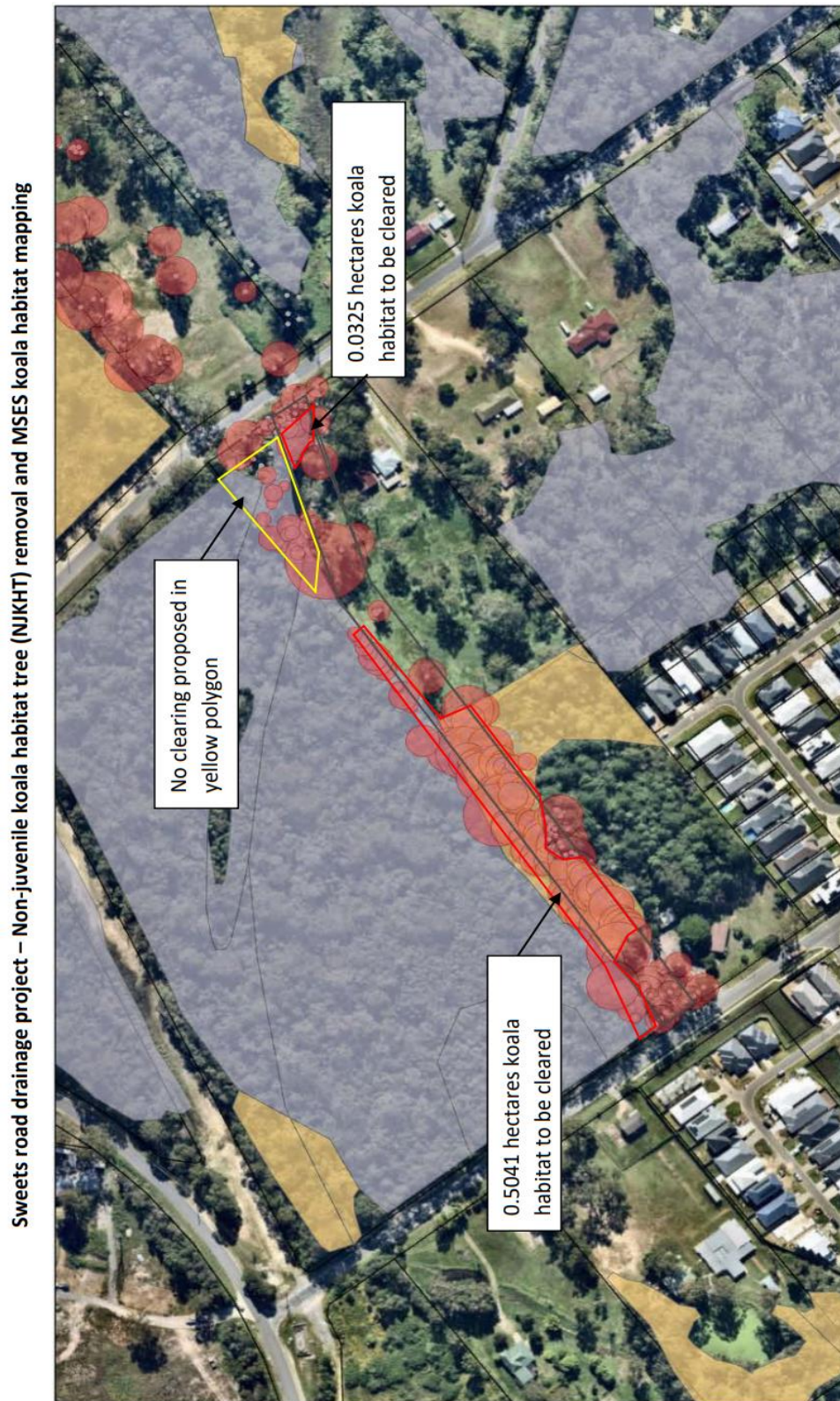
Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off,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

24 hour storm event with an ARI of 1 in 5 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years. For example, at location XX an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 5 years identifies a rainfall intensity of 7.09mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09mm/hour = 170.16mm

Appendix 1 - Location of extraction activities



Appendix 2 - Sweets road drainage project – Non-juvenile koala habitat tree (NJKHT) removal and MSES koala habitat mapping.



END OF ENVIRONMENTAL AUTHORITY