# Permit

***Environmental Protection Act 1994***

## Environmental authority P-EA-100309791

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

## Environmental authority number: P-EA-100309791

**Environmental authority takes effect on** the date the development approval number DA025-2022 takes effect. This is the take effect date.

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(s)

| Name(s) | Registered address |
|---|---|
| KALARI PTY LTD | 850 Lormier Street,<br>PORT MELBOURNE, VIC 3207 |

## Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|---|
| ERA 08 – Chemical Storage – 4 – storing 200t or more of chemicals that are solids or gases, other than chemicals mentioned in items 1 to 3, under subsection (1)(d) | Lot 38 Boolburra Edungalba Road,<br>BOOLBURRA, QLD 4702<br><br>Lot 38 Plan PN132 |

**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).



Queensland Government

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

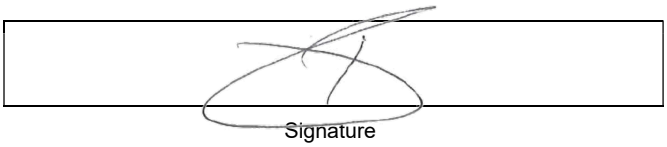
c) otherwise – on the day the authority is issued.

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 effective date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day.

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

9/9/2022

Date

Tristan Roberts
Department of Environment and Science
Delegate of the administering authority
*Environmental Protection Act 1994*

**Enquiries:**
Energy and Extractive Resources
GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Email: EnergyandExtractive@des.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)

### 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 www.resources.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. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

## Conditions of environmental authority

| **Agency interest: General** | |
|---|---|
| **Condition number** | **Condition** |
| G1 | Activities under this environmental authority must be conducted in accordance with the following limitations:<br>1. Storage of ammonium nitrate in solid form must not exceed 2,400 tonnes at any one time.<br>2. Ammonium nitrate must be stored in impervious containers within the site, as identified in Appendix 1- Kalari Southern Facility site plan. |
| G2 | All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities. |
| G3 | Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken. |
| G4 | Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur. |
| G5 | Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the administering authority, or nominated delegate upon request**,** within the required timeframe and in the specified format. |
| 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 of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request. |
| G9 | The activity must be undertaken in accordance with written procedures that:<br>1. identify potential risks to the environment from the activity during routine operations, closure and an emergency;<br>2. establish and maintain control measures that minimise the potential for environmental harm;<br>3. ensure plant, equipment and measures are maintained in a proper and effective condition;<br>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; and*<br>6. ensure that reviews of environmental performance are undertaken at least annually. |
| G10 | Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system. |

| **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. |

| **Agency interest: Air** | |
|---|---|
| **Condition number** | **Condition** |
| A1 | Odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place**.** |
| A2 | Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place:<br>a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or<br>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) ($PM_{10}$) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority. |

| **Agency interest: Land** | |
|---|---|
| **Condition number** | **Condition** |
| L1 | Treated stormwater may be released to land via the sediment dam spillway point identified in Appendix 2 - Stormwater Management Plan, in accordance with condition (L2). |

L2

The only contaminants to be released to land are settled treated stormwater runoff in accordance with *Table - Land release limits* and the associated monitoring requirements.

**Table - Land release limits**

| **Release Point(s) Description** (GDA2020 decimal degrees) * | | **Quality characteristic** (units) | **Limit** | **Limit Type** | **Minimum Monitoring Frequency** |
|---|---|---|---|---|---|
| **Latitude** | **Longitude** | | | | |
| 793596.04 (East), 7373627.26 (North) – MGA Zone 55, Datum GDA2020 | | Ammonia N | 10 µg/L | Maximum | Prior to release and weekly thereafter during release. |
| | | Oxidised N | 10 µg/L | Maximum | |
| | | Total Nitrogen | 350 µg/L | Maximum | |
| | | Total Phosphorus | 10 µg/L | Maximum | |
| | | Dissolved Oxygen (DO) | 90%-110% Saturation | Range | |
| | | Suspended Solid (SS) | 50 mg/L | Maximum | |
| | | pH | 6.5 – 8.0 | Range | |

**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 and sediment samples must be representative of the general condition of the water body or sediments.
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 or sediment 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.

L3

Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

L4

The release to land must not cause:

1. Scouring or any other form of erosion; or
2. Ponding and pooling of the waters being released.

L5

Before applying to surrender this environmental authority the site must be rehabilitated to achieve a safe, stable, and non-polluting landform

L6

Clearing of vegetation is not authorised under this environmental authority.

| **Agency interest: Acoustic** | |
|---|---|
| **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** |
| WA1 | Other than as permitted within this environmental authority, contaminants must not be released to any waters. |
| WA2 | 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 treatment system. |

## Definitions

Key terms and/or phrases in this environmental authority are defined in this section. 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 Science 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 EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirements 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.

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

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

**Land** means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes tidal land).

**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.

**NATA** means National Association of Testing Authorities.

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

**Prescribed water contaminants** means contaminants listed within Schedule 10 of the Environmental Protection Regulation 2019.

**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** means to:

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

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 2019.

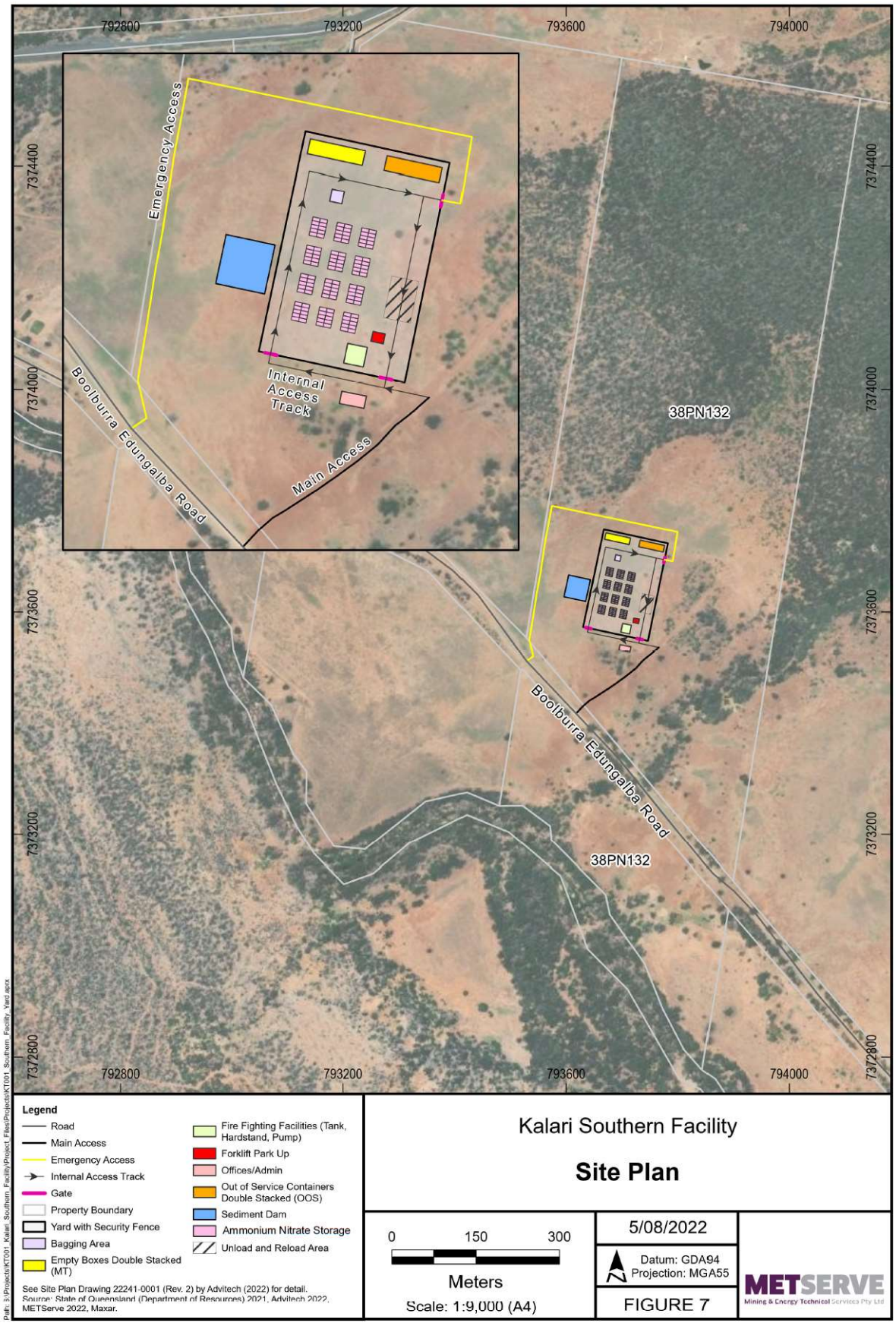
**Stormwater that is not contaminated by the activity** includes stormwater runoff from external or undisturbed catchments.

**Tidal land** means land that is submerged at any time by tidal water.

**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.

## Appendix 1 – Kalari Southern Facility site plan



## Appendix 2 - Stormwater Management Plan

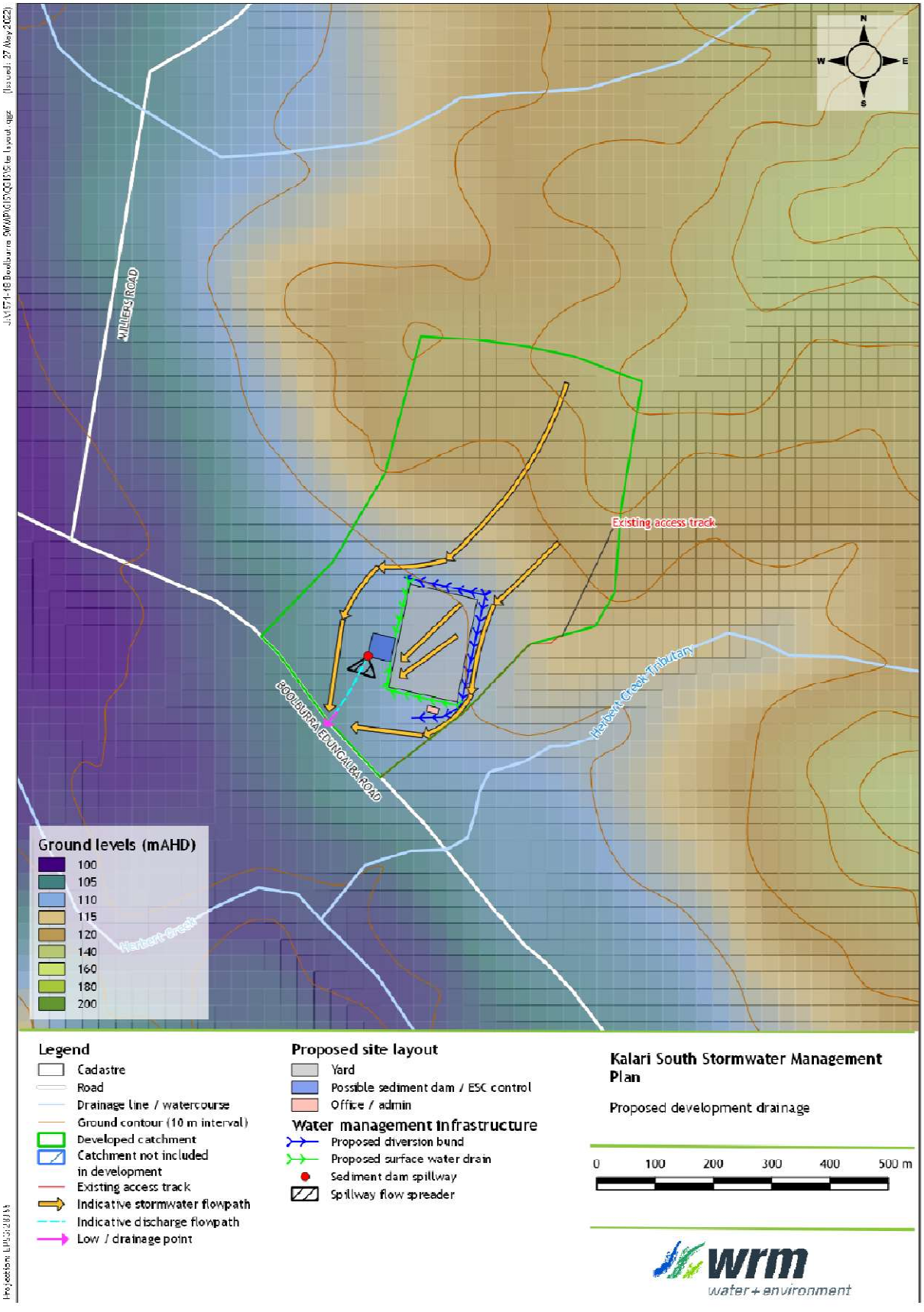



Figure 3.1 - Stormwater drainage plan

**END OF ENVIRONMENTAL AUTHORITY**