

Permit

Environmental Protection Act 1994

Environmental authority P-EA-100521013

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

Environmental authority number: P-EA-100521013

Environmental authority takes effect on the date of approval. 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

Name	Registered address
Tyrenwhit Pty Ltd	18 Van Velsen Road, THE DAWN QLD 4570

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 16-2(a) – Extracting, in a year, more than 5,000 tonnes but less than 100,000 tonnes.	23505 Bruce Highway, MARYBOROUGH WEST QLD 4650 (Lot 258/MCH3217)

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 effective date. The payment of the annual fee will be due each year on this day.



Signature

Kate Grayson
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

4 December 2023

Date

Enquiries:
Energy and Extractive Resources Business Centre
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

The environmentally relevant activities must be conducted in accordance with the following site-specific conditions of approval.

Agency interest: General	
Condition number	Condition
G1	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
G2	This environmental authority authorises the activities to the extent that they are carried out in accordance with the following limitations: <ul style="list-style-type: none"> a) The activities must be undertaken in accordance with <i>Appendix 1 – Sediment Pond Layout</i> and <i>Appendix 2 – Extraction Layout with GPS Coordinates</i>. b) The total volume of material extracted for activities undertaken under ERA 16-2(a) must not exceed 49,160t; c) The depth of extraction must not exceed 4m AHD; and d) Extraction must not intercept groundwater.
G3	Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is: <ul style="list-style-type: none"> a) An act that causes serious or material environmental harm or an environmental nuisance; or b) An act that contravenes a noise standard; or c) A deposit of a contaminant, or release of stormwater runoff, mentioned in section 440ZG of the <i>Environmental Protection Act 1994</i>.
G4	Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must: <ul style="list-style-type: none"> a) Be reported to the administering authority within 24 hours of becoming aware of the contravention; and b) Include the nature and circumstances of the contravention and any immediate actions taken.
G5	As soon as reasonable practicable but no later than 20 business days of a report made under condition G3 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine: <ul style="list-style-type: none"> a) The potential circumstances and actions that may have contributed to the contravention; and b) Reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature.
G6	As soon as reasonable practicable but not later than 20 business days of investigating a contravention under condition G4 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
G7	The outcome of the investigation carried out under condition G4 and the reasonable and practicable measures implemented under condition G5 must be recorded.
G8	The following details must be recorded for all complaints received and provided to the administering authority upon request: <ul style="list-style-type: none"> 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.

G9	As soon as reasonably practicable but not later than 5 business days of receiving a complaint (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine: <ul style="list-style-type: none"> a) The potential circumstances and actions on site that may have contributed to the basis of the complaint; and b) Reasonable and practicable measures that will be implemented to address the complaint. 						
G10	As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G7 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.						
G11	The outcome of the investigation carried out under condition G8 and the reasonable and practicable measures implemented under condition G9 must be recorded.						
G12	Written procedures must be developed by an appropriately qualified person and implemented to ensure that: <ul style="list-style-type: none"> a) All potential risks to the environment from the carrying out of the activity are identified and assessed, including: <ul style="list-style-type: none"> i. during routine operations; and ii. outside routine operations (e.g., maintenance, start up and shut down); and iii. during preparation, rehabilitation, and closure; and iv. in an emergency (e.g., fire, flood or other natural disaster); and b) For each potential risk identified, any necessary measures to prevent or minimise the potential for environmental harm are implemented; and c) Staff understand their obligations under this environmental authority and the <i>Environmental Protection Act 1994</i>; and d) Environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach. 						
G13	An appropriately qualified person must install, operate, calibrate, and maintain the plant and equipment required to carry out the activity (including monitoring devices) in a proper and effective manner.						
G14	Records of installation, calibration and maintenance carried out under condition G11 must be kept.						
G15	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental harm, including environmental nuisance, arising from the activity. The monitoring data and an analysis of the results must be provided within 10 business days to the administering authority upon its request.						
G16	Unless otherwise specified by a condition of this environmental authority, records must be: <ul style="list-style-type: none"> a) Kept for the period outlined in <i>Table 1 – Record keeping requirements</i>; and b) Provided to the administering authority upon request and in the format requested. <p style="text-align: center;"><i>Table 1 – Record keeping requirements</i></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Description of records</th> <th>Retention requirement</th> </tr> </thead> <tbody> <tr> <td>Monitoring results</td> <td>Retain for 15 years</td> </tr> <tr> <td>All other records</td> <td>Retain for 5 years</td> </tr> </tbody> </table>	Description of records	Retention requirement	Monitoring results	Retain for 15 years	All other records	Retain for 5 years
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Monitoring results	Retain for 15 years						
All other records	Retain for 5 years						
G17	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.						
G18	Safe, efficient, and clear access to the site including all waste storage areas, buildings and structures for fire-fighting vehicles must be provided at all times.						

G19	All reasonable and practicable measures must be taken to exclude vectors and pest species to the extent necessary to prevent: <ul style="list-style-type: none"> a) Environmental nuisance to occupiers of neighbouring premises; and b) Any danger or risk to the health of any person.
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: <ul style="list-style-type: none"> 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 b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) 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	Contaminants must not be released to land.
L2	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</i> .
L3	Land that has been disturbed under this environmental authority must be rehabilitated in a manner such that: <ol style="list-style-type: none"> 1. For land that excludes <i>Appendix 1: Sediment Pond Layout</i>: <ol style="list-style-type: none"> a. Potential for erosion is minimised; b. The quality of water released from the site, including seepage, does not cause environmental harm; c. Potential for environmental nuisance caused by dust is minimised; 2. The water quality of any residual water body does not have potential to cause environmental harm, including any potential or actual ongoing risk from the presence of acid sulfate soils; and 3. The final landform is stable and protects public safety.
L4	Before applying to surrender this environmental authority, written notification from the landowner must be provided to the administering authority confirming land use is appropriate.
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
WS1	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
WS2	Incompatible wastes must not be mixed in the same container or waste storage area.
Agency interest: Water	

Condition number	Condition
WT1	Contaminants must not be released to any waters.
WT2	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
WT3	Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
WT4	The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.

Definitions

Key terms and/or phrases bolded 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 successors or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement 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*.

Incompatible waste means waste that may chemically react when:

1. placed in proximity to other wastes; and/or
2. mixed with other wastes,

Land does not include waters.

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

Monitoring results includes analysis results (laboratory and in-situ) and monitoring reports.

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

Relevant act as defined in section 493A of the *Environmental Protection Act 1994*.

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.

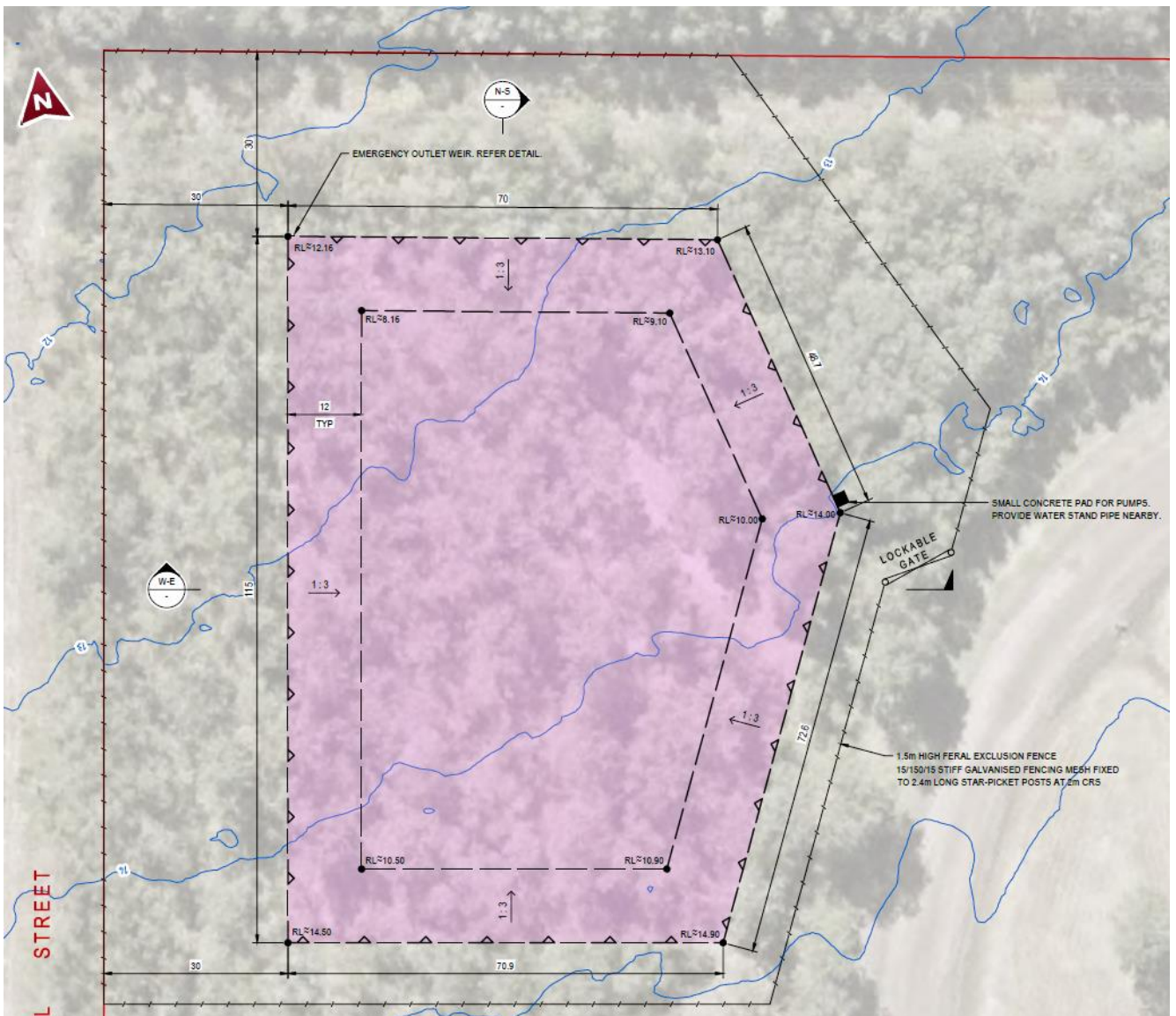
Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

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 park or garden; or

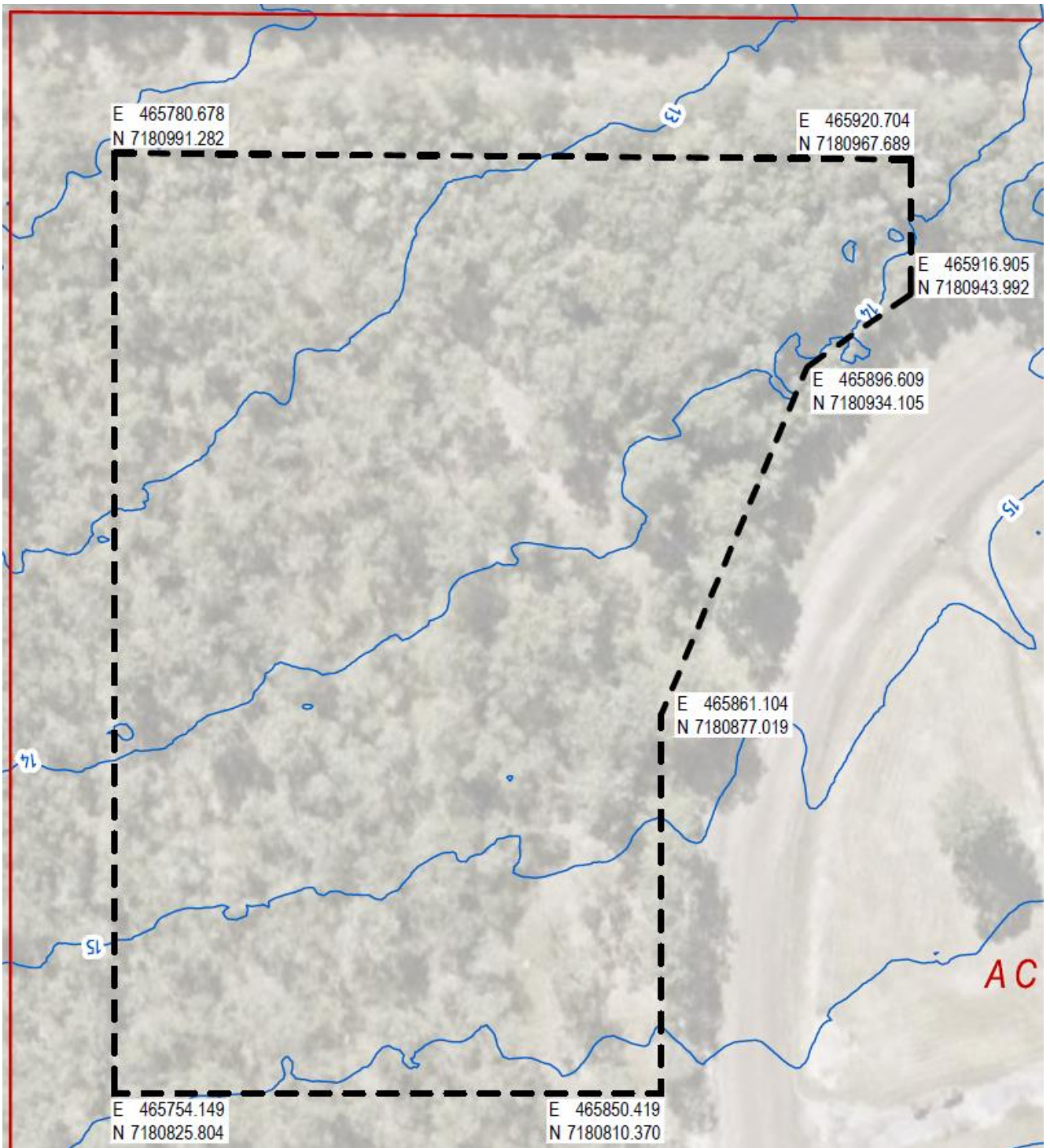
7. for noise, a place listed as sensitive receptor in Schedule 1 of the Environmental Protection (Noise) Policy 2019.

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.

Appendix 1: Sediment Pond Layout



Appendix 2: Extraction Layout with GPS Coordinates



END OF ENVIRONMENTAL AUTHORITY