Permit

Environmental Protection Act 1994

Environmental authority P-EA-100524728

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

Environmental authority number: P-EA-100524728

Environmental authority takes effect on the date that your related development approval 2306-35187 SRA takes effect**.** This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

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
NEXTDC LIMITED	B1 20 Wharf Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 14 - Electricity generation - 2(a) - Generating electricity by using a fuel, other than gas, at a rated capacity of 10MW electrical to 150MW electrical.	1/RP9713 100/SP300569 2/RP9713 22/RP9713 3/RP9713

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.

Queensland Government

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).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:

- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

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

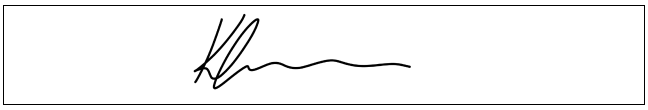
c) otherwise - on the day the authority is issued.

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.

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 January 2024

Date

Kate Grayson
Department of Environment, Science and Innovation
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).

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, Science and Innovation to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

<table>
<tr><th>Ref</th><th>Condition</th></tr>
<tr><td colspan="2">Schedule: General</td></tr>
<tr><td>G1.0</td><td>This environmental authority authorises the activities listed in Table – Authorised activities

Table – Authorised activities
<table>
<tr><th>Activity</th><th>Feature name</th><th>Maximum Authorised</th><th>Location</th></tr>
<tr><td>Electricity Generation</td><td>Generator
Rolls Royce
MTU 16V4000G84F</td><td>13 x generators</td><td>Rooftop of Stage 1 and Stage 2</td></tr>
<tr><td>Fuel Storage</td><td>Combined diesel storage</td><td>7 x 10,000L
2 x 70,000L</td><td>Stage1 - Level B1
Stage 2 – Level 1</td></tr>
<tr><td>Chemical storage</td><td>Urea storage used as part of diesel emission controls</td><td>5 x 155L
6 x 700L</td><td>Rooftop of NextDC Data Centre within in generator enclosures</td></tr>
</table></td></tr>
<tr><td>G2.0</td><td>All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused, or likely to be caused, by the activities.</td></tr>
<tr><td>G3.0</td><td>Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is:
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 run-off, mentioned in section 440ZG of the Environmental Protection Act 1994.</td></tr>
<tr><td>G4.0</td><td>Contravention of conditions
Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must:
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.</td></tr>
<tr><td>G4.1</td><td>As soon as reasonably practicable but no later than 20 business days of a report made under condition G4.0 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:
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.</td></tr>
<tr><td>G4.2</td><td>As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G4.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.</td></tr>
</table>

Ref	Condition
G4.3	The outcome of the investigation carried out under condition G4.1 and the reasonable and practicable measures implemented under condition G4.2 must be recorded.
G5.0	**Complaints** The following details must be recorded for all complaints received and provided to the administering authority upon request: 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.
G5.1	As soon as reasonably practicable but no 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: 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.
G5.2	As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G5.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
G5.3	The outcome of the investigation carried out under condition G5.1 and the reasonable and practicable measures implemented under condition G5.2 must be recorded.
G5.4	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.
G6.0	**Environmental risk management procedures** Written procedures must be developed and implemented by an appropriately qualified person that ensure: a) all potential risks to the environment from the carrying out of the activity are identified and assessed, including: 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 *Environmental Protection Act 1994*; and d) environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach.
G7.0	**Plant and equipment** 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.
G7.1	Records of installation, calibration and maintenance carried out under condition G7.0 must be kept.

<table>
<tr><th>Ref</th><th>Condition</th></tr>
<tr><td>G8.0</td><td>Record keeping
Unless otherwise specified by a condition of this environmental authority, records must be:
a) kept for the period outlined in Table – Record keeping requirements; and
b) provided to the administering authority upon request and in the format requested.

Table – Record keeping requirements<table><tr><th>Description of records</th><th>Retention requirement</th></tr><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></table></td></tr>
<tr><td>G9.0</td><td>Chemical storage
Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</td></tr>
<tr><td>G10.0</td><td>Monitoring and sampling
All monitoring and sampling required by the conditions of this environmental authority must be carried out, interpreted, and recorded by an appropriately qualified person.</td></tr>
<tr><td>G10.1</td><td>Unless otherwise authorised in writing by the administering authority, all laboratory analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) accreditation for such analyses.</td></tr>
<tr><td>G11</td><td>Operation during disruption of mains power
When required to operate due to a disruption in the mains power supply, the maximum number of generators in operation at any one time must not exceed 11 units.</td></tr>
<tr><td>G12</td><td>Maintenance and Testing
Except where required due to an interruption to mains power, only one generator at a time is permitted to be operated for the purposes of maintenance and testing.
Maintenance and testing for each generator;
must not exceed a period of 15 minutes; and
must only operate at a maximum capacity equal to 50% load; and
must only be conducted during the daytime period (7am to 6pm).
The only exception to these requirements is where required to obtain a sufficient sample for the purposes of emissions testing to satisfy a condition of this environmental</td></tr>
<tr><td colspan="2">Schedule: Air</td></tr>
<tr><td>A1.0</td><td>Point source emissions of contaminants must only be released to air in accordance with the parameters listed in Table 1 – Contaminants Release to Air.

Table 1 - Contaminants Release to Air<table><tr><th>Release point number</th><th>Minimum release height (metres)</th><th>Minimum velocity (m/sec)</th><th>Contaminant release</th><th>Maximum release limit (grams/second)</th></tr><tr><td colspan="5">Stage 1 Generators</td></tr><tr><td>A1-Generator Stack</td><td>26</td><td>50</td><td>Oxides of Nitrogen</td><td>0.495</td></tr></table></td></tr>
</table>

	A2-Generator Stack	26	50	Oxides of Nitrogen	0.495
	A3-Generator Stack	26	50	Oxides of Nitrogen	0.495
	A4-Generator Stack	26	50	Oxides of Nitrogen	0.495
	A5-Generator Stack	26	50	Oxides of Nitrogen	0.495
	Stage 2 Generators				
	A6-Generator Stack	47	50	Oxides of Nitrogen	0.636
	A7-Generator Stack	47	50	Oxides of Nitrogen	0.636
	A8-Generator Stack	47	50	Oxides of Nitrogen	0.636
	A9-Generator Stack	47	50	Oxides of Nitrogen	0.636
	A10-Generator Stack	47	50	Oxides of Nitrogen	0.636
	A11-Generator Stack	47	50	Oxides of Nitrogen	0.636

A1.1	The release of contaminants from all point sources in condition A1.0 must be directed vertically upwards without any impedance or hindrance.
A1.2	Monitoring must be undertaken for each release authorised under Condition A1.0 during the commissioning period for each of the generators: a) for the contaminants specified in *Table 1 – Point source air release limits*; and b) while the generator being sampled is operating under at least 50% load.
A1.3	Monitoring position for the release points listed in *Table 1 – Point source air release limits* must comply with the latest edition of the Australian Standard AS 4323.1 *Stationary source emissions, Method 1: Selection of sampling positions and measurements of velocity in stacks*.
A1.4	The following must be recorded for each sample collected in accordance with *Table 1 – Point source air release limits*: a) gas velocity and volume flow rate; and b) temperature and oxygen content; and c) water vapour concentration; and d) % load at the time of sampling; and e) any typical factors that may influence air pollutant emissions.
A2.0	This environmental authority does not authorise odours or airborne contaminants generated by the activity to cause a relevant act at a sensitive place or commercial place.
A3.0	When requested by the administering authority, air quality monitoring, including for dust and point source emissions from the activity, must be undertaken in accordance with the latest edition of: a) the relevant Australian Standards; or b) a method approved by any other Australian, European or North American jurisdiction/EPAs (if monitoring requirements are not described in the Australian Standards).
Schedule: Land	
L1.0	Contaminants must not be released to land.
Schedule: Noise	

<table>
<tr><td>N1.0</td><td>When operating during an interruption of mains power supply, noise from the activity:
a) must not cause substantial low frequency noise components; and
b) must not exceed the levels identified in Table 2 – Noise limits at any sensitive place or commercial place.

Table 2 – Noise limits
<table>
<tr><td rowspan="2">Noise level measured in dB(A)</td><td colspan="3">Monday to Saturday</td><td colspan="3">Sunday and Public Holidays</td></tr>
<tr><td>7am–6pm</td><td>6pm–10pm</td><td>10pm–7am</td><td>9am–6pm</td><td>6pm–10pm</td><td>10pm–9am</td></tr>
<tr><td></td><td colspan="6">Noise measured a sensitive place</td></tr>
<tr><td>$L_{Aeq\ adj,\ 1\ hr}$</td><td>50</td><td>50</td><td>45</td><td>50</td><td>50</td><td>45</td></tr>
<tr><td>$L_{Amax,\ 1\ hr}$</td><td>not applicable</td><td>not applicable</td><td>49 dB(A)</td><td>not applicable</td><td>not applicable</td><td>49 dB(A)</td></tr>
<tr><td></td><td colspan="6">Noise measured at a commercial place</td></tr>
<tr><td>$L_{Aeq\ adj,\ 1\ hr}$</td><td>55</td><td>55</td><td>50</td><td>55</td><td>55</td><td>50</td></tr>
</table>
Note: These limits do not apply during the initial warm up period of the generators from a cold start to operational temperatures. The warm up period must not exceed 15 minutes per generator.</td></tr>
<tr><td>N1.1</td><td>All monitoring of noise emissions from the activity must be undertaken when the activity is in operation.</td></tr>
<tr><td>N1.2</td><td>The following must be recorded when undertaking monitoring of noise emissions from the activity:
a) All equipment in operation at the time of the noise measurement; and
b) The mode of operation at the time of the noise measurement.

<u>Note</u>: results and monitoring reports are records that must be kept in accordance with condition G8.0.</td></tr>
<tr><td>N1.3</td><td>Noise measurements must be taken using a class 1 sound level meter as classified under AS IEC 61672.</td></tr>
<tr><td>N2.0</td><td>All monitoring of noise emissions from the activity must be undertaken in accordance with the latest edition of the Noise measurement manual (available on the Queensland government website), the relevant Australian Standard and the Environmental Protection Regulation 2019 (Chapter 5, Part 4).</td></tr>
<tr><td colspan="2">Schedule: Waste</td></tr>
<tr><td>W1.0</td><td>All waste must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.</td></tr>
<tr><td colspan="2">Schedule: Water</td></tr>
<tr><td>WT1.0</td><td>Contaminants must not be released to any waters.</td></tr>
</table>

Definitions

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

- the *Environmental Protection Act 1994* (EP Act), its regulations or its environmental protection policies;
- the *Acts Interpretation Act 1954*;
- the Macquarie Dictionary (taking account of the context in which the word or phrase is used in this document).

For example, environmental value, environmental harm, environmental nuisance, material environmental harm, serious environmental harm and relevant act are defined in the EP Act and groundwater is defined in the Environmental Protection Regulation 2019.

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

Activity means the environmentally relevant activities to which the environmental authority relates.
Annual exceedance probability (AEP) means the probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.
Appropriately qualified person means a person who has professional qualifications, training, skills or experience relevant to the EA requirements and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.
Cold start means to start (an engine or machine) at the ambient temperature.
Commercial place means a place, or part of a place, used as a workplace, an office or for business or commercial purposes.
GDA means Geocentric Datum of Australia.
$L_{Aeq\ adj,\ 1\ hr}$ means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1-hour period has the same mean square sound pressure of a sound that varies with time.
$L_{Amax,\ 1\ hr}$ means the maximum A-weighted sound pressure level over the 1-hour measurement period.
$L_{A1,\ 1\ hr}$ means the A-weighted sound pressure level that is exceeded for 1% of a 1-hour period when measured using time-weighting 'F'.
$L_{A10,\ 1\ hr}$ means the A-weighted sound pressure level that is exceeded for 10% of a 1-hour period when measured using time-weighting 'F'.
Maximum extent of impact means the total, cumulative, residual extent and duration of impact to a prescribed environmental matter that will occur over a project's life after all reasonable avoidance and reasonable on-site mitigation measures have been, or will be, undertaken.
Monitoring results includes analysis results (laboratory and in situ) and monitoring reports.
Prescribed environmental matters has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the *Environmental Offsets Regulation 2014*.
Records include any written procedures, plans, monitoring results, and monitoring programs required under a condition of this environmental authority.
Relevant act as defined in section 493A of the EP Act.
Sensitive place is any part of the following: 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.
Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).
Waters includes a 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.

END OF ENVIRONMENTAL AUTHORITY