Permit

Environmental Protection Act 1994

Environmental authority P-EA-100568344

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

Environmental authority number: P-EA-100568344

Environmental authority takes effect on the date it is issued. 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
LMS Energy Pty Ltd	118 Greenhill Road, UNLEY SA 5061

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 15 - Fuel burning Using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour.	Lot 2 on SP132603

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

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 land give written notice to the administering authority if they become aware of the following:

- the presence of, or happening of an event involving, a hazardous contaminant on the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- if the land is contaminated land – a change in the condition of the land that is causing, or is reasonably likely to cause, serious or material environmental harm (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 land (notice must be given within 20 business days).

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.

	4 November 2024
Signature	Date

Helena Braye
Manager
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Energy and Extractive Resources Business Centre
GPO Box 2454, BRISBANE QLD 4001
P: (07) 3330 5715
E: 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

Agency interest: General	
Condition Number	**Condition**
G1	Activities under this environmental authority must be conducted in accordance with the following limitations: a) The only fuel permitted to be used is landfill gas (biogas). b) The facility must be constructed in accordance with *Appendix 1: Power Station Site Layout*.
G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused, or likely to be caused, by the activities.
G3	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.*
G4	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.
G5	As soon as reasonably practicable but no later than 20 business days of a report made under condition G4 (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.
G6	As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G5 (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 G5 and the reasonable and practicable measures implemented under condition G6 must be recorded.
G8	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.
G9	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.

<table>
<tr><td>G10</td><td>As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G9 (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>
<tr><td>G11</td><td>The outcome of the investigation carried out under condition G9 and the reasonable and practicable measures implemented under condition G10 must be recorded.</td></tr>
<tr><td>G12</td><td>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
a) for each potential risk identified, any necessary measures to prevent or minimise the potential for environmental harm are implemented; and
b) staff understand their obligations under this environmental authority and the Environmental Protection Act 1994; and
c) environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach.</td></tr>
<tr><td>G13</td><td>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.</td></tr>
<tr><td>G14</td><td>Records of installation, calibration and maintenance carried out under condition G13 must be kept.</td></tr>
<tr><td>G15</td><td>Unless otherwise specified by a condition of this environmental authority, records must be:
a) kept for the period outlined in Table 1 – Record keeping requirements; and
b) provided to the administering authority upon request and in the format requested.

Table 1 – 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>G16</td><td>Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</td></tr>
<tr><td>G17</td><td>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>G18</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 colspan="2">Agency interest: Air</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>A1</td><td>Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.</td></tr>
<tr><td>A2</td><td>Contaminants must only be released to air from the point source(s) in accordance with Table 2 – Point source air release limits and the associated requirements.</td></tr>
</table>

<table>
<tr><td></td><td>

Table 2 – Point source air release limits

Minimum Release Height (m)	7.6m
Minimum Efflux Velocity[1] (m / sec)	40 m/s at 100% load
NOx Maximum concentration	450 mg / Nm^3 @7% O2
CO Maximum concentration	1400 mg / Nm^3 @7% O2
TVOCs as Benzene	40 mg / Nm^3 @7% O2

1Note: Minimum velocity measured at 100% load.

Associated requirements

1. Measurement of emissions from the generator must:
   a) be undertaken once:
      i. in the first three months after each facility is first commissioned, and then
      ii. every year thereafter.
   b) be carried out when the engine is operating 100% load; and
   c) demonstrate compliance with the limits listed in Table above.
</td></tr>
<tr><td>A3</td><td>Monitoring of any releases to the atmosphere required by a condition of this approval must be carried out in accordance with the following requirements:
1. Monitoring provision for the release points listed in condition A2 Table 2 – Point source air release limits must comply with the Australian Standard AS 4323.1 Stationary source emissions Methods 1. Selection of sampling positions (or more recent editions).
2. The following tests must be performed for each required determination specified in condition A2 Table 2 – Point source air release limits:
i. gas velocity and volume flow rate;
ii. temperature; and
iii. water vapour concentration (moisture content).
3. Where practicable, samples must be taken when emissions are expected to be at maximum rate.</td></tr>
<tr><td colspan="2">Agency interest: Land</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>L1</td><td>Contaminants must not be released to land.</td></tr>
<tr><td>L2</td><td>Before applying to surrender this environmental authority, the holder must rehabilitate all land disturbed by the activity in a manner that achieves a safe, stable, non-polluting landform.</td></tr>
<tr><td colspan="2">Agency interest: Water</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>WT1</td><td>Contaminants must not be released to waters.</td></tr>
<tr><td colspan="2">Agency interest: Noise</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>N1</td><td>Noise generated by the activity must not cause environmental nuisance to a sensitive place or commercial place.</td></tr>
<tr><td colspan="2">Agency interest: Waste</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>WS1</td><td>All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.</td></tr>
<tr><td>WS2</td><td>Incompatible wastes must not be mixed in the same container or waste storage area.</td></tr>
</table>

[1] Note: Minimum velocity measured at 100% load.

Definitions
Key terms and/or phrases used in this document 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, Science and Innovation, 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.

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

Incompatible wastes 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.

NATA means National Association of Testing Authorities.

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

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.

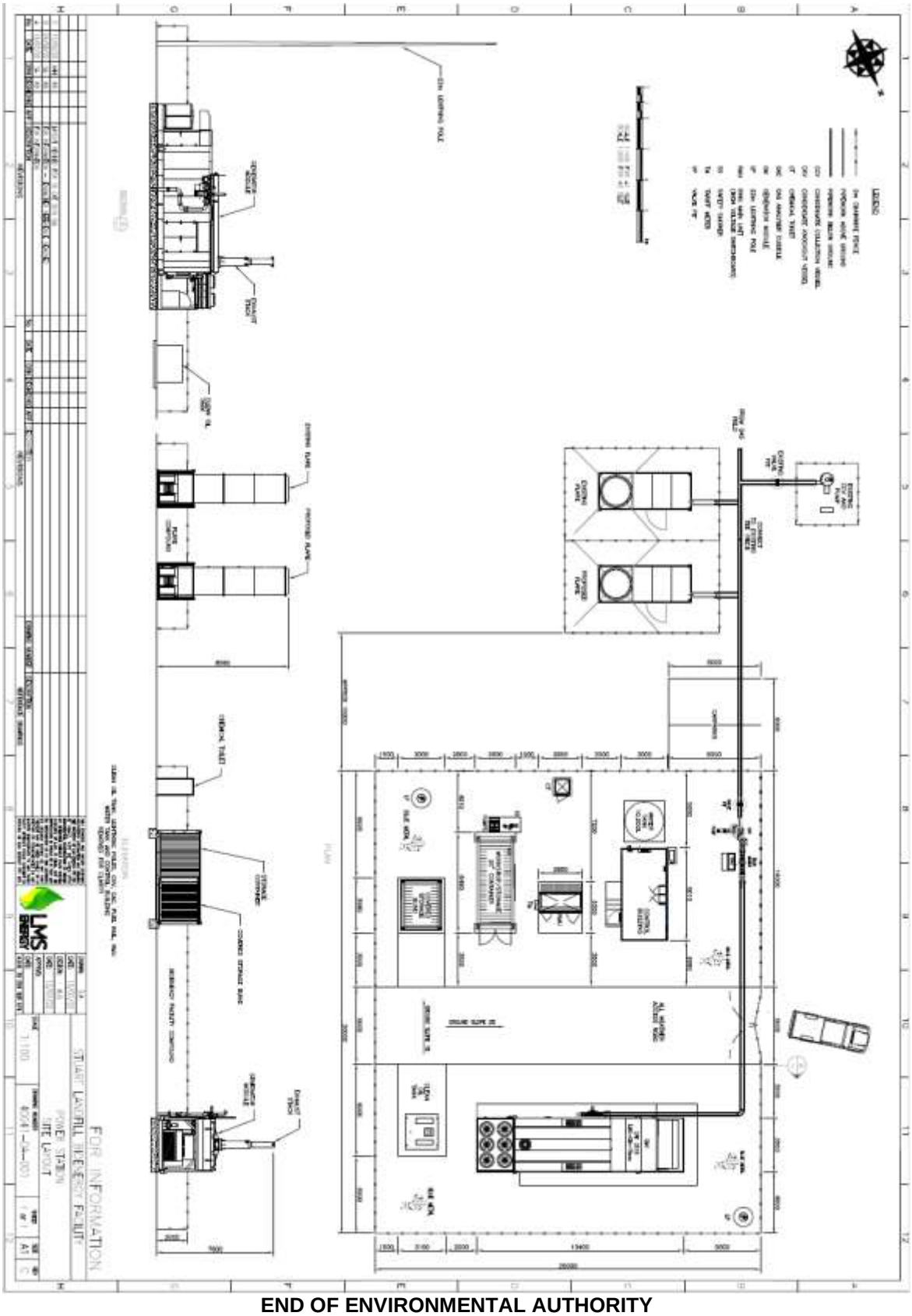
Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:
1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, 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.

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.

Appendices

Appendix 1: *Power Station Site Layout*



END OF ENVIRONMENTAL AUTHORITY