

Department of Environment and Heritage Protection

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EA0000887

Environmental authority takes effect 19 July 2017.

The anniversary date of this environmental authority remains as 3 January. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Principal address
QCrush Pty Ltd	1 Southdown Avenue MT ISA QLD 4825

Environmentally relevant activity and location details

Environmentally relevant activities	Locations
16-(2a) Extracting, other than by dredging, in a year, 5,000t to 100,000t of material	Haslington Station - Lot 15 Plan CP805055 (Between Spring and Paroo Creeks)

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:

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



- 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- one the day the authority is issued.

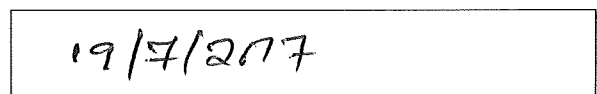
However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Sustainable Planning Act 2009* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not 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.



Signature

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994



Date

Enquiries:
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Protection
GPO Box 2454
BRISBANE QLD 4001
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Fax: 07 3330 6037
Email: palm@ehp.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)

Conditions of environmental authority

Schedule A: General Conditions	
Condition number	Condition
A1	In carrying out the environmentally relevant activity/activities, the holder of this environmental authority must take all reasonable and practical measures to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this environmental authority.
A2	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
A3	Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.
A4	Copies of any record required to be kept by a condition of this environmental authority must be provided to any authorised person or the administering authority on request.
A5	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase the risk of environmental harm above that expressly provided by this environmental authority.
A6	All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained
A7	Notwithstanding any other condition of this environmental authority except condition D3, this environmental authority does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the licensed place.

A8	The holder of this environmental authority must: a) develop and implement an IEMS which provides for the following functions: (i) the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; and (ii) staff training and awareness of environmental issues; and (iii) the conduct of environmental and energy audits; and (iv) waste prevention, treatment and disposal; and b) lodge with the administering authority on or before, 1/3/97 and at 3 monthly intervals thereafter until 1/12/97, a brief report describing the progress in developing and implementing the IEMS; and c) on or before 1/12/97, have completed and implemented the IEMS; and d) on or before 1/9/97 lodge a detailed description of the IEMS and it's documentation with the administering authority for its review and comment; e) have due regard to that comment in the finalisation of the IEMS.
A9	A copy of the IEMS must be kept at the licensed place where practical.
A10	All persons engaged in the conduct of an activity, including but not limited to employees and contract staff, must be trained in the procedures and practices necessary to: a) comply with the conditions of this environmental authority, and b) prevent environmental harm or environmental nuisance during normal operations and emergencies: or be under the close supervision of such a trained person.
A11	At least five (5) working days before commencing the environmentally relevant activity(ies), at a location, the licensee must give to the occupiers of all "noise sensitive places" and "commercial Places" within 1000 metres of the proposed site of the activity, written notice stating: a) the name of the licensee, b) the fact that the plant will be commencing operations, c) the expected starting and ending dates for the operations, d) the expected daily operating hours for the activity(ies), e) the name and telephone number of the person in the licensee's organisation who can be contacted to deal any nuisance arising from the operations, and f) that further notice will be issued if circumstances necessitate modification to the advice contained within the original notice.
A12	At least five (5) working days before commencing the environmentally relevant activity(ies) at a location, the licensee must give to the nearest district or Regional office of the administering authority, written notice of the activity's location and its expected period of operation at the site
A13	Prior to establishing a new site or re-establishing a previously operated site at which to conduct the activity(ies), the holder must undertake a site suitability assessment. The purpose of a site suitability assessment is to determine if the site and/or it's surrounds possess any values that would be so impacted upon by the proposed activity that: a) the activity should not be undertaken, or b) the activity would require modifications and/or controls to protect the value(s) identified. (Examples of "values" include: noise and dust levels, ecological system (water, flora, fauna) characteristics, cultural significance, land stability).

A14	A detailed record of each site suitability assessment shall be maintained by the licensee including: a) proposal description, b) site plans, c) correspondence and consultation records, and d) decisions and justifications as appropriate. Such records pertaining to a site suitability assessment conducted within the period covered by the return, shall be submitted with the Annual Return.
A15	Upon cessation of an activity(ies) at any location, the site is to be appropriately decommissioned in accordance with: a) a plan for decommissioning that has been developed to the satisfaction of the administering authority, or b) where no such plan exists, as directed by the administering authority. Decommissioning may include, but is not limited to, earthworks, rehabilitation and removal of structures stockpiles, etc.
Schedule B: Air	
Condition number	Condition
B1	At each site where it is reasonable to expect that dust will cause environmental nuisance, the following must be done- a) wind blown dust emissions from roadways and other vehicle movement areas for which the licensee is responsible are to be controlled by methods that are reasonable and practicable in the circumstances, such as the following: (i) paving, (ii) sealing, (iii) keeping watered. b) dust emissions from stockpiles of materials are to be controlled by methods that are reasonable and practicable in the circumstances, such as the following: (i) water sprays; (ii) enclosure of stockpiles, (iii) controlling the height of stockpiles within enclosures and the distance between toe of stockpile and open base of enclosure. c) dust emissions from conveyors are to be controlled by methods reasonable and practicable in the circumstances, such as the following: (i) water sprays; (ii) enclosure of conveyors. d) dust emissions from hoppers are to be controlled by methods reasonable and practicable in the circumstances, such as the following: (i) shrouding the opening to limit the generation of wind blown dust, (ii) keeping the load level at least 0.5m below the top of the hopper.
Schedule C: Water	
Condition number	Condition
C1	Contaminants must not be directly or indirectly released from a licensed place to any waters or the bed and banks of any waters except as permitted under the water and stormwater management schedule, or to a sewer as permitted or otherwise agreed from time to time by the relevant local Government

Schedule D: Noise																	
Condition number	Condition																
D1	Environmentally relevant activities must be carried out by such practicable means necessary to prevent the emission or likelihood of emission of noise that constitutes environmental nuisance,																
D2	Where it is not practicable to prevent any emission of noise as required by condition D1, the environmentally relevant activity(ies) must be carried out by such practicable means necessary to minimise any such emission of noise that constitutes annoyance.																
D3	In the event of a complaint about noise that constitutes annoyance being made to the administering authority, that the administering authority considers is not frivolous or vexatious then the emission of noise from the licensed place must not result in levels greater than those specified in Table 1 of the Noise Schedule. SCHEDULE D - Table 1 - NOISE LIMITS <table border="1"> <thead> <tr> <th>Noise Level at Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level L(Amax, adj, T)</th><th>Period</th></tr> </thead> <tbody> <tr> <td>Background noise level plus 5 dB(A)</td><td>7:00AM - 6:00PM</td></tr> <tr> <td>Background noise level plus 5 dB(A)</td><td>6:00PM - 10:00PM</td></tr> <tr> <td>Background noise level plus 3 dB(A)</td><td>10:00PM - 7:00AM</td></tr> <tr> <th>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level L(Amax, adj, T)</th><th>Period</th></tr> <tr> <td>Background noise level plus 10 dB(A)</td><td>7:00AM - 6:00PM</td></tr> <tr> <td>Background noise level plus 10 dB(A)</td><td>6:00PM - 10:00PM</td></tr> <tr> <td>Background noise level plus 8 dB(A)</td><td>10:00PM - 7:00AM</td></tr> </tbody> </table>	Noise Level at Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level L(Amax, adj, T)	Period	Background noise level plus 5 dB(A)	7:00AM - 6:00PM	Background noise level plus 5 dB(A)	6:00PM - 10:00PM	Background noise level plus 3 dB(A)	10:00PM - 7:00AM	Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level L(Amax, adj, T)	Period	Background noise level plus 10 dB(A)	7:00AM - 6:00PM	Background noise level plus 10 dB(A)	6:00PM - 10:00PM	Background noise level plus 8 dB(A)	10:00PM - 7:00AM
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Schedule E: Waste																	
Condition number	Condition																
E1	Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following: a) the date, quantity and type of waste removed; and b) name of the waste transporter and/or disposal operator that removed the waste; c) the intended treatment/disposal destination of the waste.																

Schedule F: Monitoring and Reporting	
Condition number	Condition
F1	All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept in a log book with the following details: a) time, date and nature of complaint; b) type of communication (telephone, letter, personal etc.); c) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); d) response and investigation undertaken as a result of the complaint; e) name of person responsible for investigating complaint; and f) action taken as a result of the complaint investigation and signature of responsible person
F2	All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.
F3	All determinations of the quality of contaminants released must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.
F4	For the purposes of checking compliance with condition D1, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptions, characteristics and conditions not less frequently than annually. a) L(Abg,T) or L(A90,T), b) L(Amax, Adj T), c) The level and frequency of occurrence of impulsive or tonal noise, d) Atmospheric conditions including temperature, relative humidity and wind speed and direction, and e) Effects due to extraneous factors such as traffic noise.
F5	The method of measurement and reporting of noise levels must comply with the Department of Environment Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as become available.
F6	The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.
F7	The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return



Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that 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.

"administering authority" means the Environmental Protection Agency or its successor,

"annual return" means the return required by the annual notice (under section 308 of the Environment Protection Act 1994).

"approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

"authorised place" means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

"Background noise level" means either:

- a) $L(A_{90}, T)$ being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response, or
- b) $L(A_{bg}, T)$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

"commercial place" means a place used as an office or for business or commercial purposes.

"dwelling" means any of the following structures or vehicles that is principally used as a residence -

- a) a house, unit, motel, nursing home or other building or part of a building;
- b) a caravan, mobile home or other vehicle or structure on land;
- c) a water craft in a marina.

"Environmental Protection Agency" means the department or agency (whatever called) administering the Coastal Protection and Management Act 1995 or the Environmental Protection Act 1994.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- a) is clearly audible to, or can be felt by, an individual; and
- b) annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

" $L_{A10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A1, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response.

" $L_{A, \text{max adj}, T}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 15 minute period, using Fast response.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

"mg/L" means milligrams per litre.

"noxious" means harmful or injurious to health or physical well being.

"noise sensitive place" means

- a) a dwelling, mobile home or caravan park, residential marina or other
- b) residential premises; or
- c) a motel, hotel or hostel; or
- d) a kindergarten, school, university or other educational institution; or
- e) a medical centre or hospital; or
- f) a protected area; or
- g) a park or gardens.

"nuisance sensitive place" includes -

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential
- b) premises; or
- c) a motel, hotel or hostel; or
- d) a kindergarten, school, university or other educational institution; or
- e) a medical centre or hospital; or
- f) a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or
- g) a public thoroughfare, park or gardens; or
- h) 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.

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"protected area" means -

- a) a protected area under the Nature Conservation Act 1992; or
- b) a marine park under the Marine Parks Act 1992, or
- c) a World Heritage Area.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"tidal water" means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- a) in a natural channel, whether artificially improved or not; or
- b) in an artificial channel that has changed the course of the watercourse.

"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.

"works" or "operation" means the development approved under this development approval.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

END OF PERMIT

