Permit

Environmental Protection Act 1994

Environmental authority EPML04041216

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

Environmental authority number: EPML04041216

Environmental authority takes effect on 20 May 2022.

Environmental authority holder(s)

Name(s)	Registered address
CAPRICORN STONE PRODUCTS PTY LTD	227 Power Station Road STANWELL QLD 4702

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3, 20: Clay pit mining, dimension stone mining or mining gemstones (including the material from which gemstones are extracted) (b) more than 100,000t but not more than 1,000,000t in a year	ML7341 ML80102
Schedule 2, 16:Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	Lot 1 on LIV40877, Lot 179 on LN2465, Lot 184 on LIV40877, Lot 2 on LIV40877, Lot 252 on SP275125, Lot 3 on LIV40877, Lot 4 on LIV40877, Lot 5 on LIV40877, Lot 6 on LIV40877
Schedule 2, 16: Extraction and Screening 3: Screening, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	

Additional information for applicants

<u>Environmentally relevant activities</u>

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).

<u>Contaminated land</u>

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'.

<u>Take effect</u>

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 *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.

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.

Rebecca McAuley
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 20 May 2022

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

Location:	ML7341 & ML80102
Relevant activities:	Schedule 3 of the *Environmental Protection Regulation 2019*; ERA 20(b) - Dimension stone mining, if the activity involves mining a quantity of material of more than 100,000t but not more than 1,000,000t in a year.
	Schedule 2 of the Environmental Protection Regulation 2019; ERA 16(2)(b) Extracting, other than by dredging, in a year, the following quantity of material - more than 100,000t but not more than 1,000,000t.
	Schedule 2 of the Environmental Protection Regulation 2019; ERA 16(3)(b)–Screening, in a year, the following quantity of material—more than 100,000t but not more than 1,000,000t.

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Part 1 - Mining Activities	
Schedule A - General	
Condition number	**Condition**
A1	Conditions contained in **Part 1 — Mining Activities** of this environmental authority only apply to the mining activities conducted on ML7341 and ML-80102.
A2	This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.
A3	In carrying out the relevant activity authorised by this environmental authority, the holder of this environmental authority must comply with the approved site plans (**Attachment 1 — Approved site plans**) and must not exceed the area of disturbance specified in **Table A1 — Areas of disturbance on site (in ha)**.
A4	The holder of this environmental authority must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; b) maintain such measures, plant and equipment in a proper and efficient condition; c) operate such measures, plant and equipment in a proper and efficient manner; and d) Ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.

Table A1 – Table 1 – Areas of disturbance on site (in ha)

Domain Description	Disturbance Domain	Approximate Area (ha)
Total area of allotments under EA		24
Domains	Active mining	12
	Processing, set-down, overburden	10
	Stormwater management	0.9
	Buildings, structures, fuel/oil store	0.1
Total area of disturbance		23

A5	**Monitoring** Except where specified by another condition of this environmental authority, all monitoring records or reports required by this environmental authority must be kept for a period of not less than five years.
A6	**Financial assurance** The activity must not be carried out until the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the *Environmental Protection Act 1994*.
A7	The amount of financial assurance must be reviewed by the holder of this environmental authority when a plan of operations is amended or replaced or the authority is amended.
A8	Financial assurance must be lodged with the administering authority in the amount, the form and within the time required by the administering authority.
A9	**Risk management** The holder of this environmental authority must develop and implement a risk management system for relevant activities which mirrors the content requirement of the Standard for Risk Management (IS031000:2009), or the latest edition of an Australian standard for risk management, to the extent relevant to environmental management, within 90 business days of the environmental authority effective date.
A10	**Notification of emergencies, incidents and exceptions** The holder of this environmental authority must notify the administering authority by written notification within 24 hours, after becoming aware of any emergency, monitoring result or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this environmental authority.
A11	Within 10 business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following: a) results and interpretation of any samples taken and analysed; b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and proposed actions to prevent a recurrence of the emergency or incident.

A12	**Complaints** The holder of this environmental authority must record all environmental complaints received about the relevant activities including: a) name, address and contact number for of the complainant; b) time and date of complaint; c) reasons for the complaint; d) investigations undertaken; e) conclusions formed; f) actions taken to resolve the complaint; g) any abatement measures implemented; and h) the person responsible for resolving the complaint.
A13	The holder of this environmental authority must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within 10 business days of completion of the investigation, or no later than 10 business days after the end of the timeframe nominated by the administering authority to undertake the investigation.
A14	**Third-party reporting** The holder of this environmental authority must: a) within one year of the commencement of this environmental authority, obtain from an appropriately qualified person a report on compliance with the conditions of this environmental authority; b) obtain further such reports at regular intervals, not exceeding three-yearly intervals, from the completion of the report referred to above; and c) provide each report to the administering authority within 90 days of its completion.
A15	**Amendments to standards, policies or guidelines** Where a condition of this environmental authority requires compliance with a standard, policy or guideline published externally to this environmental authority and the standard is amended or changed subsequent to the issue of this environmental authority, the holder of this environmental authority must: a) comply with the amended or changed standard, policy or guideline within two years of the amendment or change being made, unless a different period is specified in the amended standard or relevant legislation; and b) until compliance with the amended or changed standard, policy or guideline is achieved, continue to remain in compliance with the corresponding provision that was current immediately prior to the relevant amendment or change.
Schedule B: Air	

Condition number	Condition
B1	**Dust and particulate matter monitoring** The EA holder must ensure that the dust and particulate matter emissions generated by the relevant activities do not cause exceedances of the following levels when measured at any sensitive or commercial place: a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with the most recent version of Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air—Determination of particulate matter—Deposited matter — Gravimetric method. b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM 10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than five exceedances recorded each year, when monitored in accordance with the most recent version of either: 1. Australian Standard AS3580.9.6 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM10 high volume sampler with size-selective inlet — Gravimetric method, or 2. Australian Standard AS3580.9.9 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM 10 low volume sampler—Gravimetric method. A concentration of particulate matter suspended in the atmosphere of 90 micrograms per cubic metre over a 1 year averaging time, when monitored in accordance with the most recent version of AS/NZS3580.9.3:2003 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—Total suspended particulate matter (TSP)—High volume sampler gravimetric method.
B2	The environmental authority holder must implement a dust management plan that ensures all reasonable and feasible avoidance and mitigation measures are employed so that dust and particulate emissions generated by the relevant activities do not migrate beyond the boundaries of mining leases ML7341 & ML80102.
Schedule C: Land	
Condition number	**Condition**
C1	**Chemicals and flammable or combustible liquids** All explosives, hazardous chemicals, corrosive substances, toxic substances, gases, dangerous goods and flammable and combustible liquids, including petroleum products, must be stored and handled in accordance with the current Australian standard.
C2	The environmental authority holder must minimise the potential for contamination of land and waters by diverting uncontaminated stormwater around contaminated areas and facilities used for the storage of chemicals and flammable or combustible liquids.
C3	**Rehabilitation**

	A Rehabilitation Management Plan (RMP) must be developed by an appropriately qualified person and include at least the following; a) The post-mining land use; b) Rehabilitation must comply with the Guideline Resource Activities — Rehabilitation requirements for mining resources activities (EM1122); c) State the rehabilitation objectives proposed to achieve the rehabilitation goals of; i. safe to humans and wildlife; ii. non-polluting; iii. stable; iv. able to sustain an agreed post-mining land use; d) Describe the methods of rehabilitation needed to achieve the rehabilitation objectives and goals; e) State the completion criteria proposed to measure the success of rehabilitation objectives and goals.
C4	The RMP must be submitted to the administering authority by **9 November 2016**.
C5	Rehabilitation objectives must be successfully implemented by the holder of the environmental authority in accordance with the RMP prior to surrender of the EA.
C6	**Contaminated Land** Before applying for surrender of a mining lease, the holder must (if applicable) provide to the administering authority a site investigation report under the Act, in relation to any part of the mining lease which has been used for notifiable activities or which the holder is aware is likely to be contaminated land, and also carry out any further work that is required as a result of that report to ensure that the land is suitable for its final land use.
C7	The environmental authority holder must minimise the potential for contamination of land by hazardous contaminants.
Schedule D: Noise	
Condition number	**Condition**
D1	**Noise limits** The holder of this environmental authority must ensure that noise generated by the mining activities does not cause the criteria in Table D1 — Noise limits to be exceeded at a sensitive place or commercial place.

Table D1 – Noise Limits

Noise level dB(A) measured as:	Monday to Saturday			Sundays and Public Holidays		
	7am to 6pm	6pm to 10pm	10pm to 7am	9am to 6pm	6pm to 10pm	10pm to 9am
	Noise Measured at the nearest sensitive place					
$L_{Aeq, adj, 15mins}$	CV = 50 AV = 5	CV = 45 AV = 5	CV = 40 AV = 0	CV = 45 AV = 5	CV = 40 AV = 5	CV = 35 AV = 0
$L_{A1, adj, 15 mins}$	CV = 55 AV = 10	CV = 50 AV = 10	CV = 45 AV = 5	CV = 50 AV = 10	CV = 45 AV = 10	CV = 40 AV = 5
	Noise Measured at the nearest commercial place					
$L_{Aeq, adj, 15mins}$	CV = 55 AV = 10	CV = 50 AV = 10	CV = 45 AV = 5	CV = 50 AV = 10	CV = 45 AV = 10	CV = 40 AV = 5

Table D1 - Noise limits notes:

1 CV = Critical Value

2 AV = Adjustment Value

3 To calculate noise limits in Table D1:

i. If bg ≤ (CV - AV): Noise limit = bg + AV

ii. If (CV - AV) < bg ≤ CV: Noise limit = CV

iii. If bg > CV: Noise limit = bg + 0

4 In the event that measured bg ($L_{A90, adj, 15 mins}$) is less than 30 dB(A), then 30 dB(A) can be substituted for the measured background level

5 bg = background noise level ($L_{A90, adj, 15 mins}$) measured over 3-5 days at the nearest sensitive receptor

6 If the project is unable to meet the noise limits as calculated above alternative limits may be calculated using the processes outlined in the "Planning for Noise Control" guideline.

D2	**Monitoring and reporting** Noise monitoring and recording must include the following descriptor characteristics and matters: a) LAN, T (where N equals the statistical levels of 1, 10 and 90 and T = 15 mins); b) background noise LA90; c) the level and frequency of occurrence of impulsive or tonal noise and any adjustment and penalties to statistical levels; d) atmospheric conditions including temperature, relative humidity and wind speed and directions; e) effects due to any extraneous factors such as traffic noise; f) location, date and time of monitoring; and g) if the complaint concerns low frequency noise, Max LpLIN,T and one third octave band measurements in dB(LIN) for centre frequencies in the 10 — 200 1-IZ range.
D3	**Restrictions** The environmental authority holder is not permitted to undertake explosive blasting on the site.

Schedule E: Groundwater	
Condition number	**Condition**
E1	**No Release to groundwaters** The holder of this environmental authority must not release contaminants to groundwater.
E2	The environmental authority holder must develop a Groundwater Management Plan (GMP) sufficient to prevent any impacts to groundwater.
Schedule F: Waste	
Condition number	**Condition**
F1	**Waste** All waste generated in carrying out the activities permitted on this environmental authority must be reused, recycled or lawfully disposed of offsite.
Schedule G: Water	
Condition number	**Condition**
G1	**Stormwater and water sediment controls** An Erosion and Sediment Control Plan (ESCP) must be developed by a Certified Professional in Erosion and Sediment Control' and implemented by the environmental authority holder. The ESCP must be submitted to the administering authority by 9 November 2016. *Note: For all stages of the mining activities on the site, the ESCP must minimise erosion and the release of sediment to receiving waters and contamination of stormwater.*
G2	The stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on site or managed to remove contaminants before release.
G3	The method of water sampling required by this environmental authority must comply with that set out in the latest edition of the administering authority's Water Quality Sampling Manual.
G4	**Contaminants released from site** Contaminants released from site must not exceed the limits defined in ***Table G3 - Contaminant release point and receiving waters limits*** when released from the points prescribed in ***Table G1 — Release points for contaminants released from site***. *Note: A figure depicting release point locations is to be provided with the ESCP submitted in accordance with condition G1.*

G5	**Contaminants released to receiving waters** Contaminants released to receiving waters must not exceed the limits defined in ***Table G3 Contaminant release points and receiving waters limits*** when monitored at the points prescribed in ***Table G2 — Receiving waters monitoring points***.
G6	During a release event parameters specified in ***Table G3 - Contaminated water release point and receiving waters limits*** must be monitored at the locations and frequencies specified in ***Table G1 — Release points for contaminant released from site and Table G2 - Receiving waters monitoring points***, and illustrated in ***Figure 1 - Areas of disturbance on site***. *Note: A figure depicting monitoring point locations is to be provided with the ESCP submitted in accordance with condition G1.*
G7	If any parameter monitored at the locations specified in ***Table G1 — Release points for contaminants released from site*** and ***Table G2 - Receiving waters monitoring points*** exceed the limits specified in ***Table G3 - Contaminant release points and receiving waters limits***, the environmental authority holder must compare the downstream monitoring results to the upstream monitoring results, and: 1 . If the downstream monitoring result is less than or equal to the upstream monitoring result and the receiving water limit, then no action is to be taken; 2. If the downstream monitoring result is greater than the receiving water limit, complete an investigation into the exceedances and the potential for environmental harm and provide a written report to the administering authority within 28 days of receiving the result, including: a) monitoring data required by **conditions G1 and G2**; b) details of the investigations into environmental harm; c) recommendations to prevent the exceedance of release limits and/or receiving waters limits; and d) actions taken to prevent environmental harm.

Table G1 — Release points for contaminants released from site.

Release point (RP)	Longitude TBA	Latitude TBA	Contaminated water source and location	Monitoring point	Monitoring frequency
RP2[1]	TBA[1]	TBA[1]	TBA[1]	At release point during flow event	Within 2 hours of a then daily during a release
RP2[1]	TBA[1]	TBA[1]	TBA[1]	At release point during flow event	
RP3[1]	TBA[1]	TBA[1]	TBA[1]	At release point	

				during flow event	

Table G1 — Release points for contaminants released from site notes:

1. *Release point locations and details must be provided with the ESCP which must be submitted to the administering authority in accordance with condition G1.*

Table G2 — Receiving waters monitoring points.

Monitoring points	Longitude	Latitude	Receiving waters location description	Monitoring frequency
Upstream reference monitoring points				
TBA[1]	TBA[1]	TBA[1]	TBA m upstream of the RPX TBA[1]	Within 2 hours of a release, then daily during a release
TBA[1]	TBA[1]	TBA[1]	TBA m upstream of the RPX TBA[1]	
Downstream compliance monitoring points				
TBA[1]	TBA[1]	TBA[1]	TBA m upstream of the RPX TBA[1]	Within 2 hours of a release, then daily during a release
TBA[1]	TBA[1]	TBA[1]	TBA m upstream of the RPX TBA[1]	

Table G2 — Receiving waters monitoring points notes:

1. *Release point locations and details must be provided with the ESCP which must be submitted to the administering authority in accordance with condition G1.*

Table G3 — Contaminant release points and receiving waters limits

Monitoring Parameter	Release point limit	Receiving waters limits
Suspended solids (TSS) mg/L	50[4]	85[1]
Electrical conductivity (EC) uS/cm	250[1,5]	445[1,2]
pH	6.5 – 8.5[1]	6.5 – 8.5[1]
TBA[3]	TBA[3]	TBA[3]

Table G3 — Contaminant release points and receiving waters limits notes:

1. *Based on values for aquatic ecosystem protection, moderately disturbed ecosystems, derived from the Fitzroy River Sub-basin fresh waters, Table 2, Environmental Protection (Water) Policy 2009, Fitzroy River Sub-basin Environmental Values and Water Quality Objectives Basin No. 130 (part), including all waters of the Fitzroy River Sub-basin September 2011.*

2. *Base flow electrical conductivity value from the Fitzroy River Sub-basin fresh waters, Table 2, Environmental Protection (Water) Policy 2009, Fitzroy River Sub-basin Environmental Values and Water Quality Objectives Basin No. 130 (part), including all waters of the Fitzroy River Sub-basin September 2011.*
3. *Any other water quality parameters that have the potential to exceed the receiving water quality objectives must be provided to the administering authority within 3 months of the environmental authority effective date. The parameters must be based on monitoring data of water storages that release to the receiving environment.*
4. *Based on values derived from the Best Practice Erosion and Sediment Control (BPESC) document.*
5. *High flow electrical conductivity value from the Fitzroy River Sub-basin fresh waters, Table 2, Environmental Protection (Water) Policy 2009, Fitzroy River Sub-basin Environmental Values and Water Quality Objectives Basin No. 130 (part), includes all waters of the Fitzroy River Sub-basin September 2011.*

END OF PART 1

Part 2- Extractive and Screening Activities	
Schedule H - General	
Condition number	**Condition**
H1	Conditions contained in **Part 2 — Extractive Activities** of this environmental authority only apply to the extractive activities conducted on the approved land.
H2	**Scale and intensity of activity** This approval authorises the operation of plant and equipment associated with the extraction. The amount of extracted material from the quarry in any one (1) year is to be no more than 350,000 tonnes.
H4	**Approved plans** The environmental authority is approved generally in accordance with the plan in **Appendix A**.
H5	**Hours of operation** Extraction must only be carried out from Monday to Saturday inclusive (excluding public holidays), between **0600 and 1800 hours**.
H6	**Prevent and/or minimise likelihood of environmental harm** A person carrying out an environmentally relevant activity (ERA) to which this approval relates, must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused.
H7	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

H8	**Record keeping** The operator of an ERA authorised by this environmental authority must record, compile and keep all data required by this approval. These data must be made available to the administering authority upon request.
H9	All records required by this approval must be kept for **five (5) years**.
H10	**Notification** Any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonably expected to be in accordance with the conditions of this approval, must be reported by telephone to the administering authorities' Pollution Hotline[2] or the district office located in the area where the release occurred. Any such release must be reported as soon as the holder of the environmental authority becomes aware of the emergency incident or event. [2]At the time of issuing this permit the number for the Pollution Hotline was 1300 130 372. This number may change at any time in the future and should be checked prior to use.
H11	**Information to follow notification** A written notice detailing the following information must be provided to the administering authority within **seven (7) days** of any advice provided in accordance with condition H10: a) The name of the operator, including their approval/registration number; b) The name and tele hone number of a designated contact person; c) The quantity and nature of the substance released; d) Vehicle and registration details; e) The names of person/s involved in the release and/or cleanup; f) The location and time of the release; g) The suspected cause of the release; h) A description of the effects of the release; i) Details of the area of impact; j) The results of any sampling performed in relation to the release; k) Actions taken to mitigate any environmental harm caused by the release and details of the success of these actions; and l) Proposed actions to prevent a recurrence of the release.
H12	**Alterations** No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of plant or equipment increases, or is likely to substantially increase the risk of environmental harm above that expressly provided by this environmental authority.
H13	**Spill Kits** An appropriate spill kit must be kept on site.
H14	Anyone operating under this environmental authority must be trained in the use of the spill kit.
Schedule I - Air	

Condition number	Condition
I1	**Odour Nuisance** The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive place.
I2	**Dust Nuisance** The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.
I3	Dust suppression measure must be implemented and maintained on site to prevent the movement of dust created as a result of the activity past the site boundaries.
I4	Dust emissions from stockpiles of material are to be controlled by reasonable and practicable methods such as the following; a) Water sprays; and b) Covers i.e. artificial covers such as tarpaulins or vegetation matter to prevent emissions.
I5	Release of dust or particulate, exceeding the following levels, when measured at any nuisance sensitive place, is considered as an environmental nuisance: a) Dust deposition of 4.0 grams per square meter per month, when measured in accordance with Australian Standard AS 3580.10:2003 Methods of sampling and analysis of ambient air — Determination of particulate matter — Deposited matter — Gravimetric method (or more recent edition); or b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging period, at a nuisance sensitive place downwind of the site, when monitored in accordance with Australian Standard AS 3580 9.6 'Ambient Air — Particulate Matter — Determination of suspended particulate PM10 high volume sampler with size — selective inlet — gravimetric method'; or an alternative method of monitoring PM10 that may be permitted by the Air Quality Sampling Manual as published periodically by the administering authority.
I6	When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within seven (7) days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive place and at upwind control sites and must include: a) For a complaint alleging dust nuisance, dust deposition; b) For a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometres (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

Schedule J - Land	
Condition number	**Condition**
J1	Topsoil can be removed from site and utilised elsewhere.
J2	**Protecting land from contaminants** Activities on site must be conducted in a way that prevents any potential or actual release of contaminants to land.
J3	There are to be no fuels or oils stored on site for use with the extractive activity. Extraction equipment will be refuelled by transporting fuel on site.
Schedule J - Water	
Condition number	**Condition**
K1	Erosion protection measures and sediment control measures must be implemented and maintained to minimise: a) Erosion of soils in areas disturbed by the activity; and b) The release of sediment to any waters. Erosion protection and sediment control measures may include: a) Suitable banks; b) Structures; and c) Diversion drains.
K2	**All waters** flowing over disturbed areas including but not limited to the extraction area and storage areas, must be diverted to an onsite sediment basin.
K3	Sediment basins must be constructed and maintained: a) So as to minimise the likelihood of any release of contaminants or wastes through the bed or banks of the structure to any waters (including groundwater); b) So that a freeboard of not less than 0.5 meters is maintained at all times, except in the event of exceptional weather conditions where the maintenance of such is impossible.
K4	Contaminants must not be directly or indirectly released to any waters, including groundwater, or the bed or banks of any waters.
K5	**Stormwater management** Suitable banks and/or diversion drains must be installed and maintained so that all stormwater originating from land up-gradient of disturbed areas, including extraction and storage areas is diverted away from entering these areas and any ponds or other structures used for the storage or treatment of contaminants.
K6	Contaminants other than settled/treated stormwater runoff water must not be released to surface waters or the bed or banks of any watercourse.
Schedule L - Noise	

Condition number	Condition
L1	**Nuisance** Noise resulting from the activity must not cause an environmental nuisance at any sensitive place.
L2	Noise from the activity must not result in levels greater than those specified in **Table L1 — Noise Limits** at any noise sensitive place or commercial place.

Table L1: Noise Limits

Noise level dB(A) measured as:	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	**6pm - 10pm**	**10pm – 7am**	**9am - 6pm**	**6pm - 10pm**	**10pm – 9am**
	Noise measured at a 'Noise sensitive place'					
$L_{A10,adj,15mins}$	b/g + 5	b/g + 5	b/g + 0	b/g + 5	b/g + 5	b/g + 0
$L_{A1,adj,15mins}$	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 10	b/g + 5
Noise measured at a 'Commercial place'						
$L_{A10,adj,15mins}$	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 10	b/g + 5
$L_{A1,adj,15mins}$	b/g + 15	b/g + 15	b/g + 10	b/g + 15	b/g + 15	b/g + 10

Note 1: b/g = background noise level, $L_{A90,adj,15mins}$ In no case is the background noise level, $L_{A90\ 15mins}$ to be less than 25dB(A). In the event that measured b/g is less than 25dB(A), then 25 dB(A) is to be used.

Note 2: The noise levels specified for $L_{A90,adj,15mins}$ are measured outdoors in the field at a location at least 4m from the external façade of a building at the nuisance sensitive or commercial place and 1.2m to 1.5m above ground level.

L3	When requested by the administering authority, noise monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by noise. The results of the monitoring must be notified to the administering authority within **seven (7) days** following completion of the monitoring.
L4	The method of measurement and reporting of noise levels in response to any noise monitoring conducted under this approval must be in accordance with the most recent edition of DERM's *Noise Measurement Manual.*
Schedule M - Social	
Condition number	**Condition**
M1	**Complaint response**

	The operator of the activity must record the following details for all complaints received and provide this information to the administering authority on request: a) Time, date, name and contact details of the complainant; b) The allegation made by the complainant; c) Details of communications with the complainant; d) Any investigations undertaken; and e) Conclusions formed and any actions taken.
M2	The operator of the activity must attempt to make contact with any complainant within 24 hours of a complaint being received and initiate complaint resolution measures.
Schedule N - Waste	
Condition number	**Condition**
N1	All waste (not including overburden) generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste. No waste is to be disposed of on site.
N2	Waste, including vegetation matter, must not be burnt on site.
N3	Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any waters.

END OF PART 2

Definitions

Words and phrases used throughout this environmental authority are defined below. Where a definition for a term used in this environmental authority is not provided within this environmental authority, but is provided in the EP Act 1994 or subordinate legislation, the definition in the EP Act or subordinate legislation must be used.

'**activity**' means an environmentally relevant activity, or associated auxiliary activity to which this approval relates.

'**Administering Authority'** is the agency that administers the environmental authority provisions under the *Environmental Protection Act 1994*.

'appropriately qualified person' means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

'background', with reference to the water schedule means the average of samples taken prior to the commencement of mining from the same waterway that the current sample has been taken.

'blasting' means the use of explosive materials to fracture:

a) rock, coal and other minerals for later recovery, or
b) structural components or other items to facilitate removal from a site or for reuse.

'bund' means:

a) an earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil, etc.); or
b) a structure to prevent or reduce soil erosion.

'certified', with respect to watercourse diversions, means assessed and approved by a suitably qualified and experienced person. In relation to 'as constructed' drawings and specifications, the certification must be by the suitably qualified person who supervised the construction of the watercourse diversion, or re-establishment of the watercourse.

'certification', **'certifying'** or **'certified'** by an appropriately qualified and experienced person in relation to a design plan or an annual report regarding dams/structures, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit at any time:

a) exactly what is being certified and the precise nature of that certification
b) the relevant legislative, regulatory and technical criteria on which the certification has been based
c) the relevant data and facts on which the certification has been based, the source of that material, and the efforts made to obtain all relevant data and facts

d) the reasoning on which the certification has been based using the relevant data and facts, and the relevant criteria.

'Certified Professional in Erosion and Sediment Control', a CPESC is a recognised specialist in soil erosion and sediment control. CPESCs have approved educational training, demonstrated expertise, experience in controlling erosion and sedimentation, and meet certification standards.

'Chemical' means:

a) an agricultural chemical product or veterinary chemical product within the meaning of the Agricultural and Veterinary Chemicals Code Act 1994 (Commonwealth), or
b) a dangerous good under the Australian Code for the Transport of Dangerous Goods by Road and Rail approved by the Australian Transport Council, or
c) a lead hazardous substance within the meaning of the Workplace Health and Safety Regulation 1997, or
d) a drug or poison in the Standard for the Uniform Scheduling of Drugs and Poisons prepared by the Australian Health Ministers' Advisory Council and published by the Commonwealth, or
e) any substance used as, or intended for use as:
   i. a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product, or
   ii. a surface active agent, including, for example, soap or related detergent, or.
   iii. a paint solvent, pigment, dye, printing ink, industrial polish, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, or biocide, or
   iv. a fertiliser for agricultural, horticultural or garden use, or
   v. a substance used for, or intended for use for mineral processing or treatment of metal, pulp and paper, textile, timber, water or wastewater, or
   vi. manufacture of plastic or synthetic rubber.

'commercial place' means a workplace used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees' accommodation or public roads.

'contaminant', A contaminant can be—

a) a gas, liquid or solid; or
b) an odour; or
c) an organism (whether alive or dead), including a virus; or
d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
e) a combination of contaminants.

'contamination', of the environment is the release (whether by act of omission) of a contaminant into the environment.

'deposit' means to drop, place or throw a contaminant in waters or onto a place or releases the contaminant or otherwise cause it to move into waters or onto a place.

'disturbance' of land includes:

a) compacting, removing, covering, exposing or stockpiling of earth
b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion
c) carrying out mining within a watercourse, waterway, wetland or lake
d) the submersion of areas by tailings or hazardous contaminant storage and dam/structure walls
e) temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed . after the mining activity has ceased
f) releasing of contaminants into the soil, or underlying geological strata.

However, the following areas are not included when calculating areas of 'disturbance':

a) areas off lease (e.g. roads or tracks which provide access to the mining lease)
b) areas previously disturbed which have achieved the rehabilitation outcomes
c) by agreement with the administering authority, areas previously disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions)
d) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner
e) disturbance that pre-existed the grant of the tenure.

'effective dust control system' means a method, process, procedure or course of action that if taken, will minimise the likelihood of environmental nuisance being caused.

'environmental authority', an environmental authority issued under section 195 that approves an environmentally relevant activity applied for in an application.

'environmental authority holder', means the holder of an environmental authority issued under section 195 that approves an environmentally relevant activity applied for in an application and any others works conducted by an entity on the approved leases under the environmental authority.

'environmental nuisance' as defined in section 15 of the EP Act.

'groundwater monitoring program', means the holder of the environmental authority must appropriately monitor the potential impacts to groundwater and develop a suitable plan or program that achieves this requirement.

'holder', for a mining tenement, means a holder of the tenement under the Mineral Resources Act 1989, and the holder of the associated environmental authority under the Environmental Protection Act 1994.

'infrastructure' means water storage dams, levees,, roads and tracks, buildings and other structures built for the purpose of the mining activity.

'land' in the 'land schedule' of this document means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the Environmental Protection Act 1994. For the purposes of the Acts Interpretation Act 1954, it is expressly noted that the term 'land' in this environmental authority relates to physical land and not to interests in land.

'land use' —means the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

'm' means metres.

'**measures**' includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.

'minimise' is to reduce to the smallest possible amount or degree.

'mining activities' is an activity that is an authorised activity for a mining tenement under the *Mineral Resources Act 1989*. For the purpose of this EA it refers to ERA 20(b) - Dimension stone mining, involving mining a quantity of material of at least 100,000t but not more than 1,000,000t in a year.

'non-polluting' means having no adverse impacts upon the receiving environment.

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

'protected area' means — a protected area under the Nature Conservation Act 1992, or

a) a marine park under the Marine Parks Act 1992, or
b) a World Heritage Area.

'receiving environment' in relation to an activity that causes or may cause environmental harm, means the part of the environment to which the harm is, or may be, caused. The receiving environment includes (but is not limited to):

a) a watercourse
b) groundwater

'receiving waters' means the waters into which this environmental authority authorises releases of mine affected water.

'rehabilitation' the process of reshaping and revegetating land to restore it to a stable landform.

'release' of a contaminant includes:

a) to deposit, discharge, emit or disturb the contaminant; and
b) to cause or allow the contaminant to be deposited, discharge, emitted or disturbed; and
c) to allow the contaminant to escape; and
d) to fail to prevent the contaminant from escaping.

'revegetation' is the re-establishment of vegetation[1] of a species and density of cover similar to surrounding undisturbed areas or the landform that existed before mining activities on soil surfaces associated with the construction or rehabilitation of a watercourse diversion.

'self-sustaining' means not requiring on-going intervention and maintenance to maintain functional riverine processes and characteristics

'sensitive place' means:

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) an educational institution, or
d) a medical centre or hospital, or
e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area, or
f) a public park or gardens.

Note: The definition of 'sensitive place' and 'commercial place' is based on Schedule 1 of EPP Noise. That is, a sensitive place is inside or outside on a dwelling, library and educational institution, childcare or kindergarten,school or playground, hospital, surgery or other medical institution, commercial & retail activity, protected area or an area identified under a conservation plan under *Nature Conservation Act 1992* as a critical habitat or an area of major interest, marine park under *Marine Parks Act 2004*, park or garden that is outside of the mining lease and open to the public for the use other than for sport or organised entertainment. A commercial place is inside or outside a commercial or retail activity.
A mining camp (i.e., accommodation and ancillary facilities for mine employees or contractors or both, associated with the mine the subject of the environmental authority) is not a sensitive place for that mine or mining project, whether or not the mining camp is located within a mining tenement that is part of the mining project the subject of the environmental authority. For example, the mining camp might be located on neighbouring land owned or leased by the same company as one of the holders of the environmental authority for the mining project, or a related company. Accommodation for mine employees or contractors is a sensitive place if the land is held by a mining company or related company, and if occupation is restricted to the employees, contractors and their families for the particular mine or mines which are held by the same company or a related company.

For example, a township (occupied by the mine employees, contractors and their families for multiple mines that are held by different companies) would be a sensitive place, even if part or all of the township is constructed on land owned by one or more of the companies.

'static screens' means any rock screen, rock separator, aggregate separator or similar devices that do not utilise any mechanical screening methods.

'suitably qualified and experienced person' means a person who is a Registered Professional Engineer of Queensland under the provisions of the Professional Engineers Act 2002, who has an **appropriate level of**

[1] Not including a species declared under the Land Protection (Pest and Stock Route Management) Regulation 2003 as a category class 1 pest, category class 2 pest or category class 3 pest.

expertise in the structures, geomechanics, hydrology, hydraulics and environmental impact of watercourse diversions.

An ***appropriate level of expertise*** includes:

- demonstrable competency, experience and expertise in:
  - investigation, design or construction of watercourses diversions
  - operation and maintenance of watercourse diversions
  - geomechanics with particular emphasis on channel equilibrium, geology and geochemistry
  - hydrology with particular reference to flooding, estimation of extreme storms, water management or meteorology
  - hydraulics with particular reference to sediment transport and deposition and erosion control hydrogeology with particular reference to seepage and groundwater
  - solute transport processes and monitoring thereof, or
- sufficient knowledge and experience to certify that where the **suitably qualified and experienced person** has relied on advice and information provided by other **persons with relevant expertise*:**
  - they consider it reasonable to rely on that advice and information
  - the expert providing the advice and information has knowledge, competency, suitable experience and demonstrated expertise in the matters related to watercourse diversions.

Persons with relevant expertise include:

- Geomorphologist: person who has demonstrated competency and relevant experience in stream geomorphology and watercourse diversions.
- Geotechnical Expert: person who has demonstrated competency and relevant experience in geotechnical assessment of soil characteristics suitable for watercourse diversions.
- Vegetation Expert: person who has demonstrated competency and relevant experience in the identification, role and function of vegetation with watercourses and adjoining floodplains, and has demonstrated competency and relevant experience in revegetation of watercourse diversions and adjoining floodplains. .
- Groundwater Expert: person who has demonstrated competency and relevant experience in groundwater systems.
- Surface Water Expert: person who has demonstrated competency and relevant experience in hydrology.
- Engineer: person who is a Registered Professional Engineer of Queensland (RPEQ) under the provisions of the Professional Persons Act 2002 or has similar qualifications under a respected professional registration association, and has demonstrated competency and relevant experience in design and construction of watercourse diversions.

- Soils Expert: person who has demonstrated competency and relevant experience in soil classification including the physical, chemical and hydrologic analysis of soil.

'the Act' means the *Environmental Protection Act 1994*.

'topsoil' means the surface layer of a soil profile, which is usually more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

'water' is defined under Schedule 4 of the *Water Act 2000*.

'watercourse' has the same meaning given in the *Water Act 2000*.

'water quality' means the chemical, physical and biological condition of water.

'waters' includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

Attachment

Figure 1 – Approved site plans

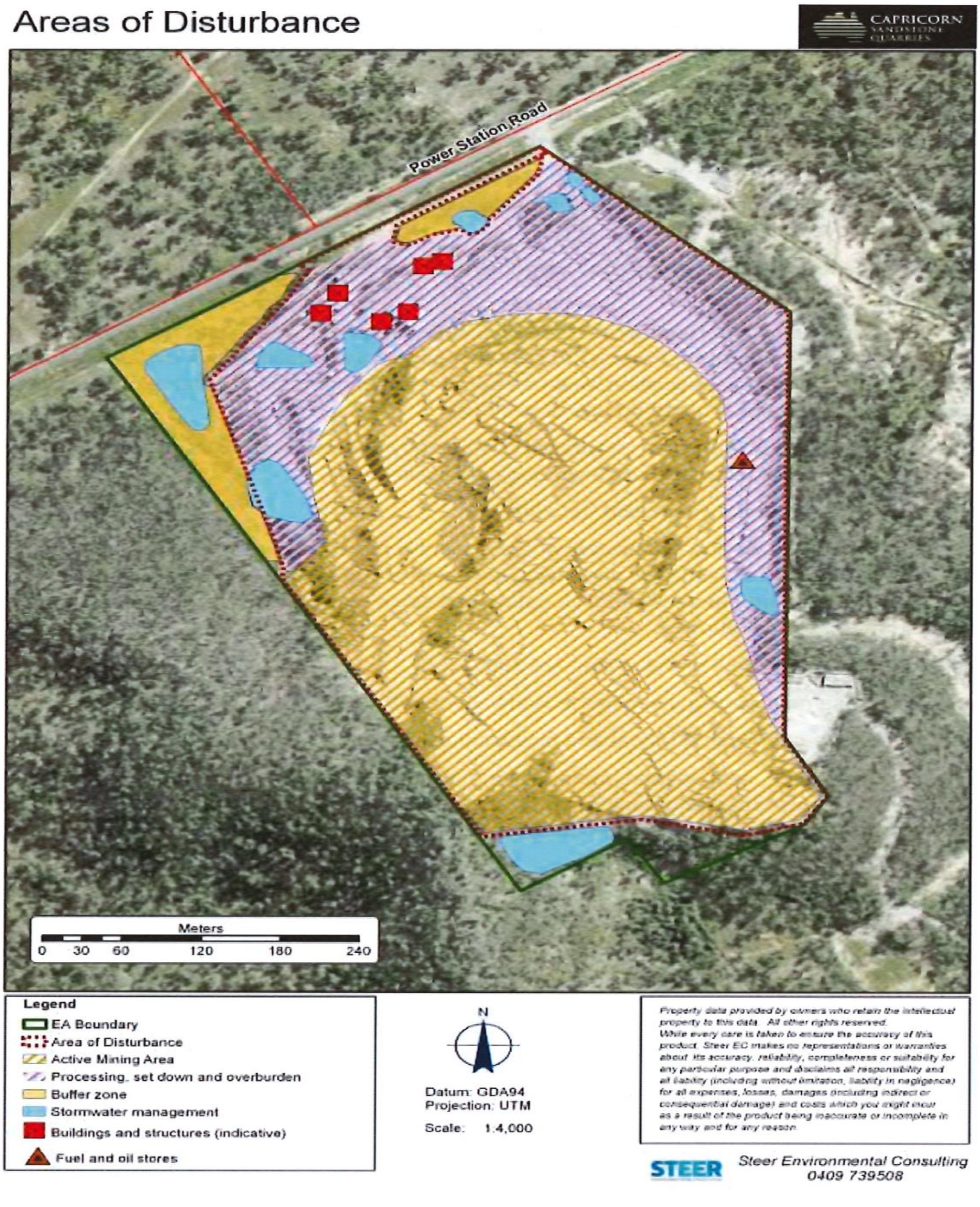
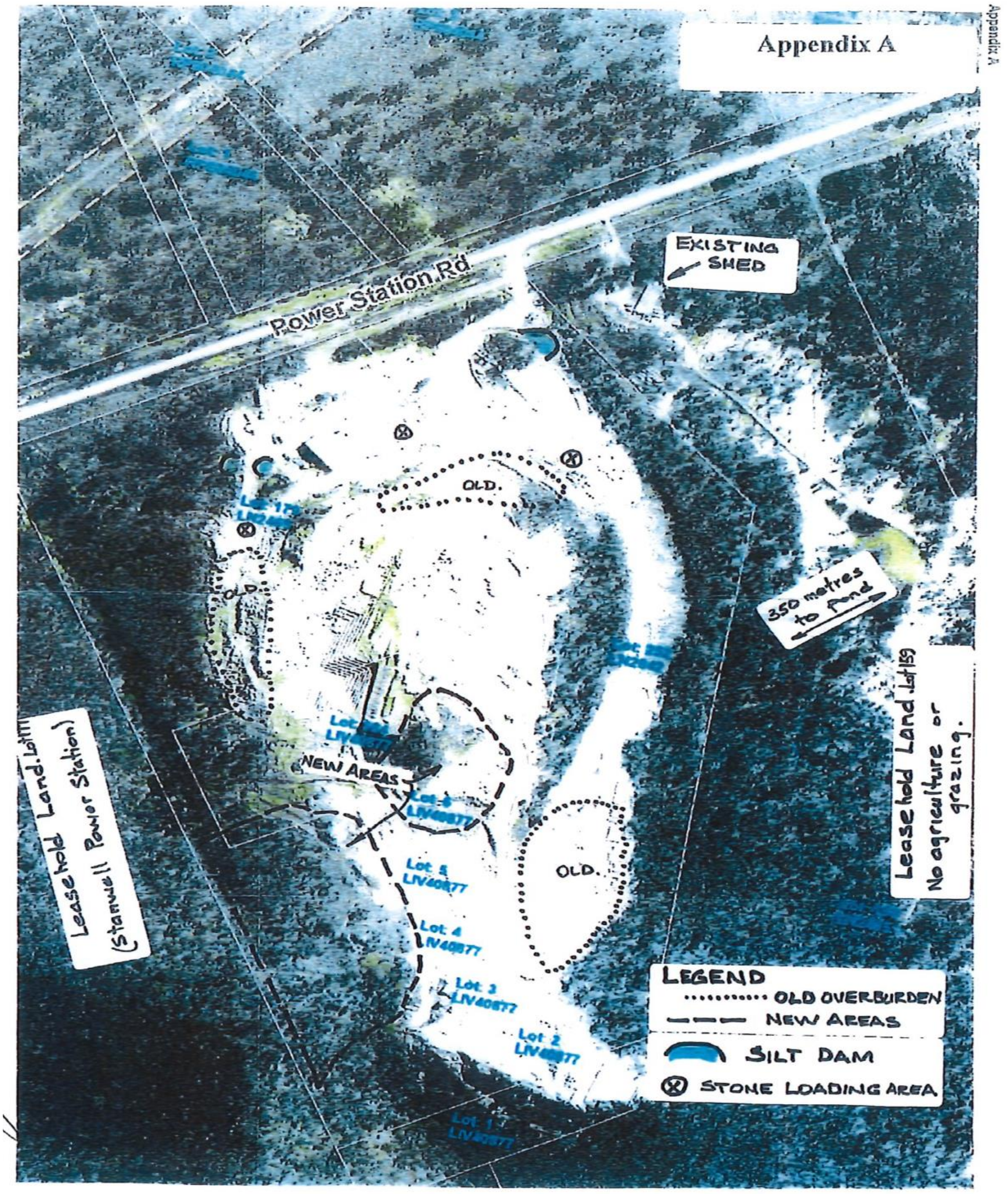


Figure 2 – Release points and monitoring points TBA[1]

1 All release and monitoring points are to be provided with the ESCP that must be submitted to the administering authority in accordance with condition H1.

Appendix A



END OF ENVIRONMENTAL AUTHORITY