

# Registration certificate

*Environmental Protection Act 1994*

## Certificate of Registration

**No: ENRE00812608**

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 20 August 2008.

The anniversary day for the purposes of the Annual Return remains: 21 August.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

**Registered Operator:-**

**Mr D McLennan**

**Walkerston Quarry**

**Lot 50 Bold Street, WALKERSTON QLD 4751**

**Development Approval IPDE00118508**

**Place:-**

**Lot 37 Plan RP704260**

**Located at:-**

**Perry Road, WALKERSTON QLD 4751**

**Registered Activity/ies: -**

**ERA 16 Extractive and screening activities Threshold 2(b) - extracting, other than by dredging, in a year, 5000t to 100000t of material**

**ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material**



Delegate

Administering authority

Environmental Protection Act 1994

08-OCT-2009

## Section 3.5.15 Integrated Planning Act 1997

EPA Permit<sup>1</sup> number: IPDE001180508

|                                          |                                                                                                        |
|------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>EPA Permit<sup>1</sup> number:</b>    | IPDE001180508                                                                                          |
| <b>Assessment Manager reference:</b>     | as above                                                                                               |
| <b>Date application received by EPA:</b> | 29 August 2008                                                                                         |
| <b>Permit<sup>1</sup> Type:</b>          | Development Approval for a material change of use involving an environmentally relevant activity (ERA) |
| <b>Date of Decision:</b>                 | 22 September 2008 - Granted in full with conditions                                                    |
| <b>Decision:</b>                         |                                                                                                        |
| <b>Relevant Laws and Policies:</b>       | <i>Environmental Protection Act 1994</i> and any subordinate legislation                               |

## Development Description

| Property                           | Lot/Plan             | Aspect of Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Perry Road, WALKERSTON<br>QLD 4751 | Lot 37 Plan RP704260 | <p><b>ERA 20(b) Extracting rock or other material -</b><br/>extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or petroleum authority) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.</p> <p><b>ERA 22(b) Screening etc. materials -</b><br/>screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or petroleum authority) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year.</p> |

## Additional comments or advice about the application

<sup>1</sup> Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service



Rc 23/9/08

Nil.

### Additional information for applicants

The standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 or the nominated currency period, apply to each aspect of development in this permit<sup>1</sup>. For information on when this permit takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

### Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming so aware, give notice to the Environmental Protection Agency.

### Environmentally Relevant Activities

The aforementioned description of any environmentally relevant activity (ERA) for which this permit is issued is simply a restatement of the ERA as prescribed in the legislation at the time of issuing this permit. Where there is any conflict between the above mentioned description of the ERA for which this permit is issued and the conditions specified herein as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This permit authorises the ERA. It does not authorise environmental harm unless a condition within this permit explicitly authorises that harm. Where there is no such condition, or the permit is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.



Ricci Churchill

District Manager (Mackay)

Whitsunday Coalfields Region

Environmental Protection Agency

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## CONDITIONS OF APPROVAL

**Condition for: ERA 20(b) Extracting rock or other material** - extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or petroleum authority) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

**Condition for: ERA 22(b) Screening etc. materials** - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or petroleum authority) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year.

### General Permit Condition

#### Agency Interest: General

**(G1) Prevent and/or minimise likelihood of environmental harm.**

In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.

**(G2) Site Based Management Plan.**

From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out.

The SBMP must address the following matters:

- (a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals.
- (b) Identification of environmental issues and potential impacts.
- (c) Control measures for routine operations to minimise likelihood of environmental harm.
- (d) Contingency plans and emergency procedures for non-routine situations.
- (e) Organisational structure and responsibility.
- (f) Effective communication.
- (g) Monitoring of contaminant releases.
- (h) Conducting environmental impact assessments.
- (i) Staff training.
- (j) Record keeping.
- (k) Periodic review of environmental performance and continual improvement.

**(G3) The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.**

- (G4) **Records.**
- Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
- (G5) All records required by this approval must be kept for 5 years.
- (G6) **Notification.**
- Telephone the EPA's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
- (G7) A written notice detailing the following information must be provided to the EPA within 14 days of any advice provided in accordance with condition G6:
- the name of the operator;
  - the name and telephone number of a designated contact person;
  - quantity and substance released;
  - person/s involved;
  - the location and time of the release;
  - the suspected cause of the release;
  - a description of the effects of the release;
  - the results of any sampling performed in relation to the release,
  - actions taken to mitigate any environmental harm caused by the release; and
  - proposed actions to prevent a recurrence of the release.
- (G8) **Spill Kit.**
- An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.
- (G9) **Spill Kit Training.**
- Anyone operating under this approval must be trained in the use of the spill kit.
- (G10) **Equipment Calibration**
- All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.
- (G11) **Maintenance Of Measures, Plant and Equipment.**
- The operator of an ERA to which this approval relates must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
  - maintain such measures, plant and equipment in a proper and efficient condition; and
  - operate such measures, plant and equipment in a proper and efficient manner.

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- (G12) The measurement and reporting required by this approval must be undertaken by a person or body possessing both the qualifications and the experience appropriate to perform the required measurements.

**Agency Interest: Air**

**(A1) Dust Nuisance.**

The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.

**(A2)** Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:

- a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR
- b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre ( $\mu\text{m}$ ) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with:
  - Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet -Gravimetric method'; or
  - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

**(A3)** When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

- a) for a complaint alleging dust nuisance, dust deposition; and/or
- 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 micrometre ( $\mu\text{m}$ ) (PM10) suspended in the atmosphere over a 24hr averaging time.

**Agency Interest: Land**

**(L1) Land Rehabilitation.**

The site (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) must be rehabilitated in a manner such that:

- (a) suitable native species of vegetation are planted and established;
- (b) potential for erosion of the site is minimised;
- (c) the quality of stormwater, other water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm;
- (d) the likelihood of environmental nuisance being caused by release of dust is minimised;
- (e) the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm; and
- (f) the final landform is stable and not subject to slumping.

- (L2) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.
- (L3) Preventing Contaminant Release To Land.
- (L4) Contaminants (excepted recycled treated stormwater) must not be released to land.

Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All flammable and combustible liquids must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

### Agency Interest: Noise

- (N1) Noise Nuisance.
- Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
- (N2) All noise from the activities must not exceed the levels specified in Table 1 – Noise Limits at any sensitive or commercial place.
- (N3) Noise Monitoring.
- When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority.
- Monitoring must include:
- LA 10, adj, 10 mins
  - LA 1, adj, 10 mins
  - the level and frequency of occurrence of impulsive or tonal noise;
  - atmospheric conditions including wind speed and direction;
  - effects due to extraneous factors such as traffic noise; and
  - location, date and time of recording.
- (N4) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

Table 1 - Noise limits

| Noise level measured as dB(A) | Monday to Saturday |          |          |          |          |          | Sundays and public holidays               |  |
|-------------------------------|--------------------|----------|----------|----------|----------|----------|-------------------------------------------|--|
|                               | 7am-6pm            | 6pm-10pm | 10pm-7am | 9am-6pm  | 6pm-10pm | 10pm-9am |                                           |  |
| LA10, adj, 10 mins            | Bkg + 5            | Bkg + 5  | Bkg + 5  | Bkg + 0  | Bkg + 5  | Bkg + 0  | Noise measured at a Noise sensitive place |  |
| LA1, adj, 10 mins             | Bkg + 10           | Bkg + 10 | Bkg + 10 | Bkg + 5  | Bkg + 10 | Bkg + 5  | Noise measured at a Commercial place      |  |
| LA10, adj, 10 mins            | Bkg + 10           | Bkg + 10 | Bkg + 10 | Bkg + 5  | Bkg + 10 | Bkg + 5  |                                           |  |
| LA1, adj, 10 mins             | Bkg + 15           | Bkg + 15 | Bkg + 15 | Bkg + 10 | Bkg + 15 | Bkg + 10 |                                           |  |

**Agency Interest: Water**

**(W1) Stormwater Management.**

Contaminants must not be released from the site to surface waters or the bed or banks of surface waters.

**(W2)** Diversion drains, appropriate grades or equivalent must be installed to ensure surface waters from disturbed areas, including operational or trafficable areas, are diverted to the sediment and water storage ponds.

**(W3) Pond Conditions.**

All ponds used for the storage or treatment of contaminants, at or on the authorised place must be constructed, installed and maintained:

- a) so as to minimise the likelihood of any release of contaminants through the bed or banks of the pond to any waters (including ground water);
- b) so that a freeboard of not less than 0.5 metres is maintained at all times, except in emergencies; and
- c) so as to ensure the stability of the ponds' construction.

**(W4) Erosion Protection Measures And Sediment Controls.**

Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment. The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.

**Agency Interest: Waste**

**(WA1) Waste Handling**

All regulated wastes removed from the site must be removed by a person who holds a current approval to transport such wastes under the provisions of the *Environmental Protection Act 1994*.

**(WA2)** Records for regulated wastes removed from the site must include the following information:

- (a) date of pickup of waste;
- (b) description of waste;
- (c) cross reference to relevant waste transport documentation;
- (d) quantity of waste;
- (e) origin of the waste;
- (f) destination of the waste; and
- (g) intended fate of the waste, for example, type of waste treatment, reprocessing or disposal.

NOTE: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other applicable law for regulated waste will be deemed to satisfy this condition.

Agency Interest: Social

(S1) Complaint Response.

The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request:

- Time, date, name and contact details of the complainant;
- Reasons for the complaint;
- any investigations undertaken;
- conclusions formed; and
- any actions taken.

DEFINITIONS

Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.

**"administering authority"** means the Environmental Protection Agency or its successor.

**"annual return"** means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

**"approval"** means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*.

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

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

**"dredge spoil"** means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

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

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- 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 –

- is clearly audible to, or can be felt by, an individual; and
- 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 10 minute period, using Fast response.

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

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"mg/L" means milligrams per litre.

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

"nuisance sensitive place" includes –

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

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes –

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

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

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

- in a natural channel, whether artificially improved or not; or
- 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 CONDITIONS