

Permit

Environmental Protection Act 1994

Environmental authority EPPR00201513

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

Environmental authority number: EPPR00201513

Environmental authority takes effect on 11 September 2017

Environmental authority holder(s)

Name(s)	Registered address
K & R Vella Family Super Pty Ltd	52 Silingadies Road WALKERSTON QLD 4751

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 51/SP185587
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Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 51/SP185587
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 52/SP185587

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:

Environmental authority

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Planning Act 2016 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

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.

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

Date issued: 13 September 2017

Enquiries:
Extraction, Energy and Chemical Industries
Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
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:

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- 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)

Legislative Requirements and Conditions of Environmental Authority

- G1 In carrying out an ERA to which this environmental authority relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
- G2 From commencement of an ERA to which this environmental authority 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 environmental authority.
- G4 Record, compile and keep all monitoring results required by this environmental authority and present this information to the administering authority when requested.
- G5 All records required by this environmental authority must be kept for 5 years.
- G6 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 environmental authority.
- 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:
- a. the name of the operator;
 - b. the name and telephone number of a designated contact person;
 - c. quantity and substance released;

- d. person/s involved;
- e. the location and time of the release;
- f. the suspected cause of the release;
- g. a description of the effects of the release;
- h. the results of any sampling performed in relation to the release;
- i. actions taken to mitigate any environmental harm caused by the release; and
- j. proposed actions to prevent a recurrence of the release.

- G8 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 Anyone operating under this environmental authority must be trained in the use of the spill kit.
- G10 All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this environmental authority must be calibrated, and appropriately operated and maintained.
- G11 The operator of an ERA to which this environmental authority relates 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; and
 - c. operate such measures, plant and equipment in a proper and efficient manner.
- G12 The measurement and reporting required by this environmental authority must be undertaken by a person or body possessing both the qualifications and the experience appropriate to perform the required measurements.

Air

- A1 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 meter 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 micrometer (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic meter 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 meter of particulate matter with an aerodynamic diameter of less than 10 micrometer (μm) (PM10) suspended in the atmosphere over a 24hr averaging time.

Condition

Land

- L1 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 Contaminants (excepted recycled treated stormwater) must not be released to land.
- L4 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.

Acoustic

- N1 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.

Table 1 - 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, 10 mins	Bkg +5	Bkg +5	Bkg +0	Bkg +5	Bkg +5	Bkg +0
L _{A1} , adj, 10 mins	Bkg +10	Bkg +10	Bkg +5	Bkg +10	Bkg +10	Bkg +5
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	Bkg +10	Bkg +10	Bkg +5	Bkg +10	Bkg +10	Bkg +5
L _{A1} , adj, 10 mins	Bkg +15	Bkg +15	Bkg +10	Bkg +15	Bkg +15	Bkg +10

- N3 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:
- L_A 10, adj, 10 mins;
 - L_A 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.

Water

- W1 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 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 meters 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 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.

General

WA1 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.

Social

S1 The operator of the ERA 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. reasons for the complaint;
- c. any investigations undertaken;
- d. conclusions formed; and
- e. any actions taken.

Definition

DEFINITION Definitions
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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 308 of the Environment Protection Act 1994).

'authorised place' means the place authorised under this environmental authority 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.

' $L_{A10, adj, 10 mins}$ ' 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.

' $L_{A1, adj, 10 mins}$ ' 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.

' $L_{A, max adj, T}$ ' means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

'land' means land excluding waters and the atmosphere.

'mg/L' means milligrams per liter.

'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 2004 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 2004; or
- a World Heritage Area.

'regulated waste' means non-domestic waste mentioned in Schedule 7 of the Environmental Protection Regulation 2008 (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 environmental authority.

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

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- 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 environmental authority.

'you' means the holder of this environmental authority or owner / occupier of the land which is the subject of this environmental authority.