



Department of
**Environment and
Heritage Protection**

24-SEP-2014

To: William John Fletcher as joint liquidator of
Earth Commodities Rockhampton Pty Ltd (in
liquidation)
Level 9, 123 Albert Street
BRISBANE QLD 4000

Attention: Jasmine Cope

Email: jcope@bris.bentleys.com.au

Our reference: 222456

Application details

I refer to the application that was received by the administering authority on 15-SEP-2014.

Land description: Gravel Pit Road - Yeppoon Lot 20 Plan RP836580; Bruce Highway, Yaamba Lot 93
Plan LN801012, Lot 67 Plan LN1741.

Decision

Your application has been approved and your environmental authority (reference EPPR00230413) is
attached.

Should you have any further enquiries, please contact Veronica Lightfoot on telephone 1300 130 372
(option 4)

Yours sincerely

Signature

24/09/2014

Date

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

Veronica Lightfoot
Permit and Licence Management
Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au
Website www.ehp.qld.gov.au
ABN 46 640 294 485

Enclosed

Permit - environmental authority (reference EPPR00230413)

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPPR00230413

Environmental authority takes effect on 24-SEP-2014.

The anniversary date of this environmental authority remains 21-MARCH. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Vynque Pty Ltd T/A Pro Screen & Crushing	C/-Kennas 69 Queen Street YEPPOON QLD 4703

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(1b) Dredging >10000t but <100000t yr 16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Bruce Highway and Yaamba - Lot 93 Plan LN801012 and Lot 67 Plan LN1741 Gravel Pit Road - Yeppoon - Lot 20 Plan RP836580

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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).

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



Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

24/09/2014

Date

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

Enquiries:
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Permit and Licence Management
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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: Bruce Highway and Yaamba - Lot 93 Plan LN801012 and Lot 67 Plan LN1741
Gravel Pit Road - Yeppoon - Lot 20 Plan RP836580

Relevant activity/ies: 16-(1b) Dredging >10000t but <100000t yr
16-(2a) Extractive >5000t but <100000t yr
16-(3a) Screening >5000t but <100000t yr

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

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

- (A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.

NOTE: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Site based management plan

- (A3-1) From commencement of the activity, 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 Environmentally Relevant Activities that are carried out.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

- (B1-1) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance beyond the boundaries of the licensed place.
- (B1-2) 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 odour sensitive place.

Dust nuisance

- (B2-1) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Erosion protection measures and sediment controls

- (C2-1) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
- (C2-2) Prevent the release of sediment to waters or a build up of sediment in any stormwater drain.

Release to waters

- (C3-1) Contaminants must not be released from the licensed place to any waters or the bed and banks of any waters.

Stormwater management

- (C5-1) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise sensitive place or any commercial place.

Vibration nuisance

- (D3-1) Vibration emitted from activities must not cause a nuisance at any vibration sensitive place.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Land rehabilitation

- (F1-1) The authorised place must be rehabilitated (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) in a manner such that:
- suitable native species of vegetation are planted and established;
 - potential for erosion of the site is minimised;
 - the quality of stormwater, 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;
 - the likelihood of environmental nuisance being caused by release of dust is minimised;
 - the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm;
 - the final landform is stable and not subject to slumping; and
 - any actual and potential acid sulphate soils in or on the site are either not disturbed; or, submerged, or treated so as to not be likely to cause environmental harm.
- (F1-2) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.
- (G1-2) In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the licensed place specifically, or the industrial estate where the licensed place is located.

END OF CONDITIONS FOR SCHEDULE G

END OF Licence Without Development Approval (Section 93) Part 1

Schedule A - General conditions

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE A

END OF Licence With Development Approval (Section 86) Part 2

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:

Where a definition for a term used in this authority is sought and the term is not defined within this authority the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

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

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

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

"this authority" means this environmental authority/development approval.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

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

"dust sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
 - a motel, hotel or hostel;
 - a kindergarten, school, university or other educational institution;
 - a medical centre or hospital;
 - a protected area;
 - a park or gardens; or
 - a place used as an office or for business or commercial purposes.
- and includes the curtilage of any such place.

"odour sensitive place" has the same meaning as a "dust sensitive place"

"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.

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

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

"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.

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

- a dwelling, 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; or
 - a park or gardens.
- and includes the curtilage of such place.

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

"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.

"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.

"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 any under groundwater, any part thereof.

"50th percentile" means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

"80th percentile" means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works

"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.

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

"mg/L" means milligrams per litre.

"NTU" means nephelometric turbidity units

"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.

"licensed vehicle" means a vehicle authorised to be used under the licence to transport regulated waste,

"registered vehicle" means "licensed vehicle"

"clinical waste" means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

"infectious waste" means "clinical waste"

"vibration sensitive place" means places that experience (or will experience) offensive ground vibration from the mining vibration source/s under consideration. In determining these places, the following need to be considered: existing background vibration levels, exact vibration source locations, distance from source/s (or proposed source/s) to receiver and intervening geological structure.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF PERMIT