

Permit

Environmental Protection Act 1994

Environmental authority EPPR00245613

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

Environmental authority number: EPPR00245613

Environmental authority takes effect on 7-08-2020

Environmental authority holder(s)

Name(s)	Registered address
NUCRUSH PTY. LTD.	19 Hart Street UPPER COOMERA QLD 4209

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 2 on RP82635 Lot 1 on RP199873
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Lot 2 on RP82635 Lot 1 on RP199873
ERA 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 464 on RP228385 Lot 467 on RP845775 Lot 468 on RP845775
ERA 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	Lot 464 on RP228385 Lot 467 on RP845775 Lot 468 on RP845775

Additional information for applicantsEnvironmentally 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:

- 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.

Environmental authority

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.

Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 7 August 2020

Enquiries:
Energy and Extractive Resources
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

Agency interest: General Schedule A	
Condition number	Condition
A1	Release of Contaminants Not Otherwise Provided For You must: a) maintain all plant and equipment in a proper and efficient condition; and b) operate such plant and equipment in a proper and efficient manner. In this condition, "plant and equipment" includes: i. plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused, for example dust control systems, fabric filters; ii. devices and structures to contain foreseeable release of contaminants and waste, for example bunding; iii. devices and structures used to store, handle, treat and dispose of waste, for example settlement ponds; iv. monitoring equipment and associated alarms; and v. backup systems that act in the event of failure of a primary system.
A2	Display of Approval A copy of this authority must be kept in a location readily accessible to personnel carrying out an ERA.
A3	Records Any record or document required to be kept by a condition of this authority must be kept for a period of at least five (5) years and be available for examination by an authorised person. This condition will be satisfied if any daily or weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.
A4	Calibration All instruments and devices used for the measurement or monitoring of any parameter required by any condition of this authority must be calibrated and appropriately operated and maintained.
A5	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority, to investigate a complaint that is not considered by the administering authority to be frivolous or vexatious, of environmental nuisance arising from the activity. The monitoring results must be provided to the administering authority upon request.

Environmental authority

A6	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
A7	Implement the Integrated Environmental Management System entitled "Nucrush Pty Ltd: Integrated Environmental Management System dated 28 January 1997" as may be amended from time to time ("the IEMS") as a minimum for the management of the actual and potential environmental impacts of an ERA.
A8	Integrated Environmental Management System (IEMS) Implement the IEMS whereby reasonable and practical measures to prevent and/or to minimise the likelihood of environmental harm being caused are taken, and ensure that the IEMS continues to effectively provide for the following functions: (i) the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; (ii) staff training and awareness of environmental issues; (iii) the conduct of environmental and energy audits; and (iv) waste prevention, treatment and disposal.
A9	Submit any amendment of the IEMS to the administering authority with the next annual return following any such amendment.
A10	A copy of the IEMS must be kept at the Hart Street, Upper Coomera Qld 4210 premises.
A11	General There must be no clearing of vegetation within any watercourse channel or within 20 metres of the highest parts of the banks of any watercourse.
A12	Site Rehabilitation and Decommissioning Report At least three (3) months prior to ceasing any ERA, implement as a minimum the Site Rehabilitation and Decommissioning Report in section 6.5 of the IEMS.
Agency interest: Air Schedule B	
Condition number	Condition
B1	Dust Control - General Take reasonable and practicable measures to minimise the release of wind blown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to: (i) restriction of vehicular movement within an approved place to designated access routes;

Environmental authority

	(ii) minimisation of exposed surface area; (iii) rehabilitation of completed areas as soon as practicable following completion of extraction or other earthworks; (iv) transfer of materials in a moist state; (v) adoption of best practice environmental management for the extraction and processing (including crushing, screening and stockpiling) of aggregates; and (vi) water spraying on trafficable areas.
B2	Rock Drills Dust collectors or dust suppressant must be used for rock drilling equipment.
B3	Dust Control - Aggregate Transport Trucks Take reasonable and practicable measures to prevent spillage or loss of particulate matter or windblown dust from trucks used for transporting aggregates from a site. Reasonable and practicable measures may include but are not limited to: (i) wetting down loads prior to transportation; (ii) having the entire load covered with a tarpaulin or similar material for the duration of transport; and (iii) clearing of spillages from side rails, tail gates and draw bars of trucks prior to departure from a site and prior to departure from the delivery location.
B4	Cement/Fly ash Silos Exhaust from cement or fly ash silos shall be via an effective filter.
B5	Silos with a common filter shall not be filled simultaneously.
B6	Controls for shaking and cleaning a silo exhaust filter shall be at ground level.
B7	Quick acting shut off valves are to be installed in silo filling pipelines whereby the valves activate automatically to prevent silo overfilling.
B8	A test circuit for simulating silo overfilling is to be used every time before commencement of silo filling.
B9	An audible and visual alarm shall operate to detect and warn of impending silo overfilling.
B10	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place .
B11	For the purpose of assessing compliance with condition (B10), nuisance caused by dust or particulate matter includes a release to any sensitive place or commercial place that exceeds the following limit when measured at the place:

Environmental authority

	i. Dust deposition of 120mg/m ² per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991 or later versions of this standard.
Agency interest: Water Schedules C and D	
Condition number	Condition
C1	Release of Contaminants to Waters Contaminants must not be directly or indirectly released from a site into any waters or to the bed or banks of any waters whereby environmental harm is caused except: (i) as permitted under the stormwater management schedule; or (ii) to a sewer as permitted or otherwise agreed to from time to time by the relevant local government authority.
D1	Maintenance and Clean up The maintenance and cleaning of vehicles and any other earthmoving equipment must be carried out where resultant contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.
D2	Spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing wastes or contaminants into any waters, roadside gutter or stormwater drainage system.
D3	Bunding All above ground tanks storing liquid chemical or petroleum products must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest tank volume plus ten percent (10%) of the second largest tank volume within the bund.
D4	All empty drums must be stored in a closed state on a concrete hardstand area or similar impervious material.
D5	All bunding must be constructed and maintained so as to be impervious and to allow retention and recovery of any liquids therein.
D6	Where it is impractical to completely roof a bunded area, any stormwater captured within the bund must be uncontaminated prior to release.
D7	A collection sump must be provided in the floor of a bunded area, and that floor area must be graded towards the sump.
Agency interest: Land	

Schedule E	
Condition number	Condition
E1	Release of Contaminants to Land Contaminants shall not be released onto land thereby causing contaminated land.
Agency interest: Noise Schedule F	
Condition number	Condition
F1	Emission of Noise (Other Than Blasting) Noise nuisance Noise from an ERA must not cause an environmental nuisance at any sensitive place in the opinion of an authorised person.
F2	Noise monitoring must be undertaken as directed by the administering authority to investigate any complaint about noise nuisance being caused by an ERA, which complaint in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief, and the results thereof notified to the administering authority within fourteen (14) days following completion of monitoring. For the purposes of this condition, noise monitoring must be done by a competent person in accordance with the latest edition of the <i>Environmental Protection Agency Noise Measurement Manual</i> and include: i. LA, max adj, T ; ii. relevant background sound level; iii. the level and frequency of occurrence of impulsive or tonal noise; iv. atmospheric conditions including wind speed and direction; and v. location, date and time of measurements.
F3	For the purposes of condition (F1), an ERA will not cause environmental nuisance where noise from the ERA does not exceed the limits specified in Schedule F —Table 1.
F4	If an authorised person's opinion is that monitoring results indicate environmental nuisance is being caused by noise from an ERA, you must: (i) address the complaint including the use of appropriate dispute resolution if required; or (ii) immediately implement noise abatement measures so that emissions of noise from the ERA do not result in further environmental nuisance.

	Schedule F – Table 1 (Noise limits)*														
	Noise level dB(A)	Monday to Saturday			Sunday and Public Holidays										
		7am–6pm	6pm–10pm	10pm–7am	7am–6pm	6pm–10pm	10pm–7am								
	measured as	Noise measured at a noise sensitive place*													
	L _A , max adj, T	Background + 5 dB(A)	Background + 5 dB(A)	Background +3 dB(A)	Background +3 dB(A)	No audible noise	No audible noise								
		Noise measured at a commercial place													
	L _A , max adj, T	Background + 10 dB(A)	Background + 10 dB(A)	Background + 5 dB(A)	Background + 5 dB(A)	Background + 3 dB(A)	Background + 3 dB(A)								
Where "T" is 10 minutes and "Background" means background sound pressure level measured in accordance with the latest edition of the Env'ronmental Protection Agency <i>Noise Measurement Manual</i> . Schedule F Table 1 does not purport to set operating hours for an ERA.															
F5	OXENFORD QUARRY Explosive blasting nuisance Explosive blasting for an ERA must not cause a nuisance at any sensitive place in the opinion of an authorised person.														
F6	Explosive blasting shall be carried out within the times specified in Schedule F Table 2.														
F7	Every explosive blast for an ERA shall be designed by a competent person to achieve the criteria specified in Schedule F — Table 2. Schedule F — Table 2 (Explosive blast design criteria and time limits) * <table><tr><td rowspan="2"></td><td colspan="2">Vibration measured at a 'sensitive place'</td></tr><tr><td>Monday to Friday 9am - 4pm Saturday 9am - 1pm</td><td>Other times and public holidays</td></tr><tr><td>Vibration (peak particle velocity)</td><td>5 mm/s peak particle velocity for 4 out of 5 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.</td><td>No blasting to occur</td></tr></table>								Vibration measured at a 'sensitive place'		Monday to Friday 9am - 4pm Saturday 9am - 1pm	Other times and public holidays	Vibration (peak particle velocity)	5 mm/s peak particle velocity for 4 out of 5 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.	No blasting to occur
	Vibration measured at a 'sensitive place'														
	Monday to Friday 9am - 4pm Saturday 9am - 1pm	Other times and public holidays													
Vibration (peak particle velocity)	5 mm/s peak particle velocity for 4 out of 5 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.	No blasting to occur													

Environmental authority

	<table><tr><td>Air blast overpressure level (dB linear peak)</td><td>115 dB (Linear) Peak for 4 out of 5 consecutive blasts and not greater than 120 dB (Linear) Peak at any time.</td><td>No blasting to occur</td></tr></table>	Air blast overpressure level (dB linear peak)	115 dB (Linear) Peak for 4 out of 5 consecutive blasts and not greater than 120 dB (Linear) Peak at any time.	No blasting to occur
Air blast overpressure level (dB linear peak)	115 dB (Linear) Peak for 4 out of 5 consecutive blasts and not greater than 120 dB (Linear) Peak at any time.	No blasting to occur		
* Schedule F Table 2 does not purport to set limits applicable to any particular explosive blast, rather sets design criteria for every explosive blast.				
F8	Explosive blasting monitoring Monitoring must be undertaken as directed by the administering authority to investigate any complaint about nuisance being caused by explosive blasting for an ERA, which complaint in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief, and the results thereof notified to the administering authority within fourteen (14) days following completion of monitoring. For the purposes of this condition monitoring must be done by a competent person in accordance with Australian Standard 2187.2 — Explosives Storage, Transport and Use - Part 2 Use of Explosives, and include: (i) peak particle velocity (mm/s); (ii) air blast overpressure level (dB linear peak); (iii) location of the blasting within the site; (iv) atmospheric conditions including temperature, relative humidity, wind speed and direction; (v) affects due to extraneous factors; and (vi) location, date and time of measurements.			
F9	All relevant information pertaining to the design of every explosive blast for an ERA in relation to the criteria specified in Schedule F Table 2 shall be kept in written and diagrammatic form.			
F10	Blasting - General All blasting must be carried out by a competent person in accordance with best practice environmental management.			
F11	For the purpose of assessing compliance with conditions (F5) and (F7), blasting noise and vibration must be measured for each blast at the Oxenford Quarry site at the monitoring points specified in Schedule H.			
Agency interest: Waste				
Schedule G				
Condition number	Condition			
G1	Effective procedures must be implemented to ensure that wastes generated on a site are			

Environmental authority

	minimised, recycled, stored, handled and transferred in a proper and efficient manner, and so that disposal of such waste is at a facility lawfully able to do so.
G2	You must not: (i) burn waste on a site; (ii) allow waste to be burned on a site; or (iii) remove waste from a site for burning elsewhere.
G3	Records of any trade waste agreements must be available to an authorised person.
G4	Regulated waste Where regulated waste is removed from a site, monitor and record the following: (i) the date, quantity and type of waste removed; (ii) name of the waste transport operator and/or disposal operator that removed the waste; and (iii) intended treatment/disposal destination of the waste. (Note: Records maintained in compliance with a waste tracking system established under the <i>Environmental Protection Act 1994</i> or any other law for regulated waste are deemed to satisfy this condition).
G5	Regulated waste must not be sent for disposal at any facility without the written approval of the person operating that facility.
Agency interest: Self Monitoring and Reporting Schedule H	
Condition number	Condition
H1	Complaint Recording All complaints relating to an ERA must be recorded and kept in a log book with the following details: (i) time, date and nature of complaint; (ii) type of communication (eg. telephone, letter, personal); (iii) name, contact address and contact telephone number of complainant (if a complainant does not wish to be identified then "not identified" is to be recorded); (iv) complaint investigation undertaken; (v) name of person responsible for investigating complaint; and (vi) action taken as a result of complaint investigation and signature of responsible person.
H2	Noise Monitoring - Blasting and Ground Vibration Measurement and recording of overpressure level (dB linear peak) and peak particle velocity (vpmm/second) for each blasting event at the Maudsland Road, Upper Coomera (Oxenford Quarry) site must be undertaken at two monitoring locations as determined by this approval or at other relevant location(s) as directed by the administering authority in relation to a complaint.

Environmental authority

H3	Records Records must be kept of the results of all noise monitoring (including blasting noise and ground vibration levels) and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.
----	--

Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

"activity" means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

"administering authority" means the Department of Environment and Heritage Protection or its successor or predecessors.

"aggregates" means rock of any size including overburden, sand or soil.

"annual return" means the return required by the annual notice issued under section 308 of the *Environmental Protection Act 1994*.

"authorised person" means a person holding office as an authorised person under an appointment under the *Environment Protection Act, 1994* by the chief executive.

"authorised place", means the place, premises or land authorised under this authority or approval for the carrying out of the specified environmentally relevant activities.

"background or sound level" means either:

- $L_{A90, T}$ being the A-weighted sound pressure level exceeded for ninety percent (90%) of the time period of not less than 15 minutes measured in the absence of the noise under investigation, using Fast response, or
- $L_{A90, T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

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

"competent person" means a person with sufficient demonstrated skill, knowledge and qualifications required to carry out a task to a necessary standard for protection of the environment.

"dwelling" means any of the following structures or vehicles that is principally used as a place for human habitation -

- 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; and
- a water craft in a marina.

"Environmental Nuisance" has the meaning in section 15 of the *Environmental Protection Act 1994* and means unreasonable interference or likely interference with an environmental value caused by—

- (a) aerosols, fumes, light, noise, odour, particles or smoke; or
- (b) an unhealthy, offensive or unsightly condition because of contamination; or
- (c) another way prescribed by regulation.

"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 had to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

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

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

"mg/L" means milligrams per litre.

"measures" has the broadest interpretation and includes plant, equipment, physical objects, bunding, containment systems, monitoring, procedures, actions, directions and competency.

"noise" includes vibration of any frequency, whether emitted through air or another medium.

"noise sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential premises;
 - a motel, hotel or hostel;
 - a kindergarten, school, university or other educational institution;
 - a medical centre or hospital;
 - a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; and
 - a public thoroughfare, park or gardens;
- and includes that part of the curtilage of a building or structure used for purposes usually or reasonably associated with the building or structure.

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

"NTU" means nephelometric turbidity units.

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

"sensitive place" includes -

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises;
 - a motel, hotel or hostel;
 - a kindergarten, school, university or other educational institution;
 - a medical centre or hospital;
 - a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area;
 - a public thoroughfare, park or gardens; and
 - a commercial place;
- and includes that part of the curtilage of a building or structure used for purposes usually or reasonably associated with the building or structure.

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

"waters" includes any watercourse, lake, lagoon, pond, swamp, wetland, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off or groundwater.

"you" means the holder of the environmental authority.

END OF ENVIRONMENTAL AUTHORITY