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Certificate of Registration

No: ENRE00702807

This registration certificate is issued by the Environmental Protection Agency and does not take effect until development permit for the activity takes effect.

The anniversary day for the purposes of the Annual Return is the 5th September.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity 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:-

Clifton Sand and Gravel Pty Ltd
Trading as Clifton Sandland
Level 1, 172 Hume Street
TOOWOOMBA, QLD 4350

Place:-
Lot 72 Plan ML336, Lot 74 Plan ML336
Located at:-
Malakoff Road, Old Talgai QLD
Registered Activity: -
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.

Cathy Birt

Delegate
Environmental Protection Agency

05-SEP-2007

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
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Concurrence Agency Response

This notice is issued by the Environmental Protection Agency pursuant to Sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997 to advise of a decision or action.

Clifton Sand and Gravel Pty Ltd
PO Box 9198
WILSONTON QLD 4350

CC: Warwick Shire Council
PO Box 26
WARWICK QLD 4370

Our reference: 304035

Dear Sir/Madam

Re: Referral for Concurrence Agency Response

The Environmental Protection Agency (EPA), wishes to advise that the referral for a concurrence agency response, received on 24-AUG-2007, has been assessed, and on the 1 October 2007 it was granted.

1. Property/Location:

Street address - Malakoff Road
Lot/Plan - Lot 72 Plan ML336, Lot 74 Plan ML336

2. Details of the recommendation

Aspect of Development
- Concurrence Response for a MCU involving an ERA
- 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.

Recommendation
- Granted

EPA Ref Number
- IPCE00709307

Currency period

This approval will lapse unless substantially started within <Insert the currency period/s set by the Assessment Manager OR the standard currency periods stated in section 3.5.21 of the Integrated

Planning Act 1997 applying to each aspect of development in this approval AND/OR the following currency periods applying to aspects of development in this approval.

3. **Assessment Manager Responsibilities**
Please note that it is a requirement under Sections 3.5.15 and 3.5.17 of the *Integrated Planning Act 1997* that a copy of the final Decision Notice (which includes the EPA's concurrence response) for this application issued by the Warwick Shire Council, be forwarded to each referral agency. Therefore could you please send a signed hardcopy to the EPA's Ecoaccess Customer Service Unit at PO Box 155, Brisbane Albert Street, 4002 and an electronic copy to eco.access@epa.qld.gov.au.

In addition, the State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. Therefore in this instance, the EPA has not provided a notification to native title parties

If you require more information, please contact Lindsay Webber, the Project Manager, on the telephone number listed below.

Yours sincerely

Rob Spalding
Delegate
Environmental Protection Agency

1-Oct-2007

Enquiries:

SouthReg Env Ops (South West District)
PO Box 731
Phone: (07) 4699 4333
Fax: (07) 4699 4399

ecoaccess
environmental licences and permits

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

EPA Permit[1] number: IPCE00709307

EPA Permit[1] number:	IPCE00709307
Assessment Manager reference:	
Date application received by EPA:	24-AUG-2007
Permit[1] Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	1-Oct-2007
Decision:	1
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation
Jurisdiction:	Item 1 in Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*

Development Description

Property	Lot/Plan	Aspect of Development
Malakoff Road	Lot 72 Plan ML336, Lot 74 Plan ML336	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.

[1] 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

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Queensland Parks and Wildlife Service

Reasons for inclusion of development conditions

In accordance with section 3.3.18(8) of the Integrated Planning Act 1997 and section 27B of the Acts Interpretation Act 1954, the reasons for the inclusion of development conditions are:

1) The Environmental Protection Agency is a concurrence agency under the Integrated Planning Regulation 1998 for the purposes of the Environmental Protection Act 1994.
2) Any development conditions placed on this permit1 for an environmentally relevant activity are in accordance with section 73B of the Environmental Protection Act 1994.

Additional information for applicants

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 abovementioned 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 prevai 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.

Rob Spalding
Delegate
Environmental Protection Agency
1-Oct-2007

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.

Agency Interest: General

PG1 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.

PG2 Maintenance Of Measures, Plant and Equipment.

The operator of an ERA to which this approval relates must:

(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
(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.

PG3 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.

PG4 The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.

Agency Interest: Air

PA1 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.

PA2 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
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 (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

PA3 Dust is not considered to be a nuisance under condition PA1 if monitoring shows that dust and / or particulate matter does NOT exceed the following limits at the boundary of any affected dust sensitive place.

- dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; AND
- a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the licensed place, when monitored in accordance with:
- Australian Standard AS 3580.9.6 "Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method"; or
- 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.

Agency Interest: Land

PL1 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;
(f) the final landform is stable and not subject to slumping; and
(g) any actual and potential acid sulfate soils in or on the site are either not disturbed, or are submerged or treated, so as to not be likely to cause environmental harm.

PL2 Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.

PL3 Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

Agency Interest: Noise

PN1 Noise Nuisance.

Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

PN 2 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.

PN3 Noise is NOT considered to be a nuisance under condition PN1 if monitoring shows that noise does NOT exceed the following levels in the time periods specified in Table 1.

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'					
$L_{A10, adj, 10 mins}$	45	40	30	45	40	30
$L_{A1, adj, 10 mins}$	50	45	35	50	45	35

PN4 The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

Agency Interest: Social

PS1 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:

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.

Agency Interest: Waste

PW1 Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this environmental authority.

Agency Interest: Water

PWA1 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.

PWA2 Contaminants must not be released from the site to any waters or the bed and banks of any waters.

PWA3 Suitable banks and/or diversion drains must be installed and maintained to exclude uncontaminated stormwater runoff from entering the extraction area (area of disturbance).

DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] 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.*

"approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

"artificial waterway" means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

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

"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.

"$L_{A\ 10,\ adj,\ 10\ mins}$" 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.

"$L_{A\ 1,\ adj,\ 10\ mins}$" 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.

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

"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.

"quarry material" means material on State coastal land, other than a mineral within the meaning of any Act relating to mining. Material includes for example stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

"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