

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00475306

This amended registration certificate is issued by the administering authority and takes effect from: 29 January 2010.

The anniversary day for the purposes of the Annual Return remains: 12 November.

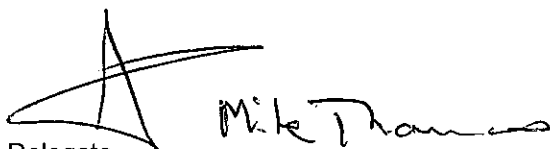
This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place; subject to the conditions set out in a development approval IPCE00628207 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Allan S & Leonard K Bird
431 Allan Creek Road
GLENEAGLE QLD 4285

Place:-
Lot 1 Plan 166438, Lot 2 Plan 897479.

Located at:-
Cnr Brookland & Amiens Roads, GLENEAGLE QLD 4285.

Registered Activities:-
ERA 16 Extractive and screening activities Threshold 1(b) - dredging, in a year, more than 10000t 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

Date: 29 January 2010



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This statutory notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997, to advise you of a decision or action.

Enquires to : Parma Nand
Telephone : (07) 3224 6039
Your reference : 01-400229 & 01 - 400230
Our reference : STH3567/SR0209DA

Beaudesert Shire Council
Town Planning Department
PO Box 25
BEAUDESERT QLD 4285

COPY

Attention: Richard Devries

Re: Application for development approval.

Applicant information

Application number: 01-400229 & 01 - 400230
Application received by EPA: 25/09/01
EPA no: **SR0209DA**
Description: 19 (b) - Dredging material
22 (b) - Screening etc materials

The Environmental Protection Agency, acting as a concurrence agency under the Integrated Planning Act 1997, provides its response to the application detailed above.

The concurrence agency response is that:

- The attached conditions must be attached to any development approval.

Pursuant to the following items of Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is the concurrence agency for the development application:

- Item 3 (*Environmental Protection Act 1994* environmentally relevant activities)
- Item 4 (*Environmental Protection Act 1994* contaminated land)

The Environmental Protection Agency, as the administering authority for the *Environmental Protection Act 1994* is required by section 213 to maintain a register of development approvals for environmentally relevant activities.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions), and an electronic copy of that development approval. The signed "hard copy" can be posted to the Agency's Licence Administration Officer.

Environmental Support Officer
Environmental Protection Agency
Southern Region
GPO Box 2771
BRISBANE QLD 4001

The electronic copy for the electronic register can be e-mailed in this instance to the Applicant Responsible Officer, Parma Nand at e-mail address: parma.nand@env.qld.gov.au.

The EPA has not provided a notification to native title parties for this application. 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. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

More detailed information about the Environmental Protection Agency's assessment is enclosed.

Should you require any further information please do not hesitate to contact Parma Nand on either phone (07) 3224 6039 or email: parma.nand@env.qld.gov.au



Signed



Date

Gary Kane
Operations Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

COPY

Concurrence Agency response

Application number:	01-400229 & 01 - 400230
EPA number:	SR0209DA
Applicant:	Allan S Bird & Leonard K Bird
Date received:	25/09/01
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and associated policies
Description:	19 (b) - Dredging material – dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty is not payable or similar charge is not payable) using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, per year. 22 (b) - Screening etc. materials – screening, washing, crushing, grinding, milling, sizing or separating materials extracted from earth (other than under a mining authority) or by dredging using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, per year.

At the following place:

Lot	Plan	Parish	County
1	166438	Bromelton and Teviot	Ward
2	897479	Bromelton and Teviot	Ward

Located at:

Brookland and Amiens Roads, Gleneagle QLD 4285

Type of development

Material change of use of premises (tick whichever is applicable) -

- ☐ the start of a new use of the premises; or
- ☐ the re-establishment on the premises of a use that has been abandoned; or
- ☐ a material change in the intensity or scale of the use of the premises; or
- ☐ the holder of an environmental authority, or development approval, for an environmentally relevant activity proposes to carry out works for the construction or alteration of premises, or for the installation or alteration of plant or equipment in premises, for carrying out the activity; and the construction, alteration or installation will result in an increase of 10% or more in the release of contaminant into the environment under the authority or approval.

Type of environmentally relevant activity(s) (ERA(s))

The development application relates to the following ERA(s):

19 (b) - Dredging material – dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty is not payable or similar charge is not payable) using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, per year, and

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

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that:

- conditions must attach to any development approval.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 60ZA of the *Environmental Protection Act 1994* ('the EP Act').

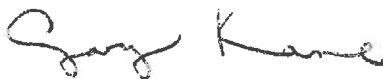
The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 46 of the EP Act and are relevant to the object and policies pertaining to the EP Act.

Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79. (1) of the EP Act applies only to the environmentally relevant activity component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.



Signed

5/11/01

Date

Gary Kane
Operations Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Conditions of the development approval

The following concurrence agency development conditions are to be attached to the development approval:

- Schedule A - General conditions
- Schedule B - Air
- Schedule C - Water
- Schedule D - Storm water management
- Schedule E - Land application
- Schedule F - Noise
- Schedule G - Waste management
- Schedule H - Self monitoring and reporting
- Schedule I - Definitions
- Schedule J - Site plans

SCHEDULE A - Activity

Plant and Equipment

(A1) The holder of this environmental authority must:

- (i) install all plant and equipment necessary to ensure compliance with the conditions; and
- (ii) maintain such plant and equipment in a proper and efficient condition; and
- (iii) 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;
- (ii) devices and structures to contain foreseeable escapes of contaminants and waste;
- (iii) devices and structures used to store, handle, treat and dispose of waste;
- (iv) monitoring equipment and associated alarms; and
- (v) backup systems that act in the event of failure of a primary system.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five (5) years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and 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.

Alterations

(A3) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released to the environment.

Prevent and / or Minimise Likelihood Of Environmental Harm

- (A4) Notwithstanding any other requirements of this document, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused when carrying out the environmentally relevant activities.

Calibration

- (A5) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

- (A6) **By 1 December 2001**, the holder of this environmental authority/development approval must implement the Integrated Environmental Management System (IEMS) that identifies the actual and potential release of ALL contaminants, their subsequent environmental impacts and what corrective and preventive measures will be taken to prevent and / or minimise the likelihood of environmental harm submitted with the application for environmental authority/development approval (ref: "Proposed Sand Extraction Operations Allan Creek, Gleneagle – Environmental Assessment Report BNA012-G-DO-001 Rev 0, dated 17 August 2001). The IEMS must also provide for the review and "continual improvement" in the overall environmental performance of all Environmentally Relevant Activities that are carried out.
- (A7) A copy of the Integrated Environmental Management System must be kept at the licensed place.
- (A8) The holder of this environmental authority must submit details of any amendment to the Integrated Environmental Management System to the administering authority with the annual return which immediately follows the enactment of any such amendment.

Dredging

- (A9) The only form of dredging to be carried out is for the extraction of sand from the off stream deposits of Allan Creek, Glen Eagle as shown in *"Figure 2.5 dated August 2001 contained in Brown & Root Services Asia Pacific Pty Ltd's document entitled Layout of Extraction Area."*
- (A10) The only area permitted to be dredged under this environmental authority / development permit is the area as shown in *"Figure 2.5 dated August 2001 contained in Brown & Root Services Asia Pacific Pty Ltd's document entitled Layout of Extraction Area."*
- (A11) The extracted sand is to be stockpiled in the location as shown in *"Figure 2.4 dated August 2001 contained in Brown & Root Services Asia Pacific Pty Ltd's document entitled Layout of Operation."*
- (A12) Extraction of material or associated activities must not cause any erosion of the bed or banks of any watercourse or boundary bund or damage vegetation growing in or on the bed or banks of such watercourse or boundary bund.
- (A13) Any storage of excavated material must be above the expected flood level of a 1 in 1 year flood event.

Cease Activities in Event of Material or Serious Environmental Harm Occurring

- (A14) If the holder of this environmental authority becomes aware of material environmental harm or serious environmental harm as a result of carrying out the environmentally relevant activity then the said activities must cease immediately.

Acid Sulphate Soils (ASS)

- (A15) Any Acid Sulphate Soils disturbed, extracted or unearthed as a result of carrying out the environmentally relevant activities must be maintained in a submerged state or treated at the appropriate rate to neutralise all acid generating material as per the "Guidelines for Sampling and Analysis of Lowland Acid Sulphate Soils in Queensland 1998" by Ahern, Ahern and Powell.
- (A16) The holder of the environmental authority/development approval must carry out a visual inspection of any licensed place/place with development approval where there are acid sulphate or potential acid sulphate soils and surrounding areas following each rainfall event and/or on a monthly basis during dry periods to determine the presence of and assess the extent of:
- (i) any unexplained scalding, degradation or death of vegetation (aquatic or terrestrial); and
 - (ii) any unexplained death or disease in aquatic organisms including invertebrates and fish; and
 - (iii) the formation of the mineral jarosite in exposed or excavated soils; and
 - (iv) areas of green-blue water or extremely clear water; and
 - (v) rust coloured deposits on plants and on the banks of drains, water bodies and watercourses.
- (A17) A record of the visual inspection required by Condition (A16) must be kept at the licensed place/place with development approval.

Notification

- (A18) Notify the administering authority as soon as practicable when the release of contaminants is not in accordance with the conditions of this document or any event where environmental harm may be threatened.
- (A19) Written advice of the following information must be provided within fourteen (14) days following any event as identified in condition number A18:
- the location of the event;
 - the time of the event;
 - the time the holder of this document became aware of the event;
 - the suspected cause of the event;
 - a description of the resulting effects of the event;
 - actions taken to mitigate any environmental harm and or environmental nuisance caused by the event; and
 - proposed actions to prevent a recurrence of the event.
 - Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

Habitat Disturbance

- (A20) Any activity that is likely to disturb any aquatic fauna or flora outside of the works area shown in the submitted document entitled "*Proposed Sand Extraction Operations Allan Creek, Glen Eagle – Environmental Assessment Report dated 17 August 2001*", must be carried out in such a manner so that any disturbance resulting from the conducting of the dredging activity is prevented or minimised to the greatest practicable extent.

Site Rehabilitation Program

- (A21) The holder of this environmental authority/development approval must:

- (a) As a minimum progressively implement the Rehabilitation and Subsequent Use Plan contained in 2.4 of the *"Proposed Sand Extraction Operations Allan Creek, Glen Eagle – Environmental Assessment Report dated 17 August 2001"*.
- (b) In addition to (A7)(a), the holder of this environmental authority/development approval must, develop and implement a site rehabilitation plan detailing practices and means necessary to prevent environmental harm during and after decommissioning of the environmentally relevant activities and which addresses the following matters:
- (i) the final land use of the site;
 - (ii) the allowance for the maintenance of an adequate riparian zone and a buffer distance of at least 30 metres between Allan Creek and dredge pond(s) and measures to protect Allan Creek against erosion susceptibility;
 - (iii) the proposed shaping of the final landform after rehabilitation including an assessment of the stability of all works such as buffer distances and batter slopes;
 - (iv) proposed nature of materials utilised and techniques employed for any proposed backfilling of extracted areas such as filling, compaction, topsoiling, dewatering, overburden return and any other soil amelioration leading to vegetation establishment;
 - (v) rehabilitation measures such as irrigation, weed control, use of local native plant/seedling selections, site security and any other remedial works during the rehabilitation works;
 - (vi) prevention or minimisation of windblown dust from stockpiles, remnant raw material stockpiles and rehabilitation earthworks;
 - (vii) prevention or treatment of the release of contaminated stormwater runoff from raw material stockpiles and disturbed areas to the bed or banks of Allan Creek;
 - (viii) assessment of the likely impact on the water quality in the Allan Creek and in any proposed lakes whether off-stream or on-stream from rehabilitation works. Matters to be assessed include:
 - likely uses and environmental values of the waters (including any lakes or ponds);
 - applicable water quality criteria to protect these values;
 - monitoring of water quality to confirm that water quality criteria are met; and
 - proposed remedial measures if water quality objectives are not met.; and
 - (ix) an implementation program and timetable for all works proposed; and
 - (x) keeping of appropriate records of rehabilitation measures implemented including taking of photographs demonstrative of rehabilitation achieved and the preparation each year of a rehabilitation progress report detailing the outcomes of the rehabilitation program for the twelve (12) months prior to the date of annual return.

- (A22) A copy of the rehabilitation progress report prepared pursuant to the Site Rehabilitation Program, for the twelve (12) months prior to the date of annual return, must be submitted to the administering authority with that annual return.

Erosion Prevention

- (A23) The holder of this environmental authority/development approval must take reasonable and practicable measures to prevent erosion of creek banks as a result of carrying out the environmentally relevant activities.
- (A24) Where extraction of material or associated activities, for example bank access, may cause erosion of any banks of Allan Creek, the holder of this environmental authority/development approval must restore the banks to the pre-worked profile to prevent and/or minimise any such erosion.

- (A25) The holder of this environmental authority/development approval must take reasonable and practicable measures to prevent any significant damage to riparian vegetation.
- (A26) Clay or rock bars or riffle areas that create natural pools in the bed of the watercourse must not be lowered or disturbed.
- (A27) Water from disturbed (including access roads), areas must be directed towards the sedimentation ponds and dredge ponds.
- (A28) Uncontaminated stormwater runoff must be diverted away from disturbed areas.
- (A29) A minimum 40 metre buffer distance must be provided between any site operation, works or equipment except for the dredge pits and the Allan Creek. This buffer shall be vegetated with indigenous plant species and must be kept free of noxious weeds and waste materials, including disused equipment.
- (A30) The holder of this environmental authority/development approval must take all reasonable and practicable measures to minimise the generation of turbidity in Allan Creek resulting from the operation of the environmentally relevant activities, associated activities and rehabilitation works.

END OF CONDITIONS FOR SCHEDULE 1A

Schedule 1B - Air

Dust and Particulate Emissions

- (B1) Prevent the release of odour, dust and/or particulate matter, spray-drift, smoke, aerosols or fumes which cause or are likely to cause a nuisance. Nuisance includes the release of contaminants that are likely to be offensive to a person or a nuisance in the opinion of an authorised person.
- (B2) Dust is not considered to be a nuisance under condition B1 if monitoring shows that dust and / or particulate matter did not or 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 the boundary of any affected dust sensitive place downwind of the premises to which this development approval relates, 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.

Dust Control - Stockpiles

- (B3) Stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust and particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to:
- use of water spray as required during winds likely to generate such releases;
 - use of dust-suppressant shielding;

- use of dust-suppressant shielding;
- storage in bunkers; and

Dust Control - Trafficable Areas

(B4) Trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust and traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- keeping surfaces clean;
- sealing with bitumen or other suitable material;
- using water sprays;
- adopting and adhering to speed limits; using dust suppressants and wind breaks; and
- Limited to 40 kmph speed.

Dust Control - Raw Material Preparation Plants

(B5) Raw material preparation plants and external transfer conveyors must be operated and maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- transfer of materials in a moist state;
- use of water sprays at transfer points; and
- use of shielding and windbreaks.

Dust Control - Aggregate Transport Trucks

(B6) The holder of this environmental authority/development approval must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter and windblown dust from trucks used for transporting aggregates from the licensed place. Reasonable and practicable measures may include but are not limited to:

- wetting down the load prior to transport;
- having the entire load covered with a tarpaulin or similar material for the duration of transport; and
- clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the licensed place and prior to departure from the premises to which the load has been delivered.

Rehabilitation - Dust Control

- (B7) All disturbed areas must be progressively revegetated.
- (B8) Rehabilitation work must be carried out in such a manner as to minimise releases of wind-blown dust and erosion.
- (B9) Access to areas awaiting or being rehabilitated must be restricted by suitable barriers to prevent disturbance of these areas.

END OF CONDITIONS FOR SCHEDULE 1B

Schedule 1C - Water

- (C1) Contaminants that may cause environmental harm must not be directly or indirectly released from the licensed place/or place holding development approval to any waters or the bed and banks of any waters except:
- (i) as permitted under the stormwater management schedule; or
 - (ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

END OF CONDITIONS FOR SCHEDULE 1C

Schedule 1D - Stormwater Management

General

- (D1) Prevent the release of stormwater that has been in contact with any contaminants at the site to any waters.
- (D2) Prevent erosion that may result in the release of sediment to waters.
- (D3) Spillage of all chemicals and fuels must be captured within an on-site containment system.
- (D4) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

Sediment and Erosion Control

- (D5) Effective erosion and sediment controls must be provided and maintained during site clearing and excavation works. Such measures must include diversion drainage works and sediment traps.
- (D6) Erosion control and sediment control structures must be maintained at all times during the period of excavation and checked, repaired or replaced as required after each rain event.
- (D7) All contaminated stormwater runoff from the processing plant and stockpile areas must be collected and treated in a sedimentation pond.
- (D8) Sediment collected in the sedimentation ponds and/or silt traps must be removed as necessary to maintain proper and effective operation of the sedimentation pond and/or silt traps.
- (D9) All reasonable and practicable measures shall be taken to prevent the spillage of raw, or processed sand and gravel materials into Allan Creek.
- (D10) The holder of this environmental authority/development approval must install silt fences, check dams, decantation basins and other erosion protection devices where appropriate in order to achieve compliance with condition D1.
- (D11) Temporary overburden stockpiles (defined as areas non -operational for periods in excess of 3 months), and bund walls shall be revegetated as soon as practicable.

Contained Stormwater Runoff

- (D12) All contaminated stormwater runoff from the stockpile(s) and the areas utilised for the operation of the stockpile(s), internal roadways and processing areas must be collected and treated in the sedimentation ponds and dredging ponds.
- (D13) Stormwater collected in the sedimentation ponds and dredging ponds must be reused, as far as reasonably practicable, on the licensed place in a manner, which does not harm the environment.

Dredging Ponds

- (D14) All practical measures must be taken to prevent effluent short-circuiting in the dredging pond.
- (D15) Sediment collected in the dredging pond must be removed whenever the volume of the basin is reduced by 50 percent, or on other occasions as required by the administering authority, such as where sediments are contaminated, or where a build-up of sediments has occurred or may occur around the outlet structure.
- (D16) Flocculating agent, such as gypsum, shall be used to assist in the settling of suspended solids, if required in order to attain water quality standards in Schedule H.

Sediment, Erosion Control and Site Water Management Plan

- (D17) The sediment, erosion control and site water management plan contained in the Integrated Environmental Management System in document entitled "*Proposed Sand Extraction Operations Allan Creek, Gleneagle*" dated 17 August 2001 must be implemented by 1 December 2001.

END OF CONDITIONS FOR SCHEDULE 1D

Schedule 1E Land Application

Release of Contaminants to Land

- (E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land.
- (E2) All disturbed areas (eg. borrow pits, stockpile and screening areas) must be progressively re-profiled and stabilised and rehabilitated to ensure that erosion is minimised.

END OF CONDITIONS FOR SCHEDULE 1E

Schedule 1F - Noise other than Blasting Noise

- (F1) Prevent the emission of noise, which causes or is likely to cause a nuisance at any noise affected premises. Nuisance includes noise that is or is likely to be annoying, intrusive or offensive to a person or a nuisance in the opinion of an authorised person.
- (F2) Noise is NOT considered to be a nuisance under condition F1 if monitoring shows that noise does NOT exceed the following levels in the time periods specified in Schedule F Tables 1 and 2.

Schedule F - TABLE 1 - NOISE LIMITS (Noise Sensitive Place)

Noise Level dB(A) measured as	Noise measured at a "Noise Sensitive Place"					
	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm -10pm	10pm - 7am	9am - 6pm	6pm -10pm	10pm - 9am
L _A 10, adj, 10mins	50	45	35	50	45	35
L _A 1, adj, 10mins	55	50	50	55	50	40

Schedule F - TABLE 2 - NOISE LIMITS (Commercial Place)

Noise Level dB(A) measured as	Noise measured at a "Commercial Place"					
	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm -10pm	10pm - 7am	9am - 6pm	6pm -10pm	10pm - 9am
L _A 10, adj, 10mins	55	50	40	55	50	40
L _A 1, adj, 10mins	60	55	50	60	55	45

General

- (F3) Notwithstanding any other condition of this environmental authority, no activities that are associated with extractive operations and that are likely to give rise to noise complaints may be carried out:
- (i) outside the hours of 7.00 am to 6.00 pm Mondays to Fridays;
 - (ii) outside the hours of 7.00 am to 12.00 pm Saturdays;
 - (iii) on Sundays; and
 - (iv) on Christmas Day, Good Friday or Anzac Day.

Noise Management

- (F4) Noise emitted from the carrying out of environmentally relevant activities must be managed in accordance with section 3.7.2 "The Noise Level Requirements contained in the Integrated Environmental Management System in document entitled *"Proposed Sand Extraction Operations Allan Creek, Gleneagle"* dated 17 August 2001 must be implemented by 1 December 2001.

END OF CONDITIONS FOR SCHEDULE 1F

Schedule 1G - Waste Management

General

- (G1) Procedures must be implemented to ensure that wastes are minimised, recycled, stored, handled and transferred in a proper and efficient manner and that any disposal of waste (excepting any release of waste provided for by a condition of this environmental authority/development approval) is to a facility appropriate to accept such waste.
- (G2) The holder of this environmental authority/development approval must not:
- (i) burn waste at or on the licensed place; or
 - (ii) allow waste to burn or be burnt at or on the licensed place; or
 - (iii) remove waste from the licensed place and burn such waste elsewhere.
- (G3) Records of trade waste agreements must be made available for inspection on request.

Regulated Waste

- (G4) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority/development approval must monitor and record the following:
- (a) the date, quantity and type of waste removed;
 - (b) name of the waste transporter and/or disposal operator that removed the waste; and
 - (c) the intended treatment/disposal destination of the waste.
- (G5) Regulated waste must not be sent for disposal at any facility without the written approval of the person operating the facility.
- (G6) Procedures must be implemented to ensure that the disposal of wastes generated in carrying out the environmentally relevant activities is to an appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this environmental authority/development approval.

Waste Management Plan

- (G7) The Waste Management Plan contained in section 5.3.5 the Integrated Environmental Management System in document entitled *"Proposed Sand Extraction Operations Allan Creek, Gleneagle"* dated 17 August 2001 must be implemented by 1 December 2001.

END OF CONDITIONS FOR SCHEDULE 1G

Schedule 2H - Self Monitoring And Reporting

Complaint Recording

- (H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept in a log book with the following details:
- (i) time, date and nature of complaint;
 - (ii) type of communication (telephone, letter, personal etc.);
 - (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
 - (iv) response and investigation undertaken as a result of the complaint;
 - (v) name of person responsible for investigating complaint; and
 - (vi) action taken as a result of the complaint investigation and signature of responsible person.
- (H2) The complaints record required by condition number H1 must be maintained for a period of not less than three (3) years.

Noise Monitoring

- (H3) For the purposes of investigating complaints of noise annoyance and for checking compliance with conditions F1, F2 and F3 of the noise schedule F, monitoring of the noise levels from the environmentally relevant activities must be undertaken for such descriptors, characteristics and conditions relevant and reasonable and may include:
- (i) L_A 10, adj, 10 mins
 - (ii) L_A 1, adj, 10 mins
 - (iii) the level and frequency of occurrence of impulsive or tonal noise;
 - (iv) atmospheric conditions including temperature, relative humidity and wind speed and direction;
 - (v) effects due to extraneous factors such as traffic noise; and
 - (vi) location, dates and time of recording.
- (H4) Noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a complaint or upon a written request from the administering authority to carry out such monitoring.
- (H5) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least three (3) years.

Quality Assurance – Noise

- (H6) The method of measurement and reporting of noise levels must comply with the Environmental Protection Agency's Noise Measurement Manual, Third Edition, 1 March 2000, or more recent editions or supplements to that document as they become available.
- (H7) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

Records

- (H8) Records must be kept of the results of all monitoring of noise levels (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.

Ambient Particulate Monitoring

- (H9) Ambient particulate monitoring must be undertaken to investigate any complaint of dust nuisance upon receipt of a written request from the administering authority to carry out such monitoring or upon the receipt of a dust complaint by the holder of this environmental authority/development approval.
- (H10) Analysis of the obtained samples must be made for the following:
- (i) total water insoluble dust in milligrams; and
 - (ii) dust fallout in milligrams/square metre/day.
- (H11) The samples must be collected and analysed in accordance with the requirements of Australian Standard AS 3580.10.1 -1991 for Ambient Air - Particulate Matter.
- (H12) Records must be kept of the results of all monitoring of particulate in ambient air for a period of at least three (3) years.

Notification of Emergencies and Incidents

- (H13) Where the holder of this environmental authority/development approval has not given notification to the administering authority/development approval under section 320 of the *Environmental Protection Act 1994* soon as practicable after becoming aware of any emergency or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority/development approval must notify the administering authority of the release by telephone or facsimile.
- (H14) Where the holder of this environmental authority/development approval has not given notification to the administering authority under section 320 of the *Environmental Protection Act 1994*, the notification of emergencies or incidents as required by condition number H13 must include but not be limited to the following:
- (i) the name of the holder of the environmental authority;
 - (ii) the location of the emergency or incident;
 - (iii) the number of the environmental authority;
 - (iv) the name and telephone number of the designated contact person;
 - (v) the time of the release;
 - (vi) the time the holder of the environmental authority became aware of the release;
 - (vii) the suspected cause of the release;
 - (viii) the environmental harm and/or environmental nuisance caused, threatened, or suspected to be caused by the release; and
 - (ix) actions taken to prevent further any release and mitigate any environmental harm and/or environmental nuisance caused by the release.
- (H15) Where the holder of this environmental authority has not given notification to the administering authority under section 320 of the *Environmental Protection Act 1994*, not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority/development approval must provide written advice of the information supplied in accordance with condition number H14 in addition to:
- (i) proposed actions to prevent a recurrence of the emergency or incident;
 - (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

Exception Reporting

- (H16) The holder of this environmental authority/development approval must notify the administering authority in writing of any monitoring result which indicates an exceedance of any licence limit within 28 days of completion of analysis.
- (H17) The written notification required by condition number H16 must include:
- (i) the full analysis results; and
 - (ii) details of investigation or corrective actions taken; and
 - (iii) any subsequent analysis.

END OF CONDITIONS FOR SCHEDULE 1H

Schedule I - Definitions

For the purposes of this environmental authority / development permit the following definitions apply:

- (I1) **“administering authority”** means the Environmental Protection Agency or its successor.
- (I2) **“commercial place”** means a place used as an office or for business or commercial purposes.
- (I3) **“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.
- (I4) **“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 watercraft in a marina.
 - “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.

- (I5) **“land”** in the “land schedule” of this document means land excluding waters and the atmosphere.
- (I6) **“licensed place”** means the place to which this document or development permit relates, as the case may be.

- (17) **"noise affected premises"** means a "noise sensitive place" or a "commercial place"
- (18) **"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.
- (19) **"noxious"** means harmful or injurious to health or physical well-being.
- (110) **"offensive"** means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.
- (111) **"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.
- (112) **"regulated waste"** means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* and includes:
- for an element - any chemical compound containing the element; and
 - anything that has contained a regulated waste; and
 - regulated waste that has been treated or immobilised.
- (113) **"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.

Noise Definitions

- (114) **" $L_{A 10, adj, 10 mins}$ "** means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for 90% of any 10 - minute measurement period, using Fast response.
- (115) **" $L_{A 1, adj, 10 mins}$ "** 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.

END OF CONDITIONS FOR SCHEDULE 11

END OF CONCURRENCE AGENCY RESPONSE