

FILE COPY

Department of Environment
and Resource Management

Notice

NORTHERN QUARRY

Change to a development approval

This notice is issued by the Department of Environment and Resource Management pursuant to section 376 of the Sustainable Planning Act 2009 ("the Act").

Quarry Solutions Pty Ltd
c/o Martoo Consulting Pty Ltd
PO Box 1684
NOOSA HEADS QLD 4567

cc Gympie Regional Council
PO Box 155
GYMPIE QLD

Attn: Mr Ms Sarah Einoder

Our reference: 324250

Re: Request to change a development approval

1. The Chief Executive, Department of Environment and Resource Management (DERM) as Assessment Manager, received a request to change a development approval on 12 May 2010.

2. **Details of the development approval for the original application**

Assessment Manager reference: IPDE01017608
Date original application made or referred to DERM: 15 April 2008
Development approval applied for: Development Permit
Aspect(s) of development:

Material change of use of premises – For an environmentally relevant activity	Integrated Planning Regulation 1998 - Schedule 2, Item 7.
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Property/Location description: Lot 1 on MCH3212
at 1499 Bruce Highway, Curra QLD 4570

Date of decision for the original application and development approval: 8 July 2008

3. The decision for the request to change a development approval, made on 12 May 2010, is to approve the following changes to the development approval:
 - The ERA definition for extracting material is updated from that stated in the *Environmental Protection Regulation 1998* (ERA 20(b)), to that provided in the *Environmental Protection Regulation 2008* (ERA 16 Threshold 2(b)).
 - The ERA definition for screening material is updated from that stated in the *Environmental Protection Regulation 1998* (ERA 22(b)), to that provided in the *Environmental Protection Regulation 2008* (ERA 16 Threshold 3(a)).

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- The following conditions are **deleted** from the Development Approval:
Noise: (PN2), (PN3), and (PN7);
Water: (PW1), (PW2).

- The following conditions are added to the Development Approval:

PN2A All noise from activities other than blasting must not exceed the levels specified in Table 1A - Noise limits at any nuisance sensitive or commercial place for all site noise except noise generated by blasting activities.

Table 1A - Noise limits for all site noise except noise generated by blasting activities

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	BG [*] + 5 dB(A)	BG [*] + 5 dB(A)	BG [*] + 0 dB(A)	BG [*] + 5 dB(A)	BG [*] + 5 dB(A)	BG [*] + 0 dB(A)
L _{A1} , adj, 10 mins	BG [*] + 10 dB(A)	BG [*] + 10 dB(A)	BG [*] + 5 dB(A)	BG [*] + 10 dB(A)	BG [*] + 10 dB(A)	BG [*] + 5 dB(A)
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	BG [*] + 10 dB(A)	BG [*] + 10 dB(A)	BG [*] + 5 dB(A)	BG [*] + 10 dB(A)	BG [*] + 10 dB(A)	BG [*] + 5 dB(A)
L _{A1} , adj, 10 mins	BG [*] + 15 dB(A)	BG [*] + 15 dB(A)	BG [*] + 10 dB(A)	BG [*] + 15 dB(A)	BG [*] + 15 dB(A)	BG [*] + 10 dB(A)

* Note: BG in the above table refers to the background noise level for the stated period

PN2B Blasting must not be carried out other than during the times specified below:

- 9am to 3pm, Monday to Friday;
- 9am to 1pm on Saturdays;
- No blasting allowed on Sundays or Public holidays.

PN2C Noise from blasting activities must not exceed the following levels at any noise sensitive place or commercial place:

- the airblast overpressure must be not more than 115dB (linear) peak for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and
- the airblast overpressure must not exceed 120dB (linear) peak for any blast.

PN3A 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:

- airblast overpressure (dB (linear) peak);
- L_{A10}, adj, 10 mins
- L_{A1}, 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.

PN7A The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Resource Management's Noise Measurement Manual.

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- PN8 **Vibration Nuisance.**
Vibration emitted from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
- PN9 **Vibration emitted from blasting must not exceed the following levels at any noise sensitive place or commercial place:**
 (a) the ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and
 (b) the ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.
Note: The method of measurement and reporting of vibration levels must comply with the latest edition of the Department of Environment and Resource Management's guideline titled Noise and vibration from blasting.
- PN10 **Vibration Monitoring.**
When requested by the administering authority, vibration monitoring and recording must be undertaken to investigate any complaint of vibration nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
 a) peak particle velocity (mm/s);
 b) location of the blast/s within the site (including which bench level);
 c) maximum instantaneous charge (MIC) in kg;
 d) atmospheric conditions including temperature, relative humidity and wind speed and direction;
 e) the level and frequency of occurrence of impulsive or tonal noise;
 f) effects due to extraneous factors; and
 g) location, date and time of recording.
- PN11 For vibration monitoring the ground-borne vibration transducer (or array) must be attached to a mass of at least thirty (30) kg to ensure good coupling with the ground where the blast site and the measurement site cannot be shown to be on the same underlying strata. The mass must be buried so that its uppermost surface is at the same level as the ground surface.
- PN12 The ground-borne vibration transducer (or array) must be placed at a distance of at least the longest dimension of the foundations of a noise-affected building or structure away from such building or structure and between that building or structure and the site of the blasting.
- PW1A Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
- PW1B The size of any sedimentation dam must be sufficient to contain runoff expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.
- PW2A All water from any disturbed area of the site must be captured by a sediment control system and directed to a sediment control dam that complies with the design requirements specified under condition PW1B.
- PW2B Settled/treated stormwater runoff must only be released from the site in compliance with the release limits listed in Table 2 - Contaminant release limits to water, from the following discharge locations:
 - Discharge Location Site Sedimentation Dams - namely the release of settled/treated stormwater from any site sedimentation dam at the dam discharge point.
- PW2C Contaminants other than settled/treated stormwater runoff waters released in compliance with condition PW2B must not be released from the site to surface waters or the bed or banks of surface waters.

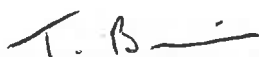
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Table 2 – Stormwater Release Limits

Quality characteristics	Release limit			Monitoring frequency
	Minimum	50th Percentile	Maximum	
pH	6.0	N/A	8.5	Not less than once every calendar month in which water is released from any sedimentation dam.
Nitrate (mg/L)	N/A	0.06	0.1	Not less than once every calendar month in which water is released from any sedimentation dam.
Ammonia (mg/L)	N/A	0.02	0.1	Not less than once every calendar month in which water is released from any sedimentation dam.
Total Nitrogen (mg/L)	N/A	0.5	1	Not less than once every calendar month in which water is released from any sedimentation dam.
Suspended Solids (mg/L)	N/A	30	50	Not less than once every calendar month in which water is released from any sedimentation dam.

END OF AMENDED CONDITIONS

4. Attached is a copy of the decision notice for the original application showing the changes.
5. If this notice is given to the person who made the request, or to an entity that gave DERM as the responsible entity a notice under section 373 of the *Sustainable Planning Act 2009* or a pre-request response notice, or if this notice is given by DERM as a concurrence agency and the concurrence agency's decision is to refuse the request or approve the request on conditions, such person or entity may appeal against the decision and the attached extract from the Act states how the person or entity may appeal.



Delegate
Tim Brain
Chief, Executive, Department of Environment and
Resource Management
18 June 2010

Enquiries:
Daniel Cohen
Department of Environment and Resource
Management
Wide Bay /Burnett Office
Cnr Lennox & Alice Streets,
PO Box 101
Maryborough Qld 4650
Phone: (07) 4121 1816
Fax: (07) 4121 1650

Attachments

- Information Sheet – Appeals – Sustainable Planning Act 2009 (extract from the Sustainable Planning Act 2009).
- Copy of the decision notice for the original application showing the changes.

Schedule of Changes to Development Approval

This schedule is issued by the Department of Environment and Resource Management to show changes made to the attached development approval pursuant to section 376(2)(b) of the Sustainable Planning Act 2009 ("the Act").

Details of the changes to the development approval

DERM Project number: 324250
Development Approval No. IPDE01017608
Property/Location description: 1499 Bruce Highway, Curra
Lot 1 on MCH3212

Date of decision for the original application and development approval: 8 July 2008.

Changes made as described in Notice – Change to a Development Approval, dated 18 June 2010.

- The ERA definition for extracting material is updated from that stated in the *Environmental Protection Regulation 1998* (ERA 20(b)), to that provided in the *Environmental Protection Regulation 2008* (ERA 16 Threshold 2(b)).
- The ERA definition for screening material is updated from that stated in the *Environmental Protection Regulation 1998* (ERA 22(b)), to that provided in the *Environmental Protection Regulation 2008* (ERA 16 Threshold 3(a)).
- The following conditions are deleted from the Development Approval:
 - Noise: (PN2), (PN3), and (PN7);
 - Water: (PW1), (PW2).
- The following conditions are added to the Development Approval:

PN2A All noise from activities other than blasting must not exceed the levels specified in Table 1A - Noise limits at any nuisance sensitive or commercial place for all site noise except noise generated by blasting activities.

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Schedule of Changes to Development Approval

Table 1A - Noise limits for all site noise except noise generated by blasting activities

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
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	Noise measured at a 'Noise sensitive place'					
L _{A10} , adj, 10 mins	BG' + 5 dB(A)	BG' + 5 dB(A)	BG' + 0 dB(A)	BG' + 5 dB(A)	BG' + 5 dB(A)	BG' + 0 dB(A)
L _{A1} , adj, 10 mins	BG' + 10 dB(A)	BG' + 10 dB(A)	BG' + 5 dB(A)	BG' + 10 dB(A)	BG' + 10 dB(A)	BG' + 5 dB(A)
	Noise measured at a 'Commercial place'					
L _{A10} , adj, 10 mins	BG' + 10 dB(A)	BG' + 10 dB(A)	BG' + 5 dB(A)	BG' + 10 dB(A)	BG' + 10 dB(A)	BG' + 5 dB(A)
L _{A1} , adj, 10 mins	BG' + 15 dB(A)	BG' + 15 dB(A)	BG' + 10 dB(A)	BG' + 15 dB(A)	BG' + 15 dB(A)	BG' + 10 dB(A)

* Note: BG in the above table refers to the background noise level for the stated period

- PN2B** Blasting must not be carried out other than during the times specified below:
- 9am to 3pm, Monday to Friday;
 - 9am to 1pm on Saturdays;
 - No blasting allowed on Sundays or Public holidays.
- PN2C** Noise from blasting activities must not exceed the following levels at any noise sensitive place or commercial place:
- the airblast overpressure must be not more than 115dB (linear) peak for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and
 - the airblast overpressure must not exceed 120dB (linear) peak for any blast.
- PN3A** 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:
- airblast overpressure (dB (linear) peak);
 - L_{A10}, adj, 10 mins
 - L_{A1}, 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.
- PN7A** The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Resource Management's Noise Measurement Manual.
- PN8** Vibration Nuisance.
- Vibration emitted from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

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Schedule of Changes to Development Approval

- PN9 Vibration emitted from blasting must not exceed the following levels at any noise sensitive place or commercial place:
- (a) the ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and
 - (b) the ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.
- Note: The method of measurement and reporting of vibration levels must comply with the latest edition of the Department of Environment and Resource Management's guideline titled Noise and vibration from blasting.*
- PN10 Vibration Monitoring.
- When requested by the administering authority, vibration monitoring and recording must be undertaken to investigate any complaint of vibration nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- a) peak particle velocity (mm/s);
 - b) location of the blast/s within the site (including which bench level);
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Schedule of Changes to Development Approval

Table 2 – Stormwater Release Limits

Quality characteristics	Release limit			Monitoring frequency
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Suspended Solids (mg/L)	N/A	30	50	Not less than once every calendar month in which water is released from any sedimentation dam.

END OF AMENDED CONDITIONS

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**Queensland
Government**

Enquiries Michelle Wright
Telephone (07) 4121 1853
Your reference JGC.LAC.100411
Our reference MBH2774-2

Department of
**Environment and Resource
Management**

2 August 2010

Power and Cartwright Solicitors
239 Mary Street
GYMPIE QLD 4570

Re. Continuing Registration Application for Mr Jeffrey Henry Buckley

Dear Sir

We refer to your application on the behalf of Mr Jeffrey Henry Buckley of 39 Old Noosa Road, Gympie for continuing registration for Environmentally Relevant Activity (ERA) 16 2(b) Extracting, other than by dredging, in a year, 5 000 tonnes to 100 000 tonnes of material, and ERA 16 3(a) Screening, in a year, 5 000 tonnes to 100 000 tonnes of material at Lot 1 Plan MCH3212 at 1499 Bruce Highway, Curra.

The Department of Environment and Resource Management advises that the application has been approved. Please find attached the certificate of registration, ENRE00787908.

Should you have any queries about this approval please contact Michelle Wright on (07) 4121 1853.

Yours sincerely

Tim Brain
**Manager (Wide Bay Burnett)
Environmental Services (North)
South East Region**

Registration certificate

*Environmental Protection Act 1994***Certificate of Registration****No: ENRE00787908**

This registration certificate is issued by the administering authority and takes effect from: 02-AUG-2010.

The anniversary day for the purposes of the Annual Return remains: 28 April.

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 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-

Mr Jeffrey Henry Buckley
39 Old Noosa Road
GYMPIE QLD 4570

Development Approval No.	Place	Location	Activities
IPDE01017608	Lot 1 Plan MCH3212	1499 Bruce Highway, CURRA QLD 4570	ERA 16 Extractive and screening activities Threshold 2(b) - extracting, other than by dredging, in a year, 5000t to 100000t of material ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material


Tim Brain
Delegate
Administering authority
Environmental Protection Act 1994

02-AUG-2010