Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR00634313

Environmental authority takes effect: 20 January 2014

The anniversary date of this environmental authority remains 20 December. An annual return and the payment of the annual fee which is currently $5,027 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Rockhampton Regional Council	243 Bolsover Street ROCKHAMPTON QLD 4700

Environmentally relevant activity and location details

Environmentally relevant activities	Location(s)
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Gordon Lane & Showgrounds Road, Mount Morgan - Lot 1 Plan MPH11169 and Lot 1 Plan RN1391 Kabra Road & McBoy & Hume Roads and Gracemere - Lot 2 Plan RP842505

Additional information for applicants

Environmentally relevant activities

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

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

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

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

Contaminated land

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

Signature

29th January 2014

Date

Michael Brian Allen
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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Obligations under the *Environmental Protection Act 1994*

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

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

Conditions of environmental authority

The environmentally relevant activities conducted at the location as described must be conducted in accordance with the following site specific conditions of approval.

Part 1 – Common conditions

Environmentally relevant activities	**Location(s)**
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Gordon Lane & Showgrounds Road, Mount Morgan Lot 1 Plan MPH11169 and Lot 1 Plan RN1391 Kabra Road & McBoy & Hume Roads and Gracemere Lot 2 Plan RP842505

Agency interest: General	
G1	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
G2	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 years and be available for examination by an authorised person.
G3	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.
G4	All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.
G5	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.

G6	The holder of this environmental authority must notify the administering authority in writing within 28 days of completion of analysis of any result of a monitoring program required by a condition of this environmental authority which indicates an exceedence of any limit specified in this environmental authority.
G7	The written notification required by condition number G6 above must include: • The full analysis results; and • Details of investigation or corrective actions taken, and • Any subsequent analysis.

Part 2 – Site specific conditions (CR0087)

Environmentally relevant activities	**Location**
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Gordon Lane & Showgrounds Road, Mount Morgan Lot 1 Plan MPH11169 and Lot 1 Plan RN1391

Agency interest: General	
G1	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 with the following details: (a) time, date and nature of complaint; (b) type of communication (telephone, letter, personal etc.); (c) 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); (d) response and investigation undertaken as a result of the complaint; (e) name of person responsible for investigating complaint; and (f) action taken as a result of the complaint investigation and signature of responsible person.
G2	A record must be maintained of at least the following events: (a) the time, date and duration of equipment malfunctions where the failure of the equipment resulted in the release of contaminants reasonably likely to cause environmental harm; (b) any uncontrolled release of contaminants reasonably likely to cause environmental harm and (c) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire-fighting equipment.
G3	Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the *Environmental Protection Act* as soon as practicable after becoming aware of any emergency or incident which 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 must notify the administering authority of the release by telephone or facsimile.
G4	Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the *Environmental Protection Act*; the notification of emergencies or incidents as required by condition number (D3) must include but not be limited to the following: (a) the holder of the environmental authority; (b) the location of the emergency or incident; (c) the number of the environmental authority; (d) the name and telephone number of the designated contact person; (e) the time of the release;

	(f) the time the holder of the environmental authority became aware of the release; (g) the suspected cause of the release; (h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and (i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.
G5	Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the *Environmental Protection Act,* not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number G4 in addition to: (a) proposed actions to prevent a recurrence of the emergency or incident; (b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.
G6	All persons engaged in the conduct of the activity, including but not limited to employees and contract staff, must be trained in the procedures and practices necessary to comply with the conditions of this environmental authority, and prevent environmental harm and/or environmental nuisance during normal operation and emergencies, or under the close supervision of such a trained person.
G7	A copy of the Integrated Environmental Management System (IEMS) must be kept in a location readily accessible to personnel carrying out the activity or activities.
G8	Any changes to the IEMS must be reported to the administering authority with the annual return which follows these changes.
Agency interest: Water	
W1	On or before 1 July 1998, a site based Stormwater Management Plan must be developed and implemented and the plan must be submitted to the administering authority as a component incorporated into the IEMS.
W2	Extraction will be carried out in a way which will not change the course of a creek, river or channel. There will be no damage to the bed or banks of the watercourse or interference with the flow of water in the watercourse.
W3	All riparian zone vegetation will be retained.
W4	Where a road or track crosses a watercourse, care will be taken to minimise erosion and disturbance of banks. Material placed in the creek for fording or bridging will be removed at the end of operations.
W5	There will be no extraction from watercourses or in the riparian zone. There will be no processing of materials in the watercourse or riparian zone.
W6	No wash or waste waters shall be released into the watercourse or riparian zone.
W7	No oils, grease or solvents will be released to waters.
Agency interest: Air	
A1	Stockpiles must be maintained using all reasonable and practicable measure to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to anemometer switching systems which trigger operation of effective water spray systems during winds likely to generate such releases, use of

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	dust suppressants, shielding and storage in bunkers.
A2	Trafficable areas must be maintained using all reasonable measures to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measure may include but are not limited to sealing with bitumen or other suitable material, keeping surfaces clean, use of water sprays, adoption and adherence to speed limits, use of dust suppressant, and wind breaks.
A3	Raw material processing plants and external transfer conveyors must be operated and maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to the transfer of materials in a moist state, enclosure or shielding of conveyors, use of water sprays at transfer points, shielding and wind breaks.
Agency interest: Land	
L1	At least 18 months prior to the closure of the site, a proposed site rehabilitation plan shall be submitted to the administering authority for approval. The plan shall include consideration of and designs for the following requirements where applicable: (a) after-use options (including most likely or preferred option) (b) conceptual design of after use infrastructure (c) proposed final surface contours (d) erosion control measures (e) capping materials to be used (f) drainage system (g) provision for irrigation measures to promote vegetation growth (h) anticipated period of aftercare
L2	All disturbed areas will be revegetated as soon as practicable after operations cease on that area. All revegetation processes will be maintained until vegetation cover is re-established
Agency interest: Noise	
N1	The environmentally relevant activities must be carried out by such practicable means necessary to prevent the emission or likelihood of emission of noise that constitutes environmental nuisance.
Agency interest: Waste	
WA1	The holder of this environmental authority must not: • allow waste to burn or be burned at or on the licensed place; nor • remove waste from the licensed place and burn such waste elsewhere.
WA2	If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

Part 3 – Site specific conditions (CR0099)

Environmentally relevant activities	Location
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Kabra Road & McBoy & Hume Roads, Gracemere Lot 2 Plan RP842505

Agency Interest: General	
G1	The holder of this environmental authority must notify the administering authority in writing within 28 days of completion of analysis of any result of a monitoring program required by a condition of this environmental authority which indicates an exceedence of any limit specified in this environmental authority
G2	The written notification required by condition number G1 must include: (a) The full analysis results; and (b) Details of investigation or corrective actions taken, and (c) Any subsequent analysis
G3	The holder of this environmental authority must resubmit an updated Integrated Environmental Management System having due regard to the comments of the administering authority
Agency Interest: Air	
A1	In the event that the complaint about odour or dust that the administering authority considers reasonable then the odour level or dust level at the site boundary of the licensed place must be measured by that holder of the environmental authority
A2	The results required by A1 and a list of recommended actions and time lines shall be reported to the administering authority within 28 days of the measurements being conducted
A3	The holder of this environmental authority must have regard to any comments made by the administering authority and implement the actions recommended in accordance with the monitoring report.
Agency Interest: Water	
W1	Contaminants that may cause environmental harm must not be directly or indirectly released from any source on the licensed place to any waters at any locations
W2	The holder of this environmental authority must: (a) develop a stormwater management plan which provides for the following functions: avoidance or minimisation of contaminated stormwater; and reuse, treatment and disposal of contaminated stormwater; and (b) on or before 30 November 1998 have completed and implemented the stormwater management plan at all council sites
W3	Contaminants must not be directly or indirectly released from the licensed place to any waters or bed and banks of any waters
Agency Interest: Noise	
N1	In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in level greater than those specified in **Table 1** until the circumstances which gave rise to the complaint are resolved.

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Table 1 – Noise limits

Noise level at a noise sensitive place measured as the adjusted maximum sound pressure level $L_{Amax\ adj,\ T}$	**Period**
Background noise level plus 5dB(A)	7am – 6pm
Background noise level plus 5dB(A)	6pm – 10pm
Background noise level plus 3dB(A)	10pm – 7am
Noise limits at a commercial place measured as the adjusted maximum sound pressure level $L_{Amax\ adj,\ T}$	**Period**
Background noise level plus 10dB(A)	7am – 6pm
Background noise level plus 10dB(A)	6pm – 10pm

</td></tr>
<tr><td>N2</td><td>A report of the results of the investigation, including any noise monitoring results and recommended actions must be submitted to the administering authority within 28 days of the complaint.</td></tr>
<tr><td>N3</td><td>The method of measurement and reporting of noise monitoring levels must comply with the Department of Environment and Heritage Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as become available</td></tr>
<tr><td colspan="2">Agency Interest: Waste</td></tr>
<tr><td>WA1</td><td>The holder of this environmental authority must not:
(a) allow waste to burn or be burned at or on the licensed place; nor
(b) remove waste from the licensed place and burn such waste elsewhere</td></tr>
<tr><td>WA2</td><td>The holder of this environmental authority must:
(a) develop and implement a waste management plan which provides for the following functions:
- prevention of waste; and
- treatment of waste; and
- disposal of waste; and
(b) on or before 30 November 1998 have completed and implemented the waste management plan for all sites.</td></tr>
<tr><td>WA3</td><td>If the holder of this environmental authority becomes aware that a person as removed regulated waste from the licenced place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, than the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.</td></tr>
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Definitions

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.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response.

Boundary means within 1m of the cadastral **boundary** of the approved place.

Commercial place means 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.

Environmental nuisance as defined under Chapter 1 of the *Environmental Protection Act 1994.*

Environmental value as defined under Chapter 1 of the *Environmental Protection Act 1994.* $\mathbf{L_{Aeq\ adj,T}}$ means the adjusted A weighted equivalent continuous sound pressure level **measures** on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than 1 hour when the approved **activity** is causing an intermittent noise.

General waste means waste other than regulated waste.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Noxious means harmful or injurious to health or physical well-being.

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

Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

Release of a contaminant into the environment means to:

1. deposit, discharge, emit or disturb the contaminant; and
2. cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
3. fail to prevent the contaminant from being deposited, discharged emitted or disturbed; and
4. allow the contaminant to escape; and
5. fail to prevent the contaminant from escaping.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
6. a public thoroughfare, park or gardens; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.

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.

You means the holder of the environmental authority.

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