Queensland Government

Department of
Environment and Heritage Protection

28 July 2014

Wood Mulching Industries Pty Ltd
C/- Brown & Benson Pty Ltd
Level 1, 128 Kortum Drive
BURLEIGH HEADS QLD 4220

Wood Mulching Industries Pty Ltd
PO Box 18
ORMEAU QLD 4208

Email: chaye@woodmulching.com.au

Attention: Chaye North

Our reference: 266943

Application details

I refer to the application that was received by the administering authority on 02 July 2014.

Land description:

Cumner Road, SWANBANK

Lot 189 Plan SL5456, Lot 230 Plan S311491, Lot 159 Plan SL5456, Lot 123 Plan SP124723.

Decision

Your application has been approved and your environmental authority (reference EPPR00676113) is attached.

Additional comments or advice

The following environmental authority replaces the version issued on 9 July 2013.

Should you have any further enquiries, please contact Adam Burt on telephone (07) 3894 8155.

Yours sincerely

Signature	Date
	28/7/14

Scott Blanchard
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR00676113)

Adam Burt
ES-RSD-SER-Ipswich
PO Box 875
Level 4, 117 Brisbane Street
IPSWICH QLD 4305
Phone: (07) 3894 8155
Email: adam.burt@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

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: EPPR00676113

Environmental authority takes effect 28 July 2014

The anniversary date of this environmental authority remains the same.

An annual return and the payment of the annual will be due each year on 29 June.

Environmental authority holder

Name	Registered address
Wood Mulching Industries Pty Ltd	C/- Brown & Benson Pty Ltd Level 1, 128 Kortum Drive BURLEIGH HEADS QLD 4220

Environmentally relevant activity and location details

Environmentally relevant activities	Location
16-(2b) Extractive >100000t but <1000000t yr 16-(3b) Screening >100000t but <1000000t yr	Cumner Road SWANBANK - Lot 189 Plan SL5456, Lot 230 Plan S311491, Lot 159 Plan SL5456 and Lot 123 Plan SP124723

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.

	28/7/14
Signature	Date

Scott Blanchard
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Adam Burt
ES-RSD-SER-Ipswich
PO Box 875
Level 4, 117 Brisbane Street
IPSWICH QLD 4305
Phone: (07) 3894 8155
Email: adam.burt@ehp.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

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

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

Location: Cumner Road SWANBANK
Lot 189 Plan SL5456, Lot 230 Plan S311491, Lot 159 Plan SL5456 and
Lot 123 Plan SP124723

Relevant activities:

ERA 16-(2b) Extractive >100000t but <1000000t year
ERA 16-(3b) Screening >100000t but <1000000t year

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

Agency interest: General	
Condition number	**Condition**
General 1	This approval authorises the development and operation of an extraction and screening activity at a rate not exceeding 200,000 tonnes in any period of one year.
General 2	In carrying out the ERA prevent or minimise the likelihood of environmental harm being caused.
General 3	Ensure that: (a) all measures, plant and equipment necessary to ensure compliance with the conditions of this approval are installed; and (b) such measures, plant and equipment are operated and maintained in a proper condition.
General 4	The ERA by itself must not cause more than 10ha of significantly disturbed land at any one time.
General 5	Site Based Management Plan The holder of the DA must implement the Site Based Management Plan (SBMP) - titled 'Application for Extractive Industry ERA20(c) and 22(c) - Site Based Management Plan' - August 2006.
General 6	Details of any amendment of the SBMP must be submitted to the administering authority with the annual return which immediately follows the enactment of any such amendment.
General 7	Monitoring Record, compile and keep for a minimum of five years all monitoring results required by this development approval and make available for inspection all or any of these records upon request by the administering authority.
General 8	Where monitoring is required by this development approval, ensure that a competent person(s) conduct all monitoring.
General 9	The ERA must be undertaken in accordance with the site plan titled 'Figure 1.3 - Stage 1 Extraction Area' as detailed within the SBMP.
General 10	The ERA is restricted to the "Stage 1 Extraction Area" as detailed in the SBMP.
General 11	A copy of the SBMP must be kept at the authorised place.

Agency interest: Air	
Condition number	**Condition**
Air 1	The release of dust and/or particulate matter resulting from the ERA must not cause environmental nuisance at any sensitive or commercial place.
Air 2	Notwithstanding condition Air 1, dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place: (a) dust deposition of 120 milligrams per square meter per day, when monitored in accordance with Australian Standard AS3580.10.1 of 2003 (or more recent editions); or (b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometers (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24-hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: Australian Standard AS3580.9.6 of 2003 (or more recent editions) "Ambient Air _ Particulate Matter - Determination of suspended particulates PM10 high-volume sampler with size 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.
Air 3	When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint or 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 sensitive place and upwind sites and the report must include: (a) dust deposition for a complaint alleging dust nuisance; and (b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic meter of particulate matter with an aerodynamic diameter of less than 10 micrometers (PM10) suspended in the atmosphere over a 24 hour averaging period.
Air 4	Where it is determined by an authorised person that dust and particulate monitoring results indicate environmental nuisance, the holder of the development approval must: (a) address the complaint, including the use of appropriate dispute resolution if required; or (b) immediately implement dust abatement measures so that emissions from site activities do not result in further nuisance.
Air 5	Take the necessary measures to prevent the release of dust from vehicles used for transporting aggregate from the site.
Air 6	Trafficable areas must be maintained to prevent or minimise the release of windblown or traffic generated dust to atmosphere.

<table>
<tr><th colspan="2">Agency interest: Noise</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>Noise 1</td><td>Subject to the requirement of conditions Noise 2 and Noise 3, noise from the ERA must not cause an environmental nuisance, at any sensitive or commercial place.</td></tr>
<tr><td>Noise 2</td><td>Operating hours for the ERA must be limited to between 7am and 5pm Monday to Saturday, excluding public holidays.</td></tr>
<tr><td>Noise 3</td><td>Noise monitoring must be undertaken as directed by the administering authority to investigate any complaint about noise nuisance caused by site activities. The administering authority must be notified of the results within 14 days following completion of monitoring. For the purposes of this condition, noise monitoring must be done by a competent person in accordance with the latest edition of the Environmental Protection Agency Noise Measurement Manual and include;
(a) $L_{A,max\ adj,\ T}$;
(b) relevant background sound level;
(c) the level and frequency of occurrence of impulsive or tonal noise;
(d) atmospheric conditions including wind speed and direction; and
(e) location, date and time of measurements.</td></tr>
<tr><td>Noise 4</td><td>Notwithstanding condition Noise 1, noise from site activities must not exceed the criteria specified in Table 1.
Table 1 - Noise limits
<table>
<tr><th rowspan="3">Noise level dB(A) measured as</th><th>Monday to Saturday</th></tr>
<tr><th>7am - 5pm</th></tr>
<tr><th>Noise measured at a 'Noise sensitive place'</th></tr>
<tr><td>$L_{A10,\ adj,\ 10\ mins}$</td><td>Background + 5 dB(A)</td></tr>
<tr><td>$L_{A1,\ adj,\ 10\ mins}$</td><td>Background + 10 dB(A)</td></tr>
<tr><th></th><th>Noise measured at a 'Commercial place'</th></tr>
<tr><td>$L_{A10,\ adj,\ 10\ mins}$</td><td>Background + 10 dB(A)</td></tr>
<tr><td>$L_{A1,\ adj,\ 10\ mins}$</td><td>Background + 15 dB(A)</td></tr>
</table>
General note: In no case is the background noise level L_{A90}, 15 mins to be less than 25dB(A). In event that measured background noise is less than 25dB(A), then 25dB(A) is to be used.</td></tr>
<tr><td>Noise 5</td><td>The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.</td></tr>
</table>

Noise 6	Where it is determined by an authorised person that noise monitoring results indicate environmental nuisance. The holder of the DA must: (a) address the complaint, including the use of appropriate dispute resolution if required; or (b) immediately implement noise abatement measures so that emissions of noise from site activities do not result in further environmental nuisance.
Noise 7	Explosive blasting is not permitted on the site.

Agency interest: Land	
Condition number	**Condition**
Land 1	Spillage of any chemicals, including hydrocarbon liquids, must be contained within the site and rectified whereby environmental harm is not caused. Storage of flammable or combustible liquids shall accord with Australian Standard 1940 - Storage and Handling of Flammable and Combustible liquids.
Land 2	Land Rehabilitation Land disturbed by carrying out the ERA (such as pits, sedimentation dam(s) and stockpile areas) must be rehabilitated in a manner such that: (a) effective erosion control measures are implemented in rehabilitated areas; (b) the quality of stormwater, other water and seepage release from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminum and total manganese are not likely to cause environmental harm; (c) the water quality of any residual water body meets relevant criteria for the post-site use and does not have the potential to cause environmental harm; and (d) the final land form is stable and not subject to slumping.
Land 3	Notwithstanding Condition Land 2, land disturbed by carrying out the ERA and not within the area designated as the 'South West Transport Corridor' (as detailed in the site plan titled 'Figure 1.3 - Stage 1 Extraction Area' within the SBMP), must be rehabilitated in such a manner that suitable native species of vegetation are planted and established.
Land 4	Within a period of six (6) months from the date of approval, a Rehabilitation Plan must be submitted for acceptance to the administering authority, addressing the following issues: (a) staging in rehabilitation; (b) final landform design; (c) proposed species list; and (d) rehabilitation success criteria.
Land 5	Rehabilitation must be completed in accordance with the Rehabilitation Plan and to the satisfaction of the administering authority.
Land 6	Progressive rehabilitation should commence when areas become available within the operational land.

Land 7	The water quality of any residual water bodies must comply with the water quality guidelines for livestock drinking water standard stated in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.
Land 8	Site activities must be conducted so as to prevent land contamination.

Agency interest: Water	
Condition number	**Condition**
Water 1	Effective erosion and sediment control structures must be designed, installed and maintained wherever necessary to prevent the erosion of disturbed areas and the release of sediment to waters.
Water 2	Diversion drains and or contour banks must be designed, installed and maintained to minimise the potential for stormwater runoff to enter areas disturbed by the ERA.
Water 3	Sediment laden water must not be directly or indirectly released from the site to any waters.
Water 4	The ERA must be conducted so as to prevent the release of any hazardous contaminants to waters.

Agency interest: Waste	
Condition number	**Condition**
Waste 1	Effective procedures must be implemented to ensure that wastes generated on the site are minimised, recycled, sorted, handled, and transferred in a proper and efficient manner. Disposal of such waste must be at a facility lawfully able to accept such waste.
Waste 2	All regulated waste removed from the site must be removed by a person who holds a current authority to do so under the *Environmental Protection Act 1994*.
Waste 3	Waste and/or vegetation must not be burned on site.

Agency interest: Social	
Condition number	**Condition**
Social 1	All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

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.

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

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

"contaminant" under Section 11 of the *Environmental Protection Act 1994* means:

(a) a gas, liquid or solid; or

(b) an odour; or

(c) an organism (whether dead or alive), including a virus; or

(d) energy, including noise, heat, radioactivity and electromagnetic radiation; or

(e) a combination of contaminants.

"contamination" under Section 10 of the *Environmental Protection Act 1994* means the release (whether by act or omission) of a contaminant to the environment.

"contaminated land" under Schedule 3 of the *Environmental Protection Act 1994* means land that is contaminated by a hazardous contaminant.

"DA" means Development Approval.

"disturbed area" or words to that effect means:

(a) contaminated land; or

(b) land that has been disturbed and human intervention is needed to rehabilitate it: including

a. mining or quarrying areas, including processing plant, stockpiles and tailings areas;

b. areas where soil has been compacted, removed, covered, exposed or stockpiled;

c. areas where vegetation has been removed or destroyed to an extent where land is susceptible to erosion;

d. areas where land use suitability or capability has been diminished;

e. areas within water/s where mining/ quarrying activities occur;

f. areas submerged by tailings or hazardous contaminant storage dams in all cases;

g. areas under temporary infrastructure eg. roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas and helipads, which is to be removed after mining/ quarrying has ceased.

"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*.

"environmental nuisance" under Section 15 of the *Environmental Protection Act 1994* means unreasonable or likely interference with an environmental value caused by:

(a) noise, dust, odour, light; or

(b) an unhealthy, offensive, or unsightly condition because of contamination; or

(c) another way prescribed by regulation.

"ERA" means environmentally relevant activity.

"hazardous contaminant" under Schedule 3 of the *Environmental Protection Act 1994* means a contaminant that if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

(a) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, tetrogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity, flammability; or

(b) its physical, chemical or infectious characteristics (eg spills of mercury, cyanide, petrol, diesel or oil).

"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.

"$L_{A,\ max\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

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

"mg/L" means milligrams per litre.

"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.
"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes -

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

"rehabilitation" means the process of reshaping and revegetating land to restore it to a stable post mining or quarry state and in accordance with acceptable criteria or rehabilitation conditions, and where relevant includes remediation of contaminated land.

"SBMP" means Site Based Management Plan.

"sediment pond" means a bunded or excavated structure used to contain and settle waterborne sediment flowing from disturbed areas.

"site" means land on which it is proposed to carry out the development approved under this development approval.

"stable" means geological stability of a rehabilitated landform where instability caused by settlement and subsidence has ceased.

"Stage 1, Extraction Area" means the area detailed within the 'Application for Extraction Industry ERA 20C and 22C – Site Based Management Plan', dated August 2006

"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.

END OF PERMIT