

Permit

Environmental Protection Act 1994

Environmental authority EPPR00700213

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

Environmental authority number: EPPR00700213

Environmental authority takes effect on 08-04-2020

Environmental authority holder(s)

Name(s)	Registered address
NINE MILE SANDS PTY LTD	920 Uncle Toms Road Tarramba 4702 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 1 on RP603316
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 4 on LN883
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 250 on R2621
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 1 on RP603316
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 4 on LN883

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Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 250 on R2621

Additional information for applicantsEnvironmentally relevant activities

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

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

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However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Derek Robson
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 09 April 2020

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)

This environmental consists of the following schedules of conditions:

- Schedule A — General
- Schedule B — Air
- Schedule C — Land
- Schedule D — Noise
- Schedule E — Social
- Schedule F — Waste
- Schedule G — Water
- Definitions

Schedule A — General	
Condition number	Condition
A1	Scale and Intensity of Activity The amount of sand extracted from the quarry in any one (1) year is to be no more than 100,000 tonnes.
A2	Location of Extraction and Screening Activities Extraction and screening activities are only approved for Lot 250 on R2621. Lot 1 on RP603316 and Lot 4 on LN883 are only approved for access to the extraction and screening activities. No extraction and screening activities are to be conducted on Lot 1 on RP603316 or Lot 4 on LN883.
A3	Approved Plans The development is approved generally in accordance with Drawing No. WD 1057.2, titled 'Proposed Site Development Layout A' and Drawing No. WD 1057.2, titled 'Proposed Site Development Layout B' dated September 2010 and prepared by Schlencker Surveying.
A4	Hours of operation Extraction and screening activities must only be carried out from Monday to Saturday inclusive (excluding public holidays), between 0600 and 1800 hours and Sundays (excluding public holidays) between 0600 and 1500 hours.
A5	Prevent and/or minimise likelihood of environmental harm A person carrying out an environmentally relevant activity (ERA) to which this approval relates, must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused.
A6	A copy of this approval must be kept in a location readily accessible to personnel carrying out the activity.
A7	Record Keeping The operator of an ERA authorised by this approval must record, compile and keep all data required by this approval. These data must be made available to the administering authority with the submission of each annual return.
A8	Alt records required by this approval must be kept for 5 years

A9	Notification Any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonably expected to be in accordance with the conditions of this approval must be reported by telephone to the administering authorities' Pollution Hotline or the district office located in the area where the release occurred. Any such release must be reported as soon as the holder of the approval becomes aware of the emergency incident or event. Note: as at 20.12.2011 the number for the Pollution Hotline was 1300 130 372. This number may change at any time in the future and should be checked prior to use.
A10	Information to follow notification A written notice detailing the following information must be provided to the administering authority within 7 days of any advice provided in accordance with condition A7. a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) the quantity and nature of the substance released; d) vehicle and registration details; e) the names of person/s involved in the release and/or cleanup; f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) details of the area of impact; j) the results of any sampling performed in relation to the release, k) actions taken to mitigate any environmental harm caused by the release and details of the success of these actions; and l) proposed actions to prevent a recurrence of the release.
Schedule B — Air	
Condition number	Condition
B1	Nuisance The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive place.

B2	Dust Nuisance The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.
B3	Dust suppression measures must be implemented and maintained on site to prevent the movement of dust, created as a result of the activity, past the site boundaries.
B4	Release of dust or particulate, exceeding the following levels, when measured at any nuisance sensitive place, is considered as an environmental nuisance: a) dust deposition of 4.0 grams per square metre per month, when measured in accordance with Australian Standard AS 3580.10:2003 Methods of sampling and analysis of ambient air — Determination of particulate matter — Deposited matter — Gravimetric method (or more recent edition); or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging period, at a nuisance sensitive place downwind of the site, when monitored in accordance with: c) 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 that may be permitted by the Air Quality Sampling Manual as published periodically by the administering authority.
B5	When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within 7 days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive place and at upwind control sites and must include: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere over a 24hr averaging time.
Schedule C — Land	
Condition number	Condition

C1	Topsoil must be: a) removed, where practicable, from areas to be significantly disturbed prior to the commencement of extraction activities; and b) stockpiled in a manner that will preserve its biological and chemical integrity; and used for onsite rehabilitation purposes.
C2	Protecting Land from Contaminants Activities on site must be conducted in a way that prevents any potential or actual release of contaminants to land.
C3	There are to be no fuels or oils stored on site. Extraction equipment will be refuelled by transporting fuel to the site
C4	Rehabilitation As soon as practicable, but no later than 6 months after completing extraction in each stage, disturbed areas must be rehabilitated in accordance with the Rehabilitation Management Plan (refer to condition C5). This includes rehabilitating all disturbed areas such as slopes, borrow pits, stockpile storage, and sediment basins.
C5	Rehabilitation Management Plan Not more than one (1) year after the commencement of activities on site, the holder of this approval must complete an investigation into rehabilitation of disturbed areas and submit a Rehabilitation Management Plan for the administering authority's review, comment and acceptance. On acceptance of the plan it must be implemented immediately. The Rehabilitation Management Plan must, at a minimum: a) map areas of rehabilitation; b) specify soil characteristics, soil analysis, soil separation for use on rehabilitation; c) detail rehabilitation methods applied to areas; d) contain landform design criteria including end of quarry design; e) explain planned vegetation rehabilitation areas and corridors; f) describe post quarry land uses across the site.
C6	Maintenance of rehabilitated areas must take place to ensure: a) erosion control measures remain effective; b) significant plant losses are examined for possible causes;

	c) the rehabilitated land should be capable of withstanding normal disturbances such as fire or flood.															
C7	Spill Kit(s) Appropriate spill kit(s) and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.															
C8	All relevant personnel operating under this approval must be trained in the use of the spill kit(s).															
Schedule D — Noise																
Condition number	Condition															
D1	Nuisance Noise resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.															
D2	Noise from activities must not result in measured levels greater than those specified in the following table. Noise limits — Nuisance sensitive place: <table><tr><th>Noise level</th><th>Monday to Saturday</th><th>Sunday</th></tr><tr><th>dB(A) measured as</th><th>6am to 6pm</th><th>6am to 6pm</th></tr><tr><td>L_{A90}, adj, 15mins</td><td>lesser of bg+3 or 48</td><td>lesser of bg+3 or 48</td></tr><tr><td>L_{A10}, adj 15mins</td><td>lesser of bg+5 or 50</td><td>lesser of bg+5 or 50</td></tr><tr><td>L_{A1}, adj, 15mins</td><td>lesser of bg+10 or 55</td><td>lesser of bg+10 or 55</td></tr></table> bg = background noise level, L _{A90} , 15 mins. In the event that measured bg is less than 25 dB(A), then 25 dB(A) is to be used. The noise levels specified are measured outdoors in the free field at a location at least 4m from the external façade of a building at the nuisance sensitive place Measured levels include background plus the activity.	Noise level	Monday to Saturday	Sunday	dB(A) measured as	6am to 6pm	6am to 6pm	L _{A90} , adj, 15mins	lesser of bg+3 or 48	lesser of bg+3 or 48	L _{A10} , adj 15mins	lesser of bg+5 or 50	lesser of bg+5 or 50	L _{A1} , adj, 15mins	lesser of bg+10 or 55	lesser of bg+10 or 55
Noise level	Monday to Saturday	Sunday														
dB(A) measured as	6am to 6pm	6am to 6pm														
L _{A90} , adj, 15mins	lesser of bg+3 or 48	lesser of bg+3 or 48														
L _{A10} , adj 15mins	lesser of bg+5 or 50	lesser of bg+5 or 50														
L _{A1} , adj, 15mins	lesser of bg+10 or 55	lesser of bg+10 or 55														
D3	When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any complaint about noise nuisance being caused by the activity, and the noise monitoring results notified to the administering authority within 7 days.															
D4	The method of measurement and reporting of noise levels in response to any noise monitoring conducted under this approval must be in accordance with the most recently published edition of															

	the administering authorities Noise Measurement Manual or an equivalent authoritative document approved by the administering authority (e.g. AS 1055 Acoustics — Description and measurement of environmental noise).
Schedule E — Social	
Condition number	Condition
E1	Complaint Response The operator of the activity must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant; b) the allegation made by the complainant; c) details of communications with the complainant; d) any investigations undertaken; e) conclusions formed; and any actions taken
E2	The operator of the activity must attempt to make contact with any complainant within 24 hours of a complaint being received and initiate complaint resolution measures as set out in any Site Based Management Plan developed for the site.
Schedule F — Waste	
Condition number	Condition
F1	All waste (not including overburden) generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste. No waste is to be disposed of on site.
F2	Waste, including vegetation matter, must not be burnt on site.
F3	Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any waters.
Schedule G — Water	
Condition number	Condition

G1	Erosion protection measures and sediment control measures must be implemented and maintained to minimise: a) erosion of soils in areas disturbed by the activity; and b) the release of sediment to any waters.
G2	Any process water (e.g. water used during screening and washing) flowing over disturbed areas including but not limited to the screening and storage areas, must be diverted to an onsite sediment basin.
G3	Sediment basins must be constructed and maintained: a) so as to minimise the likelihood of any release of contaminants or wastes through the bed or banks of the structure to any waters (including groundwater) b) so that a freeboard of not less than 0.5 metres is maintained at all times, except in the event of exceptional weather conditions where the maintenance of such is impossible.
G4	Water from sediment basins can only be used off-site or released from the basin if the water has been allowed to stand for a period of time to maximise sediment fallout.
G5	Contaminants must not be directly or indirectly released to any waters, including groundwater, or the bed or banks of any waters.
G6	Groundwater A groundwater monitoring program must be developed prior to commencing operation of the extractive activity. The groundwater monitoring program will be submitted to the administering authority to assess its suitability. The groundwater monitoring program will address at least the following: a) The installation of at least 3 monitoring bores around the property boundary of the proposed quarry site; b) Groundwater level in monitoring bores must be recorded at least once in every month to an accuracy of 0.01 m; c) Where quarrying is conducted by removal of groundwater prior to the extraction of quarry material, using an appropriate flow meter, the volume of groundwater extracted from all groundwater sources used in the operation must be determined and recorded as monthly totals.

G7	Where quarrying is conducted by removal of ground water prior to the extraction of quarry material, the production bore must only be operated so as to maintain a sufficient drawdown level in the extraction pit to permit the continued extraction of sand
G8	Where quarrying is conducted by removal of groundwater prior to the extraction of quarry material, the removed groundwater must be directed to a sediment basin.
G9	Where quarrying is conducted by pumping of sand and groundwater, residual water may be either returned to the quarrying pit or directed to a sediment basin. Any residual water that is directed back to the extraction pit must be free of contaminants other than sediment from the extraction process.
G10	Stormwater Management Suitable banks and/or diversion drains must be installed and maintained so that all stormwater originating from land up-gradient of disturbed areas, including extraction and storage areas is diverted away from entering these areas and any ponds or other structures used for the storage or treatment of contaminants.
G11	All stormwater flowing over disturbed areas including but not limited to the extraction area and storage areas, must be diverted to an onsite sediment basin.
G12	Contaminants other than settled/treated stormwater runoff water must not be released to surface waters or the bed or banks of any watercourse.
G13	Suitable banks/bund walls must be installed and maintained around extraction pits to achieve immunity from a Q100 flood event and ensure flood water can not enter the pits should a Q100 flood be experienced.

Definitions

Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.

Activity means — an environmentally relevant activity, or associated auxiliary activity to which this approval relates.

Administering authority means —

- a) for a matter, the administration and enforcement of which has been devolved to a local government under section 514 of the *Environmental Protection Act 1994* — the local government; or
- b) for all other matters — the Chief Executive of the Department of Environment Science; or
- c) another State Government Department, Authority, Storage Operator, Board or Trust, whose role is to administer provisions under another enacted legislation.

Authorised place means — the place authorised under this approval for the carrying out of the specified environmentally relevant activities

Bund means —

- a) an earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil etc.); or
- b) a structure to prevent or reduce soil erosion.

Contaminant means — (Section 11 of the EP Act)

- a) a gas, liquid or solid; or
- b) an odour; or
- c) an organism (whether alive or dead), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants

Deposit means — drop, place or throw a contaminant in waters or onto a place or releases the contaminant or otherwise cause it to move into waters or onto a place.

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 tand;
- a water craft in a marina.

Effective dust control system means — a method, process, procedure or course of action that if taken, will minimise the likelihood of environmental nuisance being caused.

Environmental nuisance means — (Section 15 of the EP Act) unreasonable interference 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 (e.g. unreasonable noise or dust emissions).

Impulse adjustment means — an adjustment applied if impulsiveness is a significant characteristic of the sound within a measurement time interval. If impulsive components are clearly audible, the adjustment will be 5 dB(A). If the components are only just detectable, an adjustment of 2 dB(A) will be appropriate.

Nuisance sensitive place means — any of the following places:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a library, childcare centre, kindergarten, school, college, university or other educational institution; or
- d) a hospital, surgery or other medical institution; or
- e) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment); or
- f) a protected area; or
- g) a place used as an office, 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.

Person means as per Part 8 of the *Acts Interpretation Act 1954*.

Prescribed water contaminant means - as per Schedule 9 of the Environment Protection Regulation 2008.

Protected area means —

- a) a protected area under the *Nature Conservation Act 1992*; or
- b) a marine park under the *Marine Parks Act 1992*; or
- c) a World Heritage Area.

Registration certificate means — a certificate given under section 73F of the EP Act to the principal holder of an ERA.

Release of a contaminant, includes —

- a) to deposit, discharge, emit or disturb the contaminant; and
- b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
- c) to allow the contaminant to escape; and
- d) to fail to prevent the contaminant from escaping.

Site means land on or in which it is proposed to carry out the development approved under this development approval.

Topsoil means — the surface layer of a soil profile, which is usually more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from the natural surface.

Water means —

- a) water in a watercourse, lake or spring;
- b) underground water;
- c) overland flow water; or
- d) water that has been collected in a dam.

Watercourse means — the meaning assigned to it in schedule 4 of the *Water Act 2000*.



