

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPPR00752513

Environmental authority takes effect 31 July 2014

The anniversary date of this environmental authority is the 11 June. An annual return and the payment of the annual fee which is currently \$5,712.50 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Patrick Neil and Amy Fay McDonnell T/A Pat McDonnell Earthmoving	18911 Bruce Highway BOWEN QLD 4805

Environmentally relevant Activity and location details

Environmentally relevant Activity(ies)	Location(s)
ERA 16 (1b) Dredging 10000t but <100000t yr	183 Inverroona Rd, Bowen (Lot 7 RP715422)
ERA 16 (1b) Dredging 10000t but <100000t yr	Dalmore Lane, Bowen (Lot 78 H826, Lot 1 RL1966, Lot 1 RP737583, Lot 2 RP737583)
ERA 16 (1b) Dredging 10000t but <100000t yr	Don River adjacent to Lot 1 RP710391
ERA 16 (1b) Dredging 10000t but <100000t yr	Don River adjacent to Lot 1 B6611
ERA 16 (1b) Dredging 10000t but <100000t yr	Don River adjacent to Lot 3 RP737831
ERA 16 (1b) Dredging 10000t but <100000t yr	Don River adjacent to Lot 46 B611
ERA 16 (2a) extraction 5000t but <100000 yr	Lot 2 RP741118 Bootooloo Rd, Bowen
ERA 16 (1b) Dredging 10000t but <100000t yr	Don River adjacent to Lot 1 RP708260
ERA 16 (3a) screening 5000t but <100000t yr	Lot 1 RP740253 Bootooloo Rd, Bowen
ERA 16 (3a) screening 5000t but <100000t yr	Lot 2 RP740253 Bootooloo Rd, Bowen

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



ERA 16 (1a) Dredging 1000t but < 10000t yr	Bruce Highway and Dry Creek Road, Bowen (Lot 75 SP220420)
ERA 16 (1a) Dredging 1000t but < 10000t yr	Bruce Highway and Dry Creek Road, Bowen (Lot 72 K12414)

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).

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

Katrina Clarke
Department of Environment and Heritage Protection
Delegate of the Administering Authority
Environmental Protection Act 1994



Date

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

Environmentally relevant Activity(ies)	Location(s)
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	183 Inveroona Rd, Bowen (Lot 7 RP715422)
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Dalmore Lane, Bowen (Lot 78 H826, Lot 1 RL1966, Lot 1 RP737583, Lot 2 RP737583)
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Don River adjacent to Lot 1 RP710391
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Don River adjacent to Lot 1 B6611
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Don River adjacent to Lot 3 RP737831
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Don River adjacent to Lot 46 B611
ERA 16 (2a) extracting, other than by dredging , in a year, the following quantity of material— (a) 5000t to 100000t	Lot 2 RP741118 Bootooloo Rd, Bowen
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Don River adjacent to Lot 1 RP708260

ERA 16 (3a) screening, in a year, the following quantity of material— (a) 5000t to 100000t	Lot 1 RP740253 Bootooloo Rd, Bowen
ERA 16 (3a) screening, in a year, the following quantity of material— (a) 5000t to 100000t	Lot 2 RP740253 Bootooloo Rd, Bowen
ERA 16 (1a) Dredging , in a year, the following quantity of material— (a) 1000t to 10000t	Bruce Highway and Dry Creek Road, Bowen (Lot 75 SP220420)
ERA 16 (1a) Dredging , in a year, the following quantity of material— (a) 1000t to 10000t	Bruce Highway and Dry Creek Road, Bowen (Lot 72 K12414)

The environmentally relevant activity(ies) 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
G1	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
G2	Any breach of a condition of this environmental authority, must be reported to the administering authority as soon as practicable, or at most, within 24 hours of You becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G3	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G4	All information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. Environmental monitoring results must be kept until surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the administering authority upon request.
G5	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G6	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority, to investigate a complaint that is not considered by the administering authority to be frivolous or vexatious, of environmental nuisance arising from the activity . The monitoring results must be provided to the administering authority upon request.

G7	The activity must be undertaken in accordance with written procedures that: 1. identify potential risks to the environment from the activity during routine operations, closure and an emergency 2. establish and maintain control measures that minimise the potential for environmental harm 3. ensure plant, equipment and measures are maintained in a proper and effective condition 4. ensure plant, equipment and measures are operated in a proper and effective manner 5. ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i> 6. ensure that reviews of environmental performance are undertaken at least annually.
Agency interest: Air	
Condition number	Condition
A1	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place.
Agency interest: Noise	
Condition number	Condition
N1	Noise from the activity must not cause nuisance to any sensitive place or commercial place.

N2	Noise from the activity must not exceed the levels identified in <i>Table 1—‘Noise limits’</i> when measured in accordance with the associated monitoring requirements. Table 1 – Noise Limits <table><tr><th rowspan="3">Noise level measured in dB(A)</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sunday and Public Holidays</th></tr><tr><th>7am-6pm</th><th>6pm-10pm</th><th>10pm-7am</th><th>9am-6pm</th><th>6pm-10pm</th><th>10pm-9am</th></tr><tr><th colspan="6">Noise measured at a nuisance sensitive place</th></tr><tr><td>L_{Aeq adj,T}</td><td>Background +5</td><td>Background +3</td><td>Background +0</td><td>Background +5</td><td>Background + 3</td><td>Background + 0</td></tr><tr><td>MaxL_{pA,T}</td><td>Background +10</td><td>Background +8</td><td>Background +5</td><td>Background +10</td><td>Background +8</td><td>Background +5</td></tr><tr><th rowspan="3"></th><th colspan="6">Noise measured at a commercial place</th></tr><tr><td>Background +10</td><td>Background +8</td><td>Background +5</td><td>Background +10</td><td>Background +8</td><td>Background +5</td></tr><tr><td>Background +15</td><td>Background +13</td><td>Background +10</td><td>Background +15</td><td>Background +13</td><td>Background +10</td></tr></table> Associated monitoring requirements 1. All monitoring devices must be correctly calibrated and maintained. 2. Any monitoring must be in accordance with the most recent version of the administering authority’s Noise Measurement Manual. 3. Any monitoring of noise emissions from the Activity must be undertaken when the Activity is in operation.	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am	Noise measured at a nuisance sensitive place						L_{Aeq adj,T}	Background +5	Background +3	Background +0	Background +5	Background + 3	Background + 0	MaxL_{pA,T}	Background +10	Background +8	Background +5	Background +10	Background +8	Background +5		Noise measured at a commercial place						Background +10	Background +8	Background +5	Background +10	Background +8	Background +5	Background +15	Background +13	Background +10	Background +15	Background +13	Background +10
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	Background +15	Background +13	Background +10	Background +15	Background +13	Background +10																																															
N3	When required by the administering authority, noise monitoring must be undertaken in accordance with the associated monitoring requirements of <i>Table 1—Noise Limits</i>, and the results notified within 14 days to the administering authority. Monitoring must include: 1. L_{Aeq, adj, T} ; 2. Background noise (Background) as L_{A 90, adj, T} ; 3. MaxL_{pA,T} ; 4. the level and frequency of occurrence of any impulsive or tonal noise; 5. atmospheric conditions including wind speed and direction; 6. effects due to extraneous factors such as traffic noise; and 7. location, date and time of recording.																																																				
Agency interest: Land																																																					
Condition number	Condition																																																				
L1	Treatment and management of acid sulfate soils must comply with the current edition of the <i>Queensland Acid Sulfate Soil Technical Manual</i> .																																																				

L2	All machinery and ancillary equipment for the activity must be stored outside the high banks of any watercourse.
L3	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
L4	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: 1. suitable native species of vegetation for the location are established and sustained for earthen surfaces 2. potential for erosion is minimised 3. the quality of water, including seepage, released from the site does not cause environmental harm 4. potential for environmental nuisance caused by dust is minimised 5. the water quality of any residual water body does not have potential to cause environmental harm and 6. the final landform is stable and protects public safety.
L5	Rehabilitation of disturbed areas required under condition L4, must take place progressively as works are staged and new areas of extraction or dredging are commenced.
L6	Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

Agency interest: Water

Condition number	Condition
W1	The stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on site or managed to remove contaminants before release.

Agency interest: Waste

Condition number	Condition
WS1	All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.

Environmentally relevant Activity(ies)	Location(s)
ERA 16 (1a) Dredging , in a year, the following quantity of material— (a) 1000t to 10000t	Bruce Highway and Dry Creek Road, Bowen (Lot 75 SP220420)
ERA 16 (1a) Dredging , in a year, the following quantity of material— (a) 1000t to 10000t	Bruce Highway and Dry Creek Road, Bowen (Lot 72 K12414)

The environmentally relevant activity(ies) 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
G1	This development approval allows for the extraction of a total of 16,000 cubic metres of material at an extraction rate of 8,000 cubic metres in a 12 month period and does not permit screening activities. The allocation area is limited to the approved area specified in the Quarry Material Allocation Notice and development permit. Work is only allowed to be undertaken as per maps <i>Attachment 1: Site Layout and Attachment 2: Detail Layout- Extraction Area</i> and defined by: Downstream AMTD: Lat:19°59'46.76" Long: 148°08'08.13" (Datum GDA94) Upstream AMTD: Lat:20°00'04.94" Long: 148°07'46.56" (Datum GDA94)
G2	Access to the site must be by the existing access tracks through Lot 75 on SP220420 and Lot 72 on K12414. No additional access tracks are permitted on this approval.

Environmentally relevant Activity(ies)	Location(s)
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	183 Inveroona Rd, Bowen (Lot 7 RP715422)
ERA 16 (1b) Dredging , in a year, the following quantity of material— more than 10000t but not more than 100000t	Dalmore Lane, Bowen (Lot 78 H826, Lot 1 RL1966, Lot 1 RP737583, Lot 2 RP737583)

The environmentally relevant activity(ies) 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
G1	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: 1. Dredging of no more than 73,000 cubic meters of material in a 4 year period

G2	Pre-wet and post-wet season photographic records are to be taken of the bank conditions in the Don River on the reach of the river containing the dredging area and for 1 kilometre upstream and 1 kilometre downstream. These records are to be provided to the administering authority biannually.
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Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

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.

Airblast overpressure is the energy transmitted from the blast site within the atmosphere in the form of pressure waves. As these waves pass a given position, the pressure of the air rises very rapidly then falls more slowly then returns to the ambient value after a number of oscillations. The pressure wave consists of both audible (noise) and inaudible (concussion) energy. The maximum excess pressure in this wave is known as the peak air overpressure, generally measured in decibels using the linear frequency-weighting.

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 per cent of the time period of not less than 15 minutes, using Fast response.

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.

Contaminants can be:

- a gas, liquid or solid; or
- an odour; or
- an organism (whether alive or dead), including a virus; or
- energy, including noise, heat, radio activity and electromagnetic radiation; or
- a combination of contaminants.

Dredging includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal waters. Dredging does not include the banks of a waterway.

Groundwater means underground water.

LAeq 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 one hour when the approved activity is causing an intermittent noise.

MaxLpA,T means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

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

NATA means National Association of Testing Authorities.

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.

PM₁₀ means particulate matter with an aerodynamic diameter of less than 10µm or equal to (PM₁₀).

Registered Operator means a person whose name and address is entered in the register of suitable operators under section 318(1)(b) of the *Environmental Protection Act 1994*.

Regulated waste means waste that:

- is commercial or industrial waste, whether or not it has been immobilised or treated; and
- is a type, or contains a constituent of a type, mentioned in Schedule 7 of the *Environmental Protection Regulation 2008*.

Regulated waste includes:

- for an element – any chemical compound containing the element; and
- anything that contains residues of the waste.

Release of a contaminant into the environment means to:

- deposit, discharge, emit or disturb the contaminant
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed
- allow the contaminant to escape
- 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:

- 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
- for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurement, with a predominant component within the frequency range 10 to 200Hz. It includes any noise emission likely to cause an overall sound pressure level at a Sensitive place exceeding 55dB(Z).

24 hour storm event with an average recurrence interval of 1 in 5 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 5*

years, identifies a rainfall intensity of 7.09mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09mm/hour = 170.16mm.

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.

Attachments

Attachment 1- Site Layout for Bruce Highway and Dry Creek Road, Bowen (Lot 75 SP220420) and
Bruce Highway and Dry Creek Road, Bowen (Lot 72 K12414)



KNC 7/8/14

Attachment 2- Detail Layout- Extraction Area for Bruce Highway and Dry Creek Road, Bowen (Lot 75 SP220420) and Bruce Highway and Dry Creek Road, Bowen (Lot 72 K12414)



END OF PERMIT

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