Permit

Environmental Protection Act 1994

Environmental authority EPPR00773213

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

Environmental authority number: EPPR00773213

Environmental authority takes effect on 10 July 2019

Environmental authority holder(s)

Name(s)	Registered address
IPSWICH CITY COUNCIL	50 South Street IPSWICH QLD 4305

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, 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 2/RP115777
Prescribed ERA, ERA 16 - Extraction and Screening, 3: Screening, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 2/RP115777

Additional information for applicants

Environmentally 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

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- 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.

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.

Rebecca Griffiths
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 10 July 2019

Enquiries:
Heritage, Utilities and Government Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

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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)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Environmentally relevant activity(s)	Location
ERA 16 (2)(a) extracting, other than by dredging, in a year, the following quantity of material, 5,000t to 100,000t	Lot 2 on Plan RP115777 Gimpels Pit Quarry, Gimpels Road MUTDAPILLY QLD 4307
ERA 16 (3)(a) - screening, in a year, the following quantity of material, 5,000t to 100,000t	Lot 2 on Plan RP115777 Gimpels Pit Quarry, Gimpels Road MUTDAPILLY QLD 4307

The environmentally relevant activitie(s) conducted at the location(s) as described above must be conducted in accordance with the following 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	Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the **administering authority**, or **nominated delegate** upon request, within the required timeframe and in the specified format.
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 of environmental nuisance arising from the **activity**. The monitoring results must be provided to the **administering authority**, or **nominated delegate**, within the required timeframe and in the specified format upon request.
G7	The **activity** must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the activity during routine operations, closure and an b) emergency; c) establish and maintain control **measures** that minimise the potential for environmental harm; d) ensure plant, equipment and **measures** are maintained in a proper and effective condition; e) ensure plant, equipment and **measures** are operated in a proper and effective manner f) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and g) 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**.
A2	**Blasting** is not permitted.

Agency interest: Water	
Condition number	**Condition**
WT1	The only contaminants permitted to be released from the approved place are the overflows from the settlement pond during periods of flood rainfall and/or storm events.
WT2	The release to **waters** permitted under WT1 must not contain any other properties at a concentration capable of causing environmental harm.

Agency interest: Land	
Condition number	**Condition**
L1	**Land** that has been disturbed for **activities** conducted under this environmental authority must be rehabilitated in a manner such that: a) suitable native species of vegetation for the location are established and sustained for earthen surfaces; b) potential for erosion is minimised; c) the quality of water released from the site, including seepage, does not cause environmental harm; d) potential for environmental nuisance caused by dust is minimised; e) the water quality of any residual water body does not have potential to cause environmental harm; and f) the final landform is stable and protects public safety.

L2	Rehabilitation of disturbed areas required under condition L1, must take place progressively as works are staged and new extractive areas have commenced.

Agency interest: Noise

Condition number	Condition
N1	Noise from the **activity** must not exceed the levels identified in Table 1—Noise limits when measured in accordance with the associated monitoring requirements.

Table 1- Noise Limits

Time period	Noise level at a 'Noise sensitive place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$ Note 1
7am - 6pm	Background noise level plus 5 dB(A)
6pm - 10pm	Background noise level plus 5 dB(A)
10pm - 7am	Background noise level plus 3 dB(A)
Time period	**Noise level at a 'Commercial place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$**
7am - 6pm	Background noise level plus 10 dB(A)
6pm - 10pm	Background noise level plus 10 dB(A)
10pm - 7am	Background noise level plus 8 dB(A)

Associated monitoring requirements
1. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.
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 **activit**y must be undertaken when the **activity** is in operation.

N2	When required by the **administering authority**, noise monitoring must be undertaken in accordance with the associated monitoring requirements of Table 1—Noise Limits, and the results notified within 14 days to the administering authority. Monitoring must include: a) **LAeq, adj, T**; b) **Background** noise (Background) as **LA 90, adj, T**; c) **MaxLpA,T**; d) the level and frequency of occurrence of any impulsive or tonal noise; e) atmospheric conditions including wind speed and direction; f) effects due to extraneous factors such as traffic noise; and g) recording of location, date and time of measurements.

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.

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 Science 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 **LA 90, adj, 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.

Dwelling as mentioned in Schedule 5 of the Environmental Protection (Noise) Policy 1997 means any of the following structure or vehicles that is principally used as a residence:

a) a house, unit, motel, nursing home or other building or part of a building;
b) a caravan, mobile home or other vehicle or structure on land; and
c) a watercraft in a marina.

Land means any land, whether above or below the ordinary high water mark at spring tides (i.e. includes tidal land).

Measures has the broadest interpretation and includes:

a) Procedural **measures** such as standard operating procedures for dredging operations, environmental risk assessment, management actions, departmental direction and competency expectations under relevant guidelines; and
b) Physical **measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

NATA means National Association of Testing Authorities.

Nominated delegate means another government agency that provides services to the **administering authority**.

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

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

Release of a contaminant into the environment means to:

a) deposit, discharge, emit or disturb the contaminant;
b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed;

c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed;
d) allow the contaminant to escape; and
e) 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) a dwelling, residential allotment, mobile home or caravan park, residential marina or other
b) residential premises; or
c) a motel, hotel or hostel; or
d) a kindergarten, school, university or other educational institution; or
e) a medical centre or hospital; or
f) a protected area under the Nature Conservation Act 1992, the Marine Parks Act 2004 or a World
g) Heritage Area; or
h) a public park or garden; or
i) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection
j) (Noise) Policy 2008.

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.

END OF PERMIT