

Permit

Environmental Protection Act 1994

Environmental authority EPPR00774013

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

Environmental authority number: EPPR00774013

Environmental authority takes effect on day the authority is issued.

The anniversary date of this environmental authority is 06 March. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

Environmental authority holder(s)

Name(s)	Registered address
AZZO'S EXCAVATOR & TRUCK HIRE PTY LTD	354 Murdering Point Road KURRIMINE BEACH QLD 4871

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening - 1(a) - Dredging, in a year, the following quantity of material - 1000t to 10,000t	2/RP716696
ERA 16 - Extraction and Screening - 1(a) - Dredging, in a year, the following quantity of material - 1000t to 10,000t	49/NR1282

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
- 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'.

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.



Signature

13 October 2023

Date

Melanie David
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permits and Licensing/Operational Support
Department of Environment Science
GPO Box 2454, Brisbane QLD 4001
Phone: 1300 130 372 (Option 4)
Email: palm@des.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)

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. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
A1G1	Prevent and/or minimise likelihood of environmental harm. In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.
A1G2	Maintenance Of Measures, Plant and Equipment. The operator of an ERA to which this approval relates must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and b) maintain such measures, plant and equipment in a proper and efficient condition; and c) operate such measures, plant and equipment in a proper and efficient manner.
A1G3	Site Based Management Plan. From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The SBMP must address the following matters: a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. b) Identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement.
A1G4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
A1G5	Records. Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
A1G6	All records required by this approval must be kept for 5 years.
A1G7	Acid Sulphate Soils. The latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, ('the Instructions') must be complied with when treating and managing acid sulfate soils.
A1G8	Acid sulfate soils must be managed such that contaminants are not directly or indirectly released to any waters.

A1G9	Notification. Telephone the EPA's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.					
Agency interest: Air						
Condition number	Condition					
A1A1	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 or commercial place.					
A1A2	Dust Nuisance. The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.					
A1A3	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 metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (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 AS 3580.9.6 of 2003 (or more recent editions) '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 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.					
Agency interest: Noise						
Condition number	Condition					
A1N1	The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.					
A1N2	Noise Nuisance. Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.					
A1N3	All noise from activities must not exceed the levels specified in <i>Table 1 - Noise limits at any nuisance sensitive or commercial place</i> .					
Table 1 - Noise limits at any nuisance sensitive or commercial place						
Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise measured at a 'Noise sensitive place'					
LA10, adj, 10 mins	50	45	35	50	45	35

	<table><tr><td>LA1, adj, 10 mins</td><td>55</td><td>50</td><td>45</td><td>55</td><td>50</td><td>40</td></tr><tr><td colspan="7">Noise measured at a 'Commercial place'</td></tr><tr><td>LA10, adj, 10 mins</td><td>55</td><td>50</td><td>45</td><td>55</td><td>50</td><td>45</td></tr><tr><td>LA1, adj, 10 mins</td><td>60</td><td>55</td><td>45</td><td>60</td><td>55</td><td>50</td></tr></table>	LA1, adj, 10 mins	55	50	45	55	50	40	Noise measured at a 'Commercial place'							LA10, adj, 10 mins	55	50	45	55	50	45	LA1, adj, 10 mins	60	55	45	60	55	50
LA1, adj, 10 mins	55	50	45	55	50	40																							
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A1N4	Noise Monitoring. When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include: - LA 10, adj, 10 mins - LA 1, adj, 10 mins - the level and frequency of occurrence of impulsive or tonal noise; - atmospheric conditions including wind speed and direction; - effects due to extraneous factors such as traffic noise; and - location, date and time of recording.																												
Agency interest: Social																													
Condition number	Condition																												
A1S1	Complaint Response. The operator of the ERA 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) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken																												
Agency interest: Water																													
Condition number	Condition																												
A1W1	Contaminants must only be released to waters in compliance with the release limits specified in <i>Table 2 – Contaminants release limits to water</i>. Monitoring must be undertaken and records kept of contaminant releases to waters from the discharge location for the quality characteristics and not less frequently than specified in <i>Table 2 - Contaminant release limits to water</i>. All determinations of the quality of contaminants released must be: a) made in accordance with methods prescribed in the latest edition of the Environment Protection Agency Water Quality Sampling Manual; and b) carried out on samples that are representative of the discharge. Table 2 - Contaminant release limits to water <table><tr><th>1. Monitoring Point</th><th>2. Frequency</th><th>3. Parameter</th><th>4. Limits</th><th>5. Limit type</th></tr><tr><td>6. Waters adjacent to location of dredging activity</td><td>8. Daily when dredging.</td><td>10. Turbidity (NTU)</td><td>12. No visible turbidity plume</td><td>14. Maximum</td></tr></table>	1. Monitoring Point	2. Frequency	3. Parameter	4. Limits	5. Limit type	6. Waters adjacent to location of dredging activity	8. Daily when dredging.	10. Turbidity (NTU)	12. No visible turbidity plume	14. Maximum																		
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A1W2	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
A1W3	The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.
A1W4	Water velocities through temporary watercourse diversions around the works area must be maintained similar to pre-work velocities during such diversions, and must be re-instated once dredging works are completed.
A1W8	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

Definitions

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit¹ is sought and the term is not defined within this permit¹ 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.

"artificial waterway" means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

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

"canal" means an artificial waterway surrendered to the State. A canal is an artificial waterway connected, or intended to be connected, to tidal water; and from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

"clinical waste" means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

"coastal dune" means a ridge or hillock of sand or other material on the coast and built up by the wind.

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

"dredge spoil" means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

"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*.

"erosion prone area" means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

"high water mark" means the ordinary high water mark at spring tides.

"infectious waste" means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

"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.

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A, \text{max adj}, T}$ " 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.

"noxious" means harmful or injurious to health or physical well being.

"NTU" means nephelometric turbidity units.

"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.

"ponded pasture" means a permanent or periodic pondage of water in which the dominant plant species are pasture species used for grazing or harvesting.

"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.

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

"tidal water" means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

"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.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

"50th percentile" means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

"80th percentile" means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works.

END OF PERMIT