Department of Environment and Resource Management

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00874709

This registration certificate is issued by the administering authority and takes effect from: 24-OCT-2011.

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 09-January-2010.

The anniversary day for the purposes of the Annual Return remains: 9 JANUARY.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Scotbar Pty Ltd
1925 Logan Road
UPPER MOUNT GRAVATT QLD 4122

Development Approval:- SPCE01886311 / IPCE00182505A11

Place:- Lot 141 Plan CA311273, Lot 154 Plan CA311380, Lot 95 Plan CSH352

Located at:- Seventeen Mile Road,HELIDON QLD 4344

Registered Activities: -
ERA 16 Extractive and screening activities Threshold 2(b) - extracting, other than by dredging, in a year, 5000t to 100000t of material

ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material

John Rice
Delegate of the Chief Executive
Department of Environment and Resource Management
Environmental Protection Act 1994
24-OCT-2011

Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485

Queensland Government

ecoaccess
environmental licences and permits

Concurrence Agency Response

Section 3.3.16 and 3.3.18

Integrated Planning Act 1997

EPA Permit[1] number:	IPCE00182505A11
Assessment Manager reference:	
Date application received by EPA:	11-MAY-2005
Permit[1] Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	21-JUL-2005
Decision:	The conditions that much attach to the granted development approval
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation
Jurisdiction:	Item 1 in Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*

Permit[1] Holder Details

Name:
Brisbane Rock Sales

Registered Address:
C/- Mining Tenement Services
GPO Box 215
BRISBANE QLD 4001

Development Description

Property/Location:
Lot 141 Plan CA311273, Lot 154 Plan CA311380, Lot 95 Plan CSH352

Street address:
Seventeen Mile Road
HELIDON QLD 4344

Aspect of Development:
ERA 20(b) Extracting rock or other material - extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

ERA 22(b) Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or authority lease, licence or permit mentioned in item 21C or 21D) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year.

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Reasons for inclusion of development conditions

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, the reasons for the inclusion of development conditions are:

1) The Environmental Protection Agency is a concurrence agency under the *Integrated Planning Regulation 1998* for the purposes of the *Environmental Protection Act 1994*.

2) Any development conditions placed on this permit for an environmentally relevant activity are in accordance with section 73B of the *Environmental Protection Act 1994*.

Additional information for applicants

Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming so aware, give notice to the Environmental Protection Agency.

Environmentally Relevant Activities

The aforementioned description of any environmentally relevant activity (ERA) for which this permit is issued is simply a restatement of the ERA as prescribed in the legislation at the time of issuing this permit. Where there is any conflict between the abovementioned description of the ERA for which this permit is issued and the conditions specified herein as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This permit authorises the ERA. It does not authorise environmental harm unless a condition within this permit explicitly authorises that harm. Where there is no such condition, or the permit is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

Protected Plants

Taking of any protected plants anywhere on the site (e.g. *Eucalyptus taurina* and *Paspalidium grandispiculatum*) must be authorised under the *Nature Conservation Act 1992*.

"Take" includes to gather, pluck, cut, pull up, destroy, dig up, fell, remove or injure the plant or any part of the plant.

Vegetation Clearing

Prior to any vegetation clearing required to undertake the ERA, a development permit for operational work for the clearing of native vegetation on freehold land is required from the Department of Natural Resources and Mines.

L. Zambelli

Luke Zambelli
Delegate of the administering authority
Environmental Protection Act 1994

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CONDITIONS OF APPROVAL

Agency Interest: General

General 1: 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.

General 2: 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 3: The ERA by itself or in combination with mining activities on the site must not cause more than 20ha of significantly disturbed land at any one time.

General 4: The ERA must not be conducted within 50 metres of a water course.

General 5: A site plan (to scale) depicting the following:
- the boundaries of Lot 95 CSH352, Lot 141 CA311273, Lot 154 CA311380, ML50022 and ML50185;
- areas of disturbance and infrastructure on ML50022 and ML50185;
- proposed areas of disturbance and infrastructure for the ERA;
- locations of plant species of State significance;
- areas identified for progressive clearing / rehabilitation;
- site drainage system and sediment dams / traps;

must be submitted to the administering authority within 6 months of the date of issue of this development approval.

General 6: The site plan must be consistent with the conditions of this approval.

Agency Interest: Air

Air 1: Prevent unreasonable release of dust from the site.

Air 2: Take reasonable and practicable measures necessary to prevent release of windblown dust from vehicles used for transporting aggregates extracted from the site. Reasonable and practicable measures may include but are not limited to:
(a) wetting down the load prior to transport;
(b) having the entire load covered with a tarpaulin or similar material for the duration of transport; and
(c) clearing of spillages from side rails, tail gates and draw bars of vehicles prior to and after delivery.

Air 3: Trafficable areas must be maintained using reasonable and practicable

measures necessary to minimise the release of wind blown or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:
(a) keeping surfaces clean;
(b) sealing with bitumen or other suitable material;
(c) using water sprays;
(d) installing an effective truck body and wheel wash facility; and
(e) using dust suppressants and wind breaks.

Air 4: Take reasonable and practicable measures necessary to minimise the release of dust to the atmosphere from cutting, crushing and screening equipment and material conveyor systems. Reasonable and practicable measures may include but are not limited to:
(a) installation of windshields or barriers;
(b) water spays; and
(c) keeping material moist.

Air 5: Stockpiles must be maintained using reasonable and practicable measures necessary to minimise the release of wind blown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:
(a) use of water sprays as required during winds likely to generate dust release;
(b) shielding and/or covering; and
(c) storage in enclosures.

Agency Interest: Land

Land 5: Where practical, excavations must be backfilled with overburden and waste rock following completion of the ERA.

Land 6: Areas disturbed by the ERA must be rehabilitated to a stable landform similar in topography to that of the surrounding undisturbed areas.

Land 7: Effective erosion control measures must be implemented where necessary to minimise erosion and prevent the release of sediment to waters.

Land 8: All infrastructure must be removed from the site except where the administering authority has written evidence from the landowner stipulating items of infrastructure that may remain for beneficial use.

Land 9: Vegetation of similar species and density of cover to that of the surrounding undisturbed areas must be planted and established.

Land 10: Native seeds endemic to the site must be collected and propagated for

CONDITIONS OF APPROVAL

	use in revegetation.
Land 11:	Collection and propagation of native seeds must include species Eucalyptus taurina and Paspalidium grandispiculatum.
Land 12:	Prior to the commencement of rehabilitation activities, a Rehabilitation Plan must be submitted and accepted by the administering authority, addressing the following issues: (a) staging of rehabilitation; (b) final landform design; (c) proposed species list; and (d) revegetation success criteria (including species diversity and density of cover).
Land 13:	Rehabilitation must be completed in accordance with the Rehabilitation Plan and to the satisfaction of the administering authority.
Land 14:	Rehabilitation of disturbed areas, apart from those areas currently being utilised for the ERA, must take place progressively and must commence within six months of cessation of the ERA in an area.

Agency Interest: Land - clearing

Land - clearing 3:	A Vegetation Clearing Plan including a description of proposed progressive clearing, disposal of cleared vegetation and actions that will be taken to minimise impacts on vegetation and wildlife not within the area of disturbance must be submitted and accepted by the administering authority within 6 months of the date of issue of this development approval.
Land - clearing 4:	Topsoil must be removed and stockpiled prior to carrying out the ERA.

Agency Interest: Land - contaminated land

Land - contaminated land 1:	The ERA must be conducted so as to prevent causation of contaminated land.
Land - contaminated land 2:	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.

CONDITIONS OF APPROVAL

Agency Interest: Noise

Noise 1: Noise from the ERA must not cause unreasonable noise at a sensitive place.

Noise 2: Explosive blasting is not permitted on the site.

Noise 3: Operating hours must be limited to between 6am and 6pm Monday to Saturday, excluding public holidays.

Agency Interest: Social

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.

Social 2: Provide, install and maintain adequate warning devices (e.g. signs, fences, bunds) to exclude people, livestock and native animals from open excavations and dams on site.

Agency Interest: Waste

Waste 1: Effective procedures must be implemented to ensure that wastes generated on the site are minimised, recycled, stored, handled and transferred in a proper and efficient manner, and so that disposal of such waste is at a facility lawfully able to do so.

Waste 2: Waste and/or vegetation must not be burned on the site.

Waste 3: Waste must not be buried on the site.

Agency Interest: Water

Water 1: 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 2: 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 3: The ERA must be conducted so as to prevent any release of any hazardous contaminant to any waters.

Water 4: Sediment laden water must not be directly or indirectly released from the site to any waters.

Water 5: A Stormwater Management Plan including a description and map of the

CONDITIONS OF APPROVAL

site drainage system and location of sediment dams / traps must be submitted to the administering authority within 6 months of the date of issue of this development approval.

Attachment – Definitions

Words and phrases used throughout this approval are defined below. Where a definition for a term used in this approval is sought and the term is not defined herein, the definitions provided in the *Environmental Protection Act 1994*, Regulations made under that Act, Environmental Protection Policies or ordinary meaning should 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 86(2) licence that applies to an approval.

"approval" means development permit or preliminary approval decision notice or referral agency response under the *Integrated Planning Act 1997.*

"authorised place" means the place, premises or land authorised under this authority or approval for the carrying out of the specified environmentally relevant activities.

"boulder rock" means rock extracted in such form to be used or to be supplied for such use, whether intact or in broken form.

"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 alive or dead), 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 into the environment.

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

"contour banks" means mounds of earth constructed along the contours of the land to reduce the amount and velocity of water runoff down a slope or to re-direct that runoff.

"density of cover" in reference to trees or shrubs means the number of trees or shrubs in a specified area (eg. 50 trees per square kilometre), and with reference to understorey plant species (eg. grasses and forbs) means the percentage of surface area covered by a particular species.

"dwelling" means any of the following structures or vehicles that is principally used as a place for human habitation-

- 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; and
- a water craft in a marina.

"environmental nuisance" under section 15 of the *Environmental Protection Act 1994* means 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.

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"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, teratogenicity, 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 had to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

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

"noise sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential premises;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area;
- a public thoroughfare, park or gardens; and

and includes the curtilage of any such place.

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

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

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

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

"sensitive place" includes -

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area;
- a public thoroughfare, park or gardens; and
- a place used as a workplace, an office or for business or commercial purposes;

and includes the curtilage of any such place.

"significantly disturbed land" or words to that effect means -

(a) contaminated land; or

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

- mine or quarry workings from which ore, rock or overburden has been extracted or on which waste rock or product stockpiles are stored;
- screening plant, cutting equipment, processing areas, workshop areas, areas under temporary infrastructure (e.g. roads, lay down/ hardstand areas, culverts, buildings, which are to be removed when mining / quarrying ceases);
- tailings / fines storage areas and dams;
- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed;
- areas where disturbance has made the land more susceptible to erosion;
- areas where land use suitability or capability has been diminished;
- areas that have not been rehabilitated in accordance with the Rehabilitation Plan and to the satisfaction of the administering authority.

"site" means the place or premises to which this authority or approval relates, i.e. Lot 95 CSH352, Lot 141 CA311273 and Lot 154 CA311380.

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

"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 natural surface.

"unreasonable noise" means noise that:

Is unreasonable, having regard to the following matters:

a. its characteristics;
b. its intrusiveness;
c. the time at which it is made;
d. where it can be heard;
e. other noises ordinarily present at the place where it can be heard; and
f. order of establishment of the relevant land uses.

"unreasonable release" of an airborne contaminant means a release of odours, dust, smoke or other atmospheric contaminants that:

(a) cause unlawful environmental harm; and

(b) is unreasonable having regard to the following matters:

a. its characteristics;
b. its intrusiveness;
c. other airborne contaminants ordinarily present at the place affected by the release;
d. where the effect of the release of the contaminants can be noticed; and
e. order of establishment of the relevant land uses.

"waters" includes any watercourse, lake, lagoon, pond, swamp, wetland, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off or groundwater.

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"water course" means a creek, river or stream –

(a) in which water flows intermittently or permanently in a visibly defined channel, whether artificial, artificially improved or natural; and

(b) that has a clear bank and bed; and

(c) that has evidence of biological dependence on any water that flows in the creek, river or stream or on the banks or bed.

END OF CONDITIONS

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Notice of Decision – Concurrence Agency Response

This notice is issued by the Environmental Protection Agency pursuant to Sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997 to advise of a decision or action.

Gatton Shire Council
PO Box 82
Gatton QLD 4343

CC: Brisbane Rock Sales
C/- Mining Tenement Services
GPO Box 215
Brisbane QLD 4001

Our reference: 262482

Attention: Tracy Ryan

Dear Ms Ryan

Re: Referral for Concurrence Agency Response

The Environmental Protection Agency (EPA) wishes to advise that the referral for a concurrence agency response, received on 11-MAY-2005, has been assessed, and on 21-JUL-2005 was approved with conditions.

1. Property/Location:

Street address - Seventeen Mile Road, Helidon QLD 4344

Lot/Plan - Lot 141 Plan CA311273, Lot 154 Plan CA311380, Lot 95 Plan CSH352

2. Details of the decision

Aspect of Development

- Concurrence Response for a MCU involving an ERA.

- ERA 20(b) Extracting rock or other material - extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

- ERA 22(b) Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or authority lease, licence or permit mentioned in item 21C or 21D) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year.

EPA Ref Number
- IPCE00182505A11

3. **Currency period**
This approval will lapse unless substantially started within four years.

4. **Assessment Manager Responsibilities**
Please note that it is a requirement under Sections 3.5.15 and 3.5.17 of the *Integrated Planning Act 1997* that a copy of the final Decision Notice (which includes the EPA's concurrence response) for this application issued by Gatton Shire Council, be forwarded to each referral agency. Therefore could you please send a signed hardcopy to the EPA's Ecoaccess Customer Service Unit at PO Box 155, Brisbane Albert Street, 4002 and an electronic copy to eco.access@epa.qld.gov.au.

In addition, the State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. Therefore in this instance, the EPA has not provided a notification to native title parties.

If you require more information, please contact Fiona Marks, the Project Manager, on the telephone number listed below.

Yours sincerely

Luke Zambelli
Delegate of administering authority
Environmental Protection Act 1994

Enquiries:
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