

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00609706

This registration certificate is issued by the administering authority and takes effect from: 18-JUN-2012.

The anniversary day for the purposes of the Annual Return remains: 21-NOV.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity 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:-

Graham Cole
Marathon Quarries
72 Lakeland Boulevard
IDALIA QLD 4811

Place:-

Lot 32 Plan GS168

Located at:-

Bed of Burdekin River AMTD 10.8 to 11.1 Km

Registered Activity: -

ERA 16 Extractive and screening activities Threshold 1(b) - dredging, in a year, more than 10000t to 100000t of material



Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

18-JUN-2012

Notice

Environmental Services

Decision — permit¹ application

This statutory notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under environmental and/or conservation legislation.

Mammoth Quarries
Graham Cole
72 Lakeland Boulevard
IDALIA QLD 4817

Your reference : ENRE00609706

Our reference : NOR/107689

Re: Decision made in relation to your application for continuing registration under environmental legislation administered by the Department of Environment & Heritage Protection (EHP)

The Department of Environment and Environment and Heritage Protection has assessed your application received on 4 June 2012 and wishes to advise you of the decision in regard to each application as specified below.

Application for	Reg Certificate No.	Decision
<i>Continuing of a Registration Certificate under the Environmental Protection Act 1994</i>	ENRE00609706	Granted

Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

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



Eric Gustavson
Delegate of the Chief Executive administering the
Environmental Protection Act 1994

18 June 2012

Enquiries:

Wendy Logan
Department of Environment and Heritage
Protection
Environmental Services, North Region
PO Box 5318
Townsville Queensland 4810
Phone: 07 4722 5372
Fax: 07 4722 5351
Email: wendy.logan@derm.qld.gov.au

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions, or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.
Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485

Author: J Menzies
File AYD/190/001(0106)
Phone: (07) 4799 7001

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Item Id 107 4469
045250
Queensland
Government
045250

5 March 2007

Department of
Natural Resources and Water

Environmental Protection Agency
Ecoaccess Customer Service Unit
PO Box 155
BRISBANE QLD 4002

FOLIO	<u>PERMIT</u>	TSV	<u>6273</u>
TSV200	<u>7</u>		<u>11971</u>

Dear Madam or Sir:

Application for Development: Reference – 401877 Decision Notice

The chief executive of the Department of Natural Resources and Water acted as assessment manager for the above application.

I **enclose** a copy of the decision notice for the application, which I am required to give you pursuant to section 3.5.15(1)(b) of the *Integrated Planning Act 1997*.

I also **enclose** copies of the maps and profiles relevant to the decision notice. I am required to give you these under section 3.5.15(5) of the *Integrated Planning Act 1997*.

Should you have any questions about the above, please contact Dave Bryan on telephone number (07)4799 7027, quoting the above reference number.

Yours sincerely

Entered ECOTRACK

for
**Regional Manager
Water Services
North Region**

Level 3 State Government Building
187 Stanley Street
Queensland 4810
Australia
Telephone + 61 7 (07) 4799 7027
Facsimile + 61 7 (07) 4799 7971
Website www.nrm.qld.gov.au
Client Ref: 42659

COPY



Queensland
Government

Author: J Menzies
File AYD/190/001(0106)
Phone: (07) 4799 7001

Department of
Natural Resources and Water

5 March 2007

Mr D RES
PO Box 435
AYR QLD 4807

Dear Sir

Application for Development: Reference 401877 – Decision Notice

I enclose the decision notice issued for the above application, pursuant to section 3.5.15(1)(a) of the Integrated Planning Act 1997.

Please note that this notice does not negate the requirement to obtain any other approvals or to enter into other statutory arrangements, such as those relating to Aboriginal cultural heritage, which may be required. In particular, the *Aboriginal Cultural Heritage Act 2003*, which commenced on 16 April 2004, places a duty of care on anyone undertaking an activity to protect Aboriginal Cultural Heritage. Please refer to the attached information sheet for further information on this new piece of legislation.

Should you have any questions please phone (07) 4799 7027, quoting the above reference number.

Yours sincerely

for
**Regional Manager
Water Services
North Region**

Level 3 State Government Building
187 Stanley Street
Queensland 4810
Australia
Telephone + 61 7 (07) 4799 7027
Facsimile + 61 7 (07) 4799 7971
Website www.nrm.qld.gov.au
Client Ref: 42659

Concurrence Agency Response

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*EPA Permit¹ number: IPCE00508806D11

EPA Permit ¹ number:	IPCE00508806D11
Assessment Manager reference:	IM1106TSV0001
Date application received by EPA:	20-NOV-2006
Permit ¹ Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	15-DEC-2006
Decision:	Granted with conditions
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and any subordinate legislation
Jurisdiction:	Item 1 in Table 2 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

The preliminary approval attaches to the land described below, which either connects to or receives the benefits of the structure or activity that is the ERA 19.

Development Description Property	Lot/Plan	Aspect of Development
Bed of Burdekin River AMTD 10.8 to 11.1 Km	Lot 32 Plan GS168	ERA 19(b) Dredging material - dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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EPA Permit number: IPCE00508806D11

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 permit¹ for an environmentally relevant activity are in accordance with section 73B of the Environmental Protection Act 1994.

Additional comments or advice about the application

Nil

Additional information for applicants

Contaminated Land

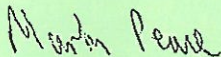
It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, 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.



Mark Pease
Delegate
Environmental Protection Agency
15-DEC-2006

CONDITIONS OF APPROVAL

ERA 19(b) Dredging material - dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

Agency Interest: General

(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
- (b) specified and relevant environmental goals.
- (c) Identification of environmental issues and potential impacts.
- (d) Control measures for routine operations to minimise likelihood of environmental
- (e) harm.
- (f) Contingency plans and emergency procedures for non-routine situations.
- (g) Organisational structure and responsibility.

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EPA Permit number: IPCE00508806D11

- (h) Effective communication.
- (i) Monitoring of contaminant releases.
- (j) Conducting environmental impact assessments.
- (k) Staff training.
- (l) Record keeping.
- (a) 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) 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.

(A1G8) Information About Spills.

A written notice detailing the following information must be provided to the EPA within 14 days of any advice provided in accordance with condition A1G9:

- (a) the name of the operator, including their approval/registration number;
- (b) the name and telephone number of a designated contact person;
- (c) quantity and substance released;
- (d) vehicle and registration details;
- (e) person/s involved (driver and any others);
- (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) the results of any sampling performed in relation to the release,
- (j) actions taken to mitigate any environmental harm caused by the release; and
- (k) proposed actions to prevent a recurrence of the release.

(A1G9) Monitoring.

A competent person(s) must conduct any monitoring required by this approval.

(A1G10) Spill Kit.

An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.

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EPA Permit number: IPCE00508806D11

(A1G11) Spill Kit Training.

Anyone operating under this approval must be trained in the use of the spill kit.

Agency Interest: Air

(A1A1) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust 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.

(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.

Agency Interest: Noise**(A1N1) Noise Nuisance.**

Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place

(A1N2) 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.

(A1N3) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

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EPA Permit number: IPCE00508806D11

Agency Interest: Social

(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

(A1W1) Release To Waters.

Contaminants must not be released from the site to any waters or the bed and banks of any waters.

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EPA Permit number: IPCE00508806D11

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*.

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

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

"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*.

"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.

" $L_{A10, adj, 10 mins}$ " 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.

" $L_{A1, adj, 10 mins}$ " 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.

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

"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.

"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.

MP 15/12/06

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EPA Permit number: IPCE00508806D11

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

"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.

END OF CONDITIONS

Table 1 - Noise limits

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'					
L _{A10} , adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0
L _{A1} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
	Noise measured at a 'Commercial place'					
L _{A10} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
L _{A1} , adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10

MP 15/12/06