Queensland Government

Department of
Environment and Heritage Protection

30-MAR-2015

To: Zanow Earthmovers No.3 Pty Ltd
PO Box 9
FERNVALE QLD 4306

Email: darren@zanow.com.au

Your reference: EPPR01516213
Our reference: 405944

Application details

I refer to the application that was received by the administering authority on 19-FEB-2015.

Land description: 333 E Summervilles Road BORALLON QLD 4306

Access Via McMullen Road (Summerville) Pine Mountain QLD 4306

- Lot 4 Plan RP891065.

Decision

Your application to update the conditions of environmental authority EPPR01516213 to model conditions where appropriate has been approved and your environmental authority (reference EPPR01516213) is attached. The administering authority has made a number of amendments to the environmental authority to bring the conditions of the environmental authority in line with current model conditions and reflect the department's regulatory strategy. These changes have been agreed to in writing on behalf of the environmental authority holder on 30/03/2015.

Additional comments or advice

You are advised that if you are not the owner of the land to which the environmental authority relates, you have 10 business days from receipt of this environmental authority to give each owner of the land, written notice that you have been issued this environmental authority.

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 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 Natural Resources and Mines (to clear vegetation), and the Department of Agriculture Forestry and Fisheries (to clear marine plants or to obtain a quarry material allocation).

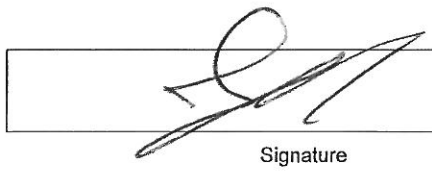
If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the Mining and Quarrying Safety and Health Act 1999. For more

PO Box 731
TOOWOOMBA QLD 4350
Phone: (07) 46994333
Fax: (07) 4699 4388
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

information on your obligations under this legislation contact Mine Safety and Health at www.dnrm.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Should you have any further enquiries, please contact the department on telephone (07) 4699 4333.

Yours sincerely

	30/3/2015
Signature	Date

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR01516213)

Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR01516213

Environmental authority takes effect 30 March 2015

The anniversary date of this environmental authority remains as 31 May. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Zanow Earthmovers No.3 Pty Ltd	54 Oxford Street NORTH BOOVAL QLD 4304

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2a) Extractive >5000t but <100000t yr	333 E Summervilles Road BORALLON QLD 4306 Access Via McMullen Road (Summerville) Pine Mountain QLD 4306 • Lot 4 Plan RP891065

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).

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

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.

	30/3/2015
Signature	Date

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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TOOWOOMBA QLD 4350
Phone: (07) 46994333
Fax: (07) 4699 4388

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)**
16-(2a) Extractive >5000t but <100000t yr	Access Via McMullen Road (Summerville) Pine Mountain - Lot 4 Plan RP891065

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 the following limitation: 1. The activity is to be conducted within the boundaries of "extent of extraction area" delineated in Schedule 1 – Figure 1: Limits to extraction.
G2	All reasonable and practicable **measures** must be taken to minimise the likelihood of environmental harm being caused.
G3	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.
G4	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G5	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.
G6	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.

G7	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.
G8	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 *Environmental Protection Act 1994* 6. ensure that reviews of environmental performance are undertaken at least annually.
G9	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
G10	Storage areas for hazardous contaminants must be located above the 1 in 100 year flood line.
G11	Notwithstanding the operational areas identified within condition G1, a minimum buffer distance of 40m must be maintained between extraction areas and the banks of the adjacent watercourse.
Agency interest: Air	
Condition number	**Condition**
A1	The release of **noxious** and **offensive** odours or any other noxious airborne contaminants resulting from the activity must not cause a nuisance at any nuisance **sensitive** or **commercial place**.
Agency interest: Water	
Condition number	**Condition**
WT1	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 10 years** must be retained on site or managed to remove contaminants before release.
WT2	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

<table>
<tr><td colspan="2">Agency interest: Noise</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>N1</td><td>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
<table>
<tr><td rowspan="2">Noise level dB(A) measured as</td><td colspan="3">Monday to Sunday including public holidays</td></tr>
<tr><td>7am - 6pm</td><td>6pm - 10pm</td><td>10pm - 7am</td></tr>
<tr><td></td><td colspan="3">Noise measured at a sensitive or commercial place</td></tr>
<tr><td>$LA_{eq\ adj,\ T}$</td><td>45</td><td>35</td><td>30</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.</td></tr>
<tr><td>N2</td><td>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:
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
7. location, date and time of recording.</td></tr>
<tr><td>N3</td><td>Blasting or the generation of substantial low frequency noise is not permitted.</td></tr>
<tr><td colspan="2">Agency interest: Land</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>L1</td><td>Treatment and management of acid sulfate soils must comply with the current edition of the Queensland Acid Sulfate Soil Technical Manual.</td></tr>
<tr><td>L2</td><td>Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that:
1. suitable 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
6. the final landform is stable and protects public safety.</td></tr>
</table>



L3	Rehabilitation of disturbed areas required under condition L2, must take place progressively as works are completed and new areas of extraction are commenced.
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 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.

Blasting is the use of explosives to fracture:
- rock, coal and other minerals for later recovery; or
- structural components or other items to facilitate removal from a site or for reuse.

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.

Hazardous contaminant means a contaminant, other than an item of explosive ordnance, 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 or flammability; or
(b) its physical, chemical or infectious characteristics.

$L_{Aeq\ adj,T}$ 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.

Max$L_{pA,T}$ 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.

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.

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.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

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 10 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 10 years.

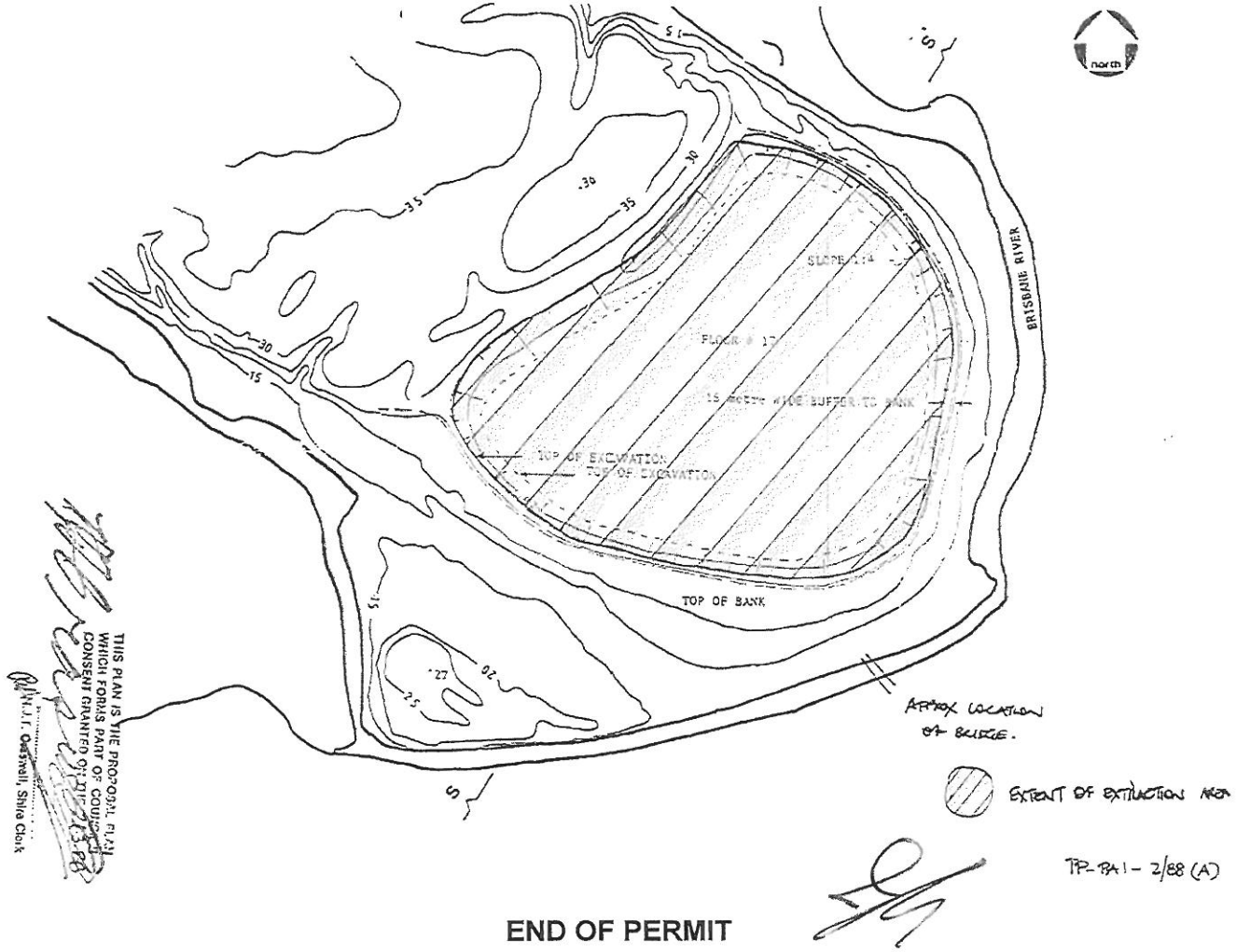
Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.

You means the holder of the environmental authority.



Schedules

Schedule 1—Figure 1: Limits to extraction



END OF PERMIT