Queensland Government

Department of
Environment and Heritage Protection

To: Port of Townsville Limited
PO Box 1031
TOWNSVILLE QLD 4810

Email: jbrazzale@townsville-port.com.au

Your reference: EPPR01561813
Our reference: 337923

Application details
I refer to the application that was received by the administering authority on 24-SEP-2013.

Land description: 2457 Granitevale Road, Pinnacles Lot 40 Plan EP1309, Lot 10 Plan SP228126, Lot 12 Plan E124175, Lot 3 Plan EP1372, Lot 4 Plan EP1485, Lot 1 Plan RP742612.

Decision
Your application has been approved and your environmental authority (reference EPPR01561813) is attached.

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).

Quarry safety legislation
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 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.

Development Approval
This permit is not a development approval under the *Sustainable Planning Act 2009*. 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 Heritage Protection (EHP) to ensure that you have the most current version of the environmental authority relating to this site.

Should you have any further enquiries, please contact EHP on telephone 07 4699 4333.

Yours sincerely

	22 June 2016
Signature	Date

Lindsay Webber
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed
Permit - environmental authority (reference EPPR01561813)

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: EPPR01561813

Environmental authority takes effect when your related development application is approved.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the take effect date. 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
Port of Townsville Limited	Administration Building 1 Benwell Road TOWNSVILLE QLD 4810

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2b) Extractive >100000t but <1000000t yr	2457 Granitevale Road, Pinnacles - Lot 40 Plan EP1309, Lot 10 Plan SP228126, Lot 12 Plan E124175, Lot 3 Plan EP1372, Lot 4 Plan EP1485 and Lot 1 Plan RP742612

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).

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.

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

Signature	22 June 2016
	Date

Lindsay Webber
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
PO Box 731
TOOWOOMBA QLD 4350
Phone: (07) 4699 4333
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
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 any of the following limitations: 1. The **activity** must only be conducted on Lot 10 Plan SP228126 and Lot 12 Plan E124175. 2. The **activity** must be carried out in accordance with the plan identified in Schedule 1 – Approved Plans.
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	All analyses required under this environmental authority must be carried out by a laboratory that has NATA certification, or an equivalent certification, for such analyses. The only exception to this condition is for in situ monitoring of dissolved oxygen, pH, electrical conductivity and NTU.
G8	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.

G9	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.
G10	A minimum buffer distance of 50m must be maintained between extraction areas and the high banks of any watercourse, lake or wetland.
G11	Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

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.

Agency interest: Water

Condition number	**Condition**
WT 1	Contaminants must not be released to **groundwater** or at a location where they are likely to release to **groundwater**.
WT2	The only contaminants to be released to surface **waters** are settled treated stormwater runoff waters from areas of the site not likely to be contaminated with waste materials to waters described as Central Creek in accordance with *Table 1—Surface water release limits* and the associated monitoring requirements.

Table 1—Surface water release limits

Release Point(s) Description	Quality characteristic (units)	Limit	Limit Type	Minimum Monitoring Frequency
All Sediment Basin Controlled Release Point(s)	pH	6.5–8.0	Range	Prior to controlled release and daily during release
	Dissolved Oxygen	85%–110%	Range	
	Suspended Solids	10 mg/L	Maximum	
	Turbidity	50 NTU	Maximum	
	Electrical Conductivity	98µS/cm (75th percentile)	Maximum	

Associated monitoring requirements

1. Monitoring must be in accordance with the methods prescribed in the current edition of the Department of Environment and Heritage Protection *Water Quality Sampling Manual.*
2. Samples must be taken using representative samples.
3. All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic.
4. Monitoring must be undertaken during a release as per the frequency stated.
5. All monitoring devices must be correctly calibrated and maintained.

WT3	Monitoring of contaminant releases to **waters** must be undertaken in accordance with condition WT2 and records of the results must be kept.
WT4	In addition to WT2, the release to **waters** must not: 1. have any other properties at a concentration that is capable of causing environmental harm 2. produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other visually objectionable matter.
WT5	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 5 years** must be retained on site or managed to remove contaminants before release.

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 2—Noise limits** Noise level dB(A) measured as / Noise measured at a sensitive place: 7am–6pm: 45; 6pm–10pm: 35; 10pm–7am: 30 (LAeq adj,1hour) **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.
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: 1. LAeq, adj, T 2. **Background** noise (Background) as LA 90, adj, T 3. MaxLpA,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.
N3	Generation of **substantial low frequency noise** is not permitted.
N4	**Blasting** activities must not exceed the limits for peak particle velocity and air blast overpressure in *Table 3—Blasting noise limits* when measured at any **sensitive place** or **commercial place** in accordance with the associated monitoring requirements. **Table 3—Blasting noise limits** Blasting criteria: **Airblast overpressure** — Blasting limits: 115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time. Blasting criteria: Ground **vibration** peak particle velocity — Blasting limits: 5mm/second peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/second peak particle velocity at any time. **Associated monitoring requirements** 1. Monitoring must be in accordance with the most recent editions of the **administering authority's** 'Noise and Vibration from Blasting' guideline and Noise Measurement Manual and any relevant Australian standard. 2. All monitoring devices must be correctly calibrated and maintained.
N5	**Blasting** must be carried out in accordance with the current edition of the **administering authority's** *'Noise and vibration from blasting guideline'* and with Australian Standard 2187.
N6	Unless prior approval is obtained from the **administering authority:** 1. **blasting** is only permitted during the hours of 9am to 3pm Monday to Friday, and from 9am to 1pm on Saturdays. 2. **blasting** is not permitted at any time on Sundays or public holidays.

N7	When required by the **administering authority,** a blast monitoring program must be developed and implemented to monitor compliance with *Table 3—Blasting noise limits* at any **sensitive place** or **commercial place**.
Agency interest: Land	
Condition number	**Condition**
L1	Treatment and management of acid sulfate soils must comply with the current edition of the *Queensland Acid Sulfate Soil Technical Manual.*
L2	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: 1. suitable native 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.
L3	Rehabilitation of disturbed areas required under condition L2, must take place progressively as works are staged and new areas of extraction are commenced.
L4	In carrying out extractive activity all reasonable and practicable measures must be taken to prevent and/or minimise harm to prescribed environmental matters - **Matters of State Environmental Significance**.
Agency interest: Waste	
Condition number	**Condition**
W1	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.

Dredging includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal waters. Dredging does not include the banks of a waterway.

$L_{Aeq\ adj,T}$ 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.

Matters of State Environmental Significance – refer *Environmental Offsets Regulation 2014*, Schedule 2.

Max$_{LpA,T}$ 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.

NATA means National Association of Testing Authorities.

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.

Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental Protection

Regulation 2008.

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.

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).

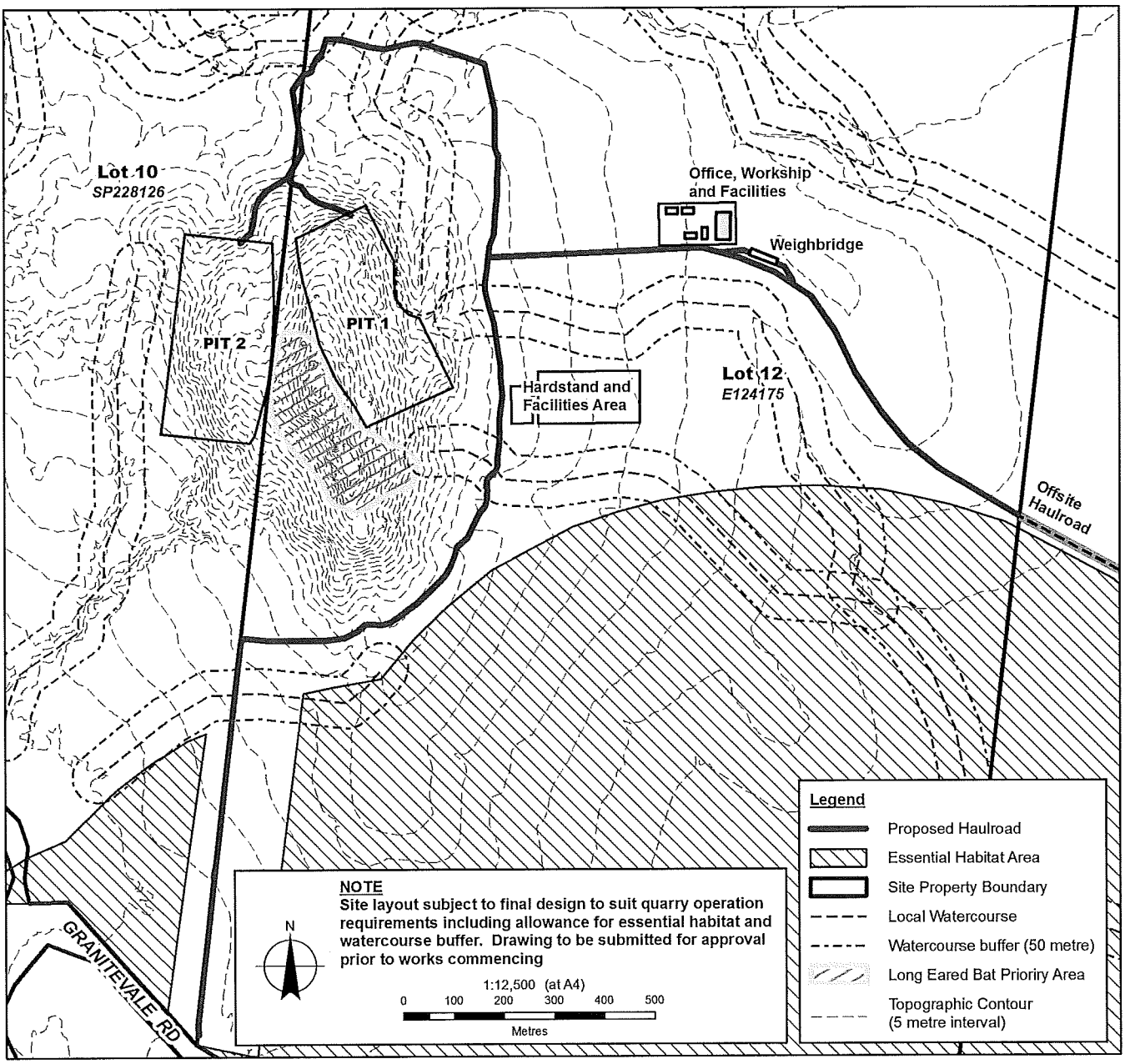
24 hour storm event with an average recurrence interval of 1 in 5 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 5 years, identifies a rainfall intensity of 7.09mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09mm/hour = 170.16mm.*

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

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.

Schedules
Schedule 1—Approved plans



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END OF PERMIT