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: EPPR02363014

Environmental authority takes effect on 23-JUL-2014.

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 effective 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
D & D Quarries Pty Ltd	Suite 1 30 Amis Cresent KEILOR EAST VIC 3033

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2b) Extractive >100000t but <1000000t yr 16-(3b) Screening >100000t but <1000000t yr	4035 and 4131 Dawson Highway, Wooderson QLD 4680 - Lot 4 Plan SP247231 and Lot 2 Plan RP614238

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.

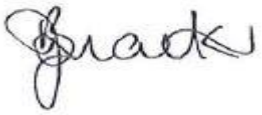
An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

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.



Signature

23/07/2014

Date

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permit and Licence Management
Department of Environment and Heritage Protection
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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

- **Schedule A – General**
- **Schedule B – Air**
- **Schedule C – Land**
- **Schedule D – Noise**
- **Schedule E – Social**
- **Schedule F – Waste**
- **Schedule G – Water**

Schedule A - General Conditions

A1 **Scale and Intensity**
This development approval authorises the operation of extracting (other than by dredging) and screening a maximum of 1,000,000t of material in a year at the authorised place.

A2 **Prevent and/or Minimise Likelihood of Environmental Harm**
A person carrying out an environmentally relevant activity (ERA) to which this approval relates, must take all reasonable and practicable measures to prevent and/ or to minimise the likelihood of environmental harm being caused.

A3 **Copy of Development Approval**
A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

A4 **Site Based Management Plan**
From commencement of the activity, a site based management plan (SBMP) must be implemented. The SBMP must identify all potential 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 be provided to the administering authority prior to the commencement of activities.

The SBMP must address the following matters:
(a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals; and
(b) Identification of environmental issues and potential impacts; and
(c) Control measures for routine operations to minimise the likelihood of environmental harm; and
(d) Contingency plans and emergency procedures for non-routine situations; and
(e) Organisational structure and responsibility; and
(f) Effective communication; and
(g) Monitoring of contaminant releases; and
(h) Conducting environmental impact assessments; and
(i) Staff training; and
(j) Record keeping; and
(k) Complaint Management; and
(l) Periodic review of environmental performance (at least annually) and continual improvement; and
(m) Waste management plans/procedures to be implemented in accordance with the conditions listed in Schedule F of this approval; and
(n) Stormwater management plans/procedures to be implemented in accordance with the conditions listed in Schedule G of this approval.

A5 The SBMP must not be implemented or amended in a way that contravenes any condition of this approval. If there is a potential conflict between the SBMP and the conditions of this approval, the conditions of this approval prevail.

A6 **Record Keeping**
Record, compile and keep all data required by this approval. This data must be made available to the administering authority upon request.

A7 All records required by this approval must be kept for five (5) years.

A8 **Notification**
Any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonably expected to be in accordance with the conditions of this approval, must be reported by telephone to the administering authorities' pollution hotline or the district office located in the area (during business hours) where the release occurred. Any such release must be reported as soon as practicable, but no later than 24 hours after the you become aware of the release.

A9 **Information to Follow Notification**
A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with condition A8:
(a) The name of the operator, including their approval/registration number; and
(b) The name and telephone number of a designated contact person; and
(c) The quantity and nature of the substance released; and
(d) Vehicle and registration details; and
(e) The names of person/s involved in the release and/or cleanup; and
(f) The location and time of the release; and
(g) The suspected cause of the release; and
(h) A description of the effects of the release; and
(i) Details of the area of impact; and
(j) The results of any sampling performed in relation to the release; and
(k) Actions taken to mitigate any environmental harm caused by the release and details of the success of these actions; and
(l) Proposed actions to prevent a recurrence of the release.

A10 **Third Party Environmental Auditing**
Compliance with the conditions of this development approval must be audited within (6) months of commencement of the activity and every three (3) years thereafter.

A11 The audit identified in condition A10 must be conducted by a suitably qualified third party auditor, nominated by you and accepted by the administering authority.

A12 In relation to the audit required by condition A10, the auditor must submit a copy of the final version of the auditors report to the administering authority within 28 days of completing the audit.

A13 The total financial cost of the audit required by condition A10 will be your responsibility.

A14 **Cease Activities in the Event of Material or Serious Environmental Harm**
If material or serious environmental harm results from the carrying out of the ERA, the said activity must cease immediately and remedial measures implemented forthwith.

A15 **Maintenance of Measures, Plant and Equipment**
You must:
(a) Install all measures, plant and equipment necessary to ensure compliance with the conditions of this development 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.

A16 **Alterations**
No change, replacement of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to increase the risk of environmental harm above that expressly provided by this development approval.

A17 **Financial Assurance**
Provide financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this development approval.

A18 The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.

End of Conditions for Schedule A

Schedule B - Air

B1 **Dust Nuisance**
The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.

B2 Dust suppression measures must be implemented on site and maintained to prevent the movement of dust, created as a result of the activity, past the site boundaries.

B3 Release of dust or particulate, exceeding the following levels, when measured at any nuisance sensitive place, is considered as an environmental nuisance:
(a) Dust deposition of 120 mg/m2/day, when measured in accordance with Australian Standard AS 3580.10:2003 Methods of sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method (or more recent edition); or
(b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging period, at a nuisance sensitive place downwind of the site, when monitored in accordance with:
    i. Australian Standard AS 3580.9.6 'Ambient Air – Particulate Matter – Determination of suspended particulate PM10 high-volume sampler with size – selective inlet – gravimetric method'; or
    ii. Any alternative method of monitoring PM10 that may be permitted by the Air Quality Sampling Manual as published from time to time by the administering authority.

B4 When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within 14 days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance 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 suspended in the atmosphere over a 24hr averaging time.

End of Conditions for Schedule B

Schedule C – Land

C1 **Protecting Land from Contaminants**
Activities on site must be conducted in a way that prevents any potential or actual release of contaminants to land.

C2 The storage and handling of all contaminants, wastes and other materials on site must be:
(a) Contained within onsite containment systems; and
(b) Controlled in a manner that prevents any release to the environment.

C3 Any system or measures to contain contaminants on site must be constructed in accordance with the relevant Australian Standard.

C4 **Rehabilitation**
As soon as practicable, but no later than two (2) years after completing the extraction activities, disturbed areas of the site must be rehabilitated in accordance with the rehabilitation management plan mentioned in condition C5. This includes rehabilitating all disturbed areas such as slopes, borrow pits, stockpile storage, and sediment basins.

C5 **Rehabilitation Management Plan**
Not more than two (2) years after the commencement of activities on site, an investigation into rehabilitation of disturbed areas must be completed and a site rehabilitation plan for the administering authority's review and comment must be submitted. The plan must be reviewed every two (2) years while operations are being undertaken on site.

The rehabilitation management plan must, at a minimum:
(a) Map existing areas of rehabilitation; and
(b) Include a staged rehabilitation of disturbed areas plan; and
(c) Develop design objectives for rehabilitation of disturbed areas and post quarry land uses across the site; and
(d) Specify soil characteristics, soil analysis, soil separation for use on rehabilitation; and
(e) Detail rehabilitation methods applied to areas; and
(f) Contain landform design criteria including end of quarry design; and
(g) Detail how landform design will be consistent with the proposed future use; and
(h) Identify success criteria for areas and itemise revegetation criteria; and
(i) Explain planned native vegetation rehabilitation areas and corridors; and
(j) Identify at least a minimum of one (1) reference and three (3) rehabilitation sites to be used to develop rehabilitation success criteria; and
(k) Describe rehabilitation indicators and the monitoring program to be used; and
(l) Develop a contingency plan for rehabilitation maintenance or redesign; and
(m) Describe end of quarry landform design plan and post quarry land uses across the site.

C6 Any amendments to the Rehabilitation Management Plan must be submitted to the administering authority.

C7 Maintenance of rehabilitated areas must take place to ensure:
(a) Erosion control measures remain effective; and
(b) Plants show healthy growth; and
(c) Any weed infestations are removed and prevented from recurring; and
(d) Plants that have not taken, died or have become diseased are removed and replaced as soon as practical; and
(e) Significant plant losses are examined for possible causes; and
(f) The rehabilitated land should be capable of withstanding normal disturbances such as fire or flood; and
(g) Rehabilitated ecosystems must be sustainable in the long-term.

C8 For excavations that are to remain at the completion of extraction activities, you must:
(a) Provide safe access to the excavation; and
(b) Ensure that the excavated areas are surrounded by a rock bund and/or fences to make the area safe to the general public; and
(c) Ensure that water quality in any remaining excavation or from seepage released from the site, complies with the Queensland Water Quality Guidelines; however, if the quality of waters in the vicinity of the extraction does not comply with those Guideline values due to the occurrence of natural minerals sourced from the undisturbed geological setting, (c) does not apply to the extent of the natural contamination.

C9 Topsoil must be:
(a) Removed, where practicable, from areas to be significantly disturbed prior to the commencement of extraction activities; and
(b) Stockpiled in a manner that will preserve its biological and chemical integrity; and
(c) Used for onsite rehabilitation purposes.

C10 **Vegetation Management**
All reasonable and practicable measures must be taken to prevent the introduction of declared weed species onto the site. Any declared weed present must be controlled consistent with pest guidelines, Gladstone Regional Council Pest Management Plans and Queensland Weed Strategies.

C11 **Spill Kit(s)**
Appropriate spill kit(s) and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

C12 All relevant personnel operating under this approval must be trained in the use of the spill kit(s).

End of Conditions for Schedule C

Schedule D – Noise

D1 **Nuisance**
Noise resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.

D2 When requested by the administering authority, noise monitoring must be undertaken and recorded, to investigate any complaint about noise nuisance being caused by the activity. The noise monitoring results must be reported to the administering authority within fourteen (14) days.

D3 The method of measurement and reporting of noise levels in response to any noise monitoring conducted under this approval must be in accordance with an authoritative document approved by the administering authority (e.g. AS 1055 Acoustics – Description and measurement of environmental noise).

D4 **Noise Limits**

Noise from that activity measured at the boundary of the site must not exceed the levels identified in Table 1 Noise limits.

Table 1 Noise limits

Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays		
	7am-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am
LAeq adj-T	+5	+3	+0	+5	+ 3	+ 0

D5 **Blasting**

Blasting activities must be carried out in such a manner that if blasting noise should propagate to a nuisance sensitive place, then the airblast overpressure must not:

a) Be more than 115dB Lin Peak for 9 out of any 10 consecutive blasts; and
b) Exceed 120 dB Lin Peak for any single blast

Blasting must not occur on Sundays and public holidays. Blasting can only occur during the hours of 9:00am to 5:00pm Monday to Friday and 9:00am to 1:00pm on Saturdays.

Blasting may not be conducted at times different from the prescribed blasting schedule except in emergency circumstances where rain, lightning, other atmospheric conditions or the safety of the principle holder or public requires unscheduled detonation.

D6 When blasting is carried out within 2km of a nuisance sensitive place, a monitoring program must be implemented to measure airblast overpressure & vibration in accordance with the conditions of this code.

Also, when requested by the administering authority, airblast overpressure & vibration monitoring and recording must be undertaken to investigate any complaint of nuisance.

The results of any blasting monitoring must be reported to the administering authority within 14 days.

In conjunction with monitoring, records must be kept of the following:

a) Location, date and time of recording;
b) Location of the blast(s) within the site (including which bench level);
c) Atmospheric conditions including temperature, relative humidity, temperature gradient (if such information can be obtained), cloud cover, wind speed and direction;
d) Distance from blast site to noise affected building(s) or structure(s);
e) Airblast overpressure level (dBLin Peak);
f) Peak particle velocity (mms-1); and
g) Effects due to extraneous factors.

In any area, when requested by administering authority, a monitoring program must be developed and implemented to measure airblast overpressure & vibration at a nuisance sensitive place in accordance with the conditions of this approval.

D7 Vibration must not be caused, permitted or allowed to transmit from blasting operations, which causes or is likely to cause a nuisance at any nuisance sensitive place.

Vibration from blasting operations is not considered to be a nuisance if monitoring shows that vibration does not exceed the following levels in the time periods specified in the table below.

Vibration parameter	**Vibration measured at a nuisance sensitive place**	
	Monday to Friday 9am to 5pm **Saturday 9am to 1pm**	**Sundays and public holidays**
Peak particle velocity (mms^{-1}).	Blasting operations must be carried out in such a manner that if ground vibration should propagate to a noise sensitive place, the ground-borne vibration must not exceed: 1. 5 mms^{-1} for 9 out of any 10 consecutive blasts initiated; and 2. any single blast not to exceed 10 mms^{-1}.	No blasting to occur.

End of Conditions for Schedule D

Schedule E – Social

E1 **Complaint Response**
Record the following details for all complaints received and provide this information to the administering authority upon request:
(a) Time, date, name and contact details of the complainant; and
(b) The allegation made by the complainant; and
(c) Details of communications with the complainant; and
(d) Any investigations undertaken; and
(e) Conclusions formed; and
(f) Any actions taken.

E2 The operator of the activity must attempt to make contact with any complainant within 24 hours of a complaint being received and initiate complaint resolution measures as set out in any Site Based Management Plan developed for the site.

End of Conditions for Schedule E

Schedule F – Waste

F1 **Waste Management**
From commencement of activities, a waste management plan must be implemented. The Waste Management Plan must address at least the following matters:
(a) The types and amounts of waste generated by the ERA; and
(b) How the waste will be dealt with, including a description of the types and amounts of waste that will be dealt with under each of the waste management practices mentioned in the waste management hierarchy; and
(c) A record of all regulated waste (excluding Trackable waste) must be kept detailing the following information;
    i. Date of pickup of waste; and
    ii. Description of waste; and
    iii. Quantity of waste; and
    iv. Origin of the waste; and
    v. Destination of the waste.
(d) Procedures for identifying and implementing opportunities to improve the waste management practices employed; and
(e) Procedures for dealing with accidents, spills and other incidents that may impact on the waste management; and
(f) How often the performance of the waste management practices will be assessed (at least annually); and
(g) The indicators or other criteria on which the performance of the waste management practices will be assessed.

F2 All waste (not including overburden) generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste.

F3 Waste, including vegetation matter, must not be burnt on site.

End of Conditions for Schedule F

Schedule G – Water

G1 **Stormwater Management**
There must be no release of contaminants to waters.

G2 Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable.

G3 Within six (6) months from the commencement of activities, an Erosion and Sediment Control Plan (ESCP) that complies with the International Erosion Control Association (IECA) Australasia Best Practice Erosion and Sediment Control or more recent versions must implemented and updated.

G5 The ESCP in condition G3 must be certified by a Certified Professional in Erosion and Sediment Control (CEPESC) and submitted to the administering authority upon request.

End of Conditions for Schedule G

DEFINITIONS

Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.

Activity means –
an environmentally relevant activity (ERA), or associated auxiliary activity to which this approval relates.

Administering authority means –
the Department of Environment and Heritage Protection or its successor.

Australian Standard means –
an Australian Standard developed by Standards Australia.

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

Blasting means –
the use of explosives to aid in the excavation of material.

Bund means –
(a) containment structure made from brick, stone, concrete or other material that is impervious to the material being stored; or
(b) a structure to prevent or reduce soil erosion.

Commencement of activity means –
from the date of issue of the Registration Certificate.

Contaminant means – (Section 11 of the *Environmental Protection Act 1994*)
(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.

Data means-
figures, statistics, etc., known or available; information collected for analysis or reference. For example, information collected from water quality monitoring, waste tracking records, complaint details.

A day means -
a business day.

Deposit means –
drop, place or throw a contaminant in waters or onto a place or releases the contaminant or otherwise cause it to move into waters or onto a place.

Development approval means –
means this development approval as defined under the *Sustainable Planning Act 2009*.

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 harm means – (Section 14 of the *Environmental Protection Act 1994*)
is any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

Environmental nuisance means – (Section 15 of the *Environmental Protection Act 1994*)
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 (e.g. unreasonable noise or dust emissions).

Environmentally relevant activity means –
an activity prescribed under section 19 of the *Environmental Protection Act 1994*.

LAeq adj-T means –
the adjusted A weighted equivalent continuous sound pressure level of the development 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 1 hour when the approved activity is causing an intermittent noise.

Nuisance sensitive place means –
any of the following places:
(a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
(b) a motel, hotel or hostel; or
(c) a library, childcare centre, kindergarten, school, college, university or other educational institution; or
(d) a hospital, surgery or other medical institution; or
(e) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment); or
(f) a protected area; or
(g) a place used as an office, business or commercial purposes;
(h) and includes a place within the curtilage of such a place reasonably used by persons at that place.

Person means –
as per Part 8 of the *Acts Interpretation Act 1954*

Prescribed water contaminant –
as per Schedule 9 of the *Environment Protection Regulation 2008*.

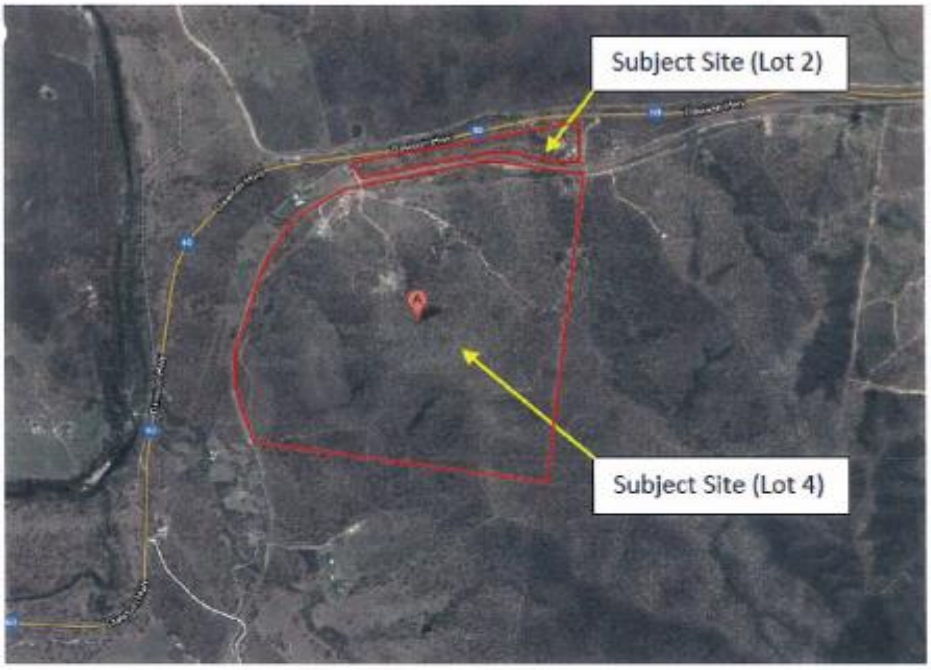
Protected area means –
(a) a protected area under the Nature Conservation Act 1992; or
(b) a marine park under the Marine Parks Act 2004; or
(c) a World Heritage Area.

Registration certificate means –
a certificate given under section 73F of the *Environmental Protection Act 1994* to the principal holder of an ERA.

Release of a contaminant to the environment includes –
(a) to deposit, discharge, emit or disturb the contaminant; and
(b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
(c) to allow the contaminant to escape; and
(d) to fail to prevent the contaminant from escaping.

Site means –
authorised place.

Site boundary means –
The boundary of Lot 4 SP247231 and Lot 2 RP614238, 4035 and 4131 Dawson Highway, Wooderson QLD 4680 as illustrated by the red line on the diagram below.



Suitably qualified third party auditor means –
a person with a relevant qualification and at least five (5) years experience in the field of environmental auditing that is accepted by the administering authority.

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 the natural surface.

Waste management hierarchy means –
the preferred order of adoption for waste management practices –
(a) Waste avoidance
(b) Waste re-use
(c) Waste recycling
(d) Energy recovery from waste
(e) Waste disposal.

Water means –
(a) water in a watercourse, lake or spring;
(b) underground water;
(c) overland flow water; or
(d) water that has been collected in a dam

Watercourse means –
a river, creek or stream in which water flows permanently or intermittently –
(a) in a natural channel, whether artificially improved or not; or
(b) in an artificial channel that has change the course of the water course.
A watercourse includes the bed and banks of any other element of a river, creek or stream confining or containing water.

END OF CONDITIONS

END OF PERMIT