Your reference: EPPR02438214
Our reference: 420308

5 August 2015

Queensland Government

Department of
Environment and Heritage Protection

To: Mr Lindsey Bonanno
18A Hanbury Street
BUNDABERG QLD 4670

Email: lindsey_bonanno@live.com.au and shane@insitesjc.com.au

Attention: Mr Lindsey Bonanno

Application details

I refer to the amendment application that was received by the administering authority on 25 June 2015.

Land description: 547 McIlwraith Road Gin Gin - Lot 103 Plan RP21942.

Decision

Your amendment application has been approved and your environmental authority (reference EPPR02438214) is attached.

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 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 Sonja Wapstra on telephone (07) 4699 4374.

Yours sincerely

J.A.H. D.	5 - AUG - 2015
Signature	Date

James Mackenzie
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR02438214)

Department of Environment and Heritage Protection
PO Box 731
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Department of Environment and Heritage Protection

Permit[1]

Environmental Protection Act 1994

Environmental authority EPPR02438214

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

Permit[1] number: EPPR02438214

Environmental authority takes effect 5 August 2015

The anniversary date of this environmental authority is the 22 October. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
Mr Lindsey Bonanno	18A Hanbury Street BUNDABERG QLD 4670

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2a) Extractive material 5000t to 100,000t 16-(3a) Screening 5000t to 100,000t	Lot 103 on Plan RP21942 (in the proposed quarry site area as defined in attachment 1: LB Quarry proposal plan for quarry site. Plan reference Z14 – 218P).

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

	5 - Aug - 2015
Signature	Date

James Mackenzie
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 6037
palm@ehp.qld.gov.au

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

Location: 547 McIlwraith Road Gin Gin - Lot 103 Plan RP21942 within the proposed quarry site area as defined in attachment 1: LB Quarry proposal plan for quarry site. Plan reference Z14 – 218P.

Relevant activities:

16-(2a) Extracting, other than by dredging, in a year, the following quantity of material - (a) 5000t to 100,000t

16-(3a) Screening, in a year, the following quantity of material - (a) 5000t to 100,000t

The environmentally relevant activities 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	The quantity of material extracted and screened must not exceed 100,000 tonnes per year.
G2	**Activities** conducted under this **environmental authority** must only be conducted within the proposed quarry site identified in Attachment 1: LB Quarry proposal plan for quarry site. Plan reference Z14 – 218P
G3	The **activity** must be undertaken in accordance with written procedures that: • identify potential risks to the environment from the **activity** during routine operations, closure and an emergency • establish and maintain control **measures** that **minimise** the potential for **environmental harm** • ensure plant, equipment and **measures** are maintained in a proper and effective condition • ensure plant, equipment and **measures** are operated in a proper and effective manner • ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* • ensure that reviews of environmental performance are undertaken at least annually.
G4	The activity must not cause **environmental nuisance** at a **nuisance sensitive place.**

G5	All reasonable and practicable **measures** must be taken to **minimise** the likelihood of **environmental harm** being caused.
G6	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.
G7	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G8	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.
G9	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.
G10	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 **activities.** The monitoring results must be provided to the **administering authority** upon request.
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**.
G12	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**.

Agency interest: Air	
Condition number	**Condition**
A1	The **activities** must not cause the release of dust or particulates that cause **environmental harm** beyond the boundary of the site.

Agency interest: Water	
Condition number	**Condition**
WT1	**Contaminants** from the **activities** must not be released to **waters**.

WT2	Stormwater contaminated by the **activities** must be managed to prevent any adverse impacts on the values of the receiving environment.
WT3	Control **measures** that are commensurate to the site-specific risk of erosion, and risk of sediment release to **waters** must be implemented to: a) preferentially divert stormwater around significantly disturbed **land**, or allow stormwater to pass through the site in a controlled manner and at non-erosive flow velocities; and b) **minimise** soil erosion resulting from wind, rain and flowing water; and c) **minimise** negative impacts to **land**, **waters** or properties adjacent to the **activities** (including roads).
WT4	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.
WT5	Extraction and screening **activities** must not occur within 50m of **waters**.
Agency interest: Noise	
Condition number	**Condition**
N1	Noise from the **activities** must not exceed the levels identified in *Table 1—Noise limits* when measured in accordance with the associated monitoring requirements.

Table 1—Noise limits

Noise level dB(A) measured as	**Monday to Sunday including public holidays**		
	7am - 6pm	**6pm - 10pm**	**10pm - 7am**
	Noise measured at a sensitive place		
$L_{Aeq\ adj,T}$	45	35	30

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 **activities** must be undertaken when the **activities** are 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. $L_{Aeq\ adj,T}$ 2. **Background** noise (Background) as $L_{A\ 90,\ adj,\ T}$ 3. **Max**$L_{pA,T}$ 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.
N3	**Blasting** or the generation of **substantial low frequency noise** is not permitted.

Agency interest: Land	
Condition number	**Condition**
L1	**Contaminants** from the **activities** must not be released to **land**.
L2	**Land** that has been disturbed for **activities** conducted under this environmental authority must be rehabilitated in a manner such that: a) suitable native species of vegetation for the location are established and sustained for earthen surfaces; and b) potential for erosion is minimised; and c) the quality of water, including seepage, released from the site does not cause **environmental harm**; and d) potential for **environmental nuisance** caused by dust is minimised; and e) the water quality of any residual water body does not have potential to cause **environmental harm**; and f) 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	Acid sulfate soils, acid producing rock and marine sediments must not be processed.

Agency interest: Waste	
Condition number	**Condition**
WS1	All waste generated in carrying out the **activities** 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 the environmentally relevant activity/ies to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.

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

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.

Chemical as defined in Schedule 12, Part 2 of the *Environmental Protection Regulation 2008*.

Contaminant(s) as defined in Section 11 of the *Environmental Protection Act 1994*.

Disturbed areas includes areas:

- that are susceptible to erosion;
- that are contaminated by the activity; and/or
- upon which stockpiles of soil or other materials are located.

Environmental harm as defined in Section 14 of the *Environmental Protection Act 1994*.

Environmental nuisance as defined in Section 15 of the *Environmental Protection Act 1994*.

Facility means the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.

LAeq 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.

Land means land excluding waters and the atmosphere. Land includes land on the authorised place.

MaxLpA,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.

Minimise means minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters:

(a) the nature of the harm or potential harm

(b) the sensitivity of the receiving environment

(c) the current state of technical knowledge for the activity

(d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects

(e) the financial implications of the different measures as they would relate to the type of activity

(f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.

NATA means National Association of Testing Authorities.

Nuisance sensitive place includes:

- within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises
- within or outside of a motel, hotel or hostel
- within or outside of a kindergarten, school, university or other educational institution
- within or outside of a medical centre or hospital
- within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a world heritage area
- within a public thoroughfare, park or gardens
- within or outside of 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.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

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.

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 7.09 mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09 mm/hour = 170.16 mm.

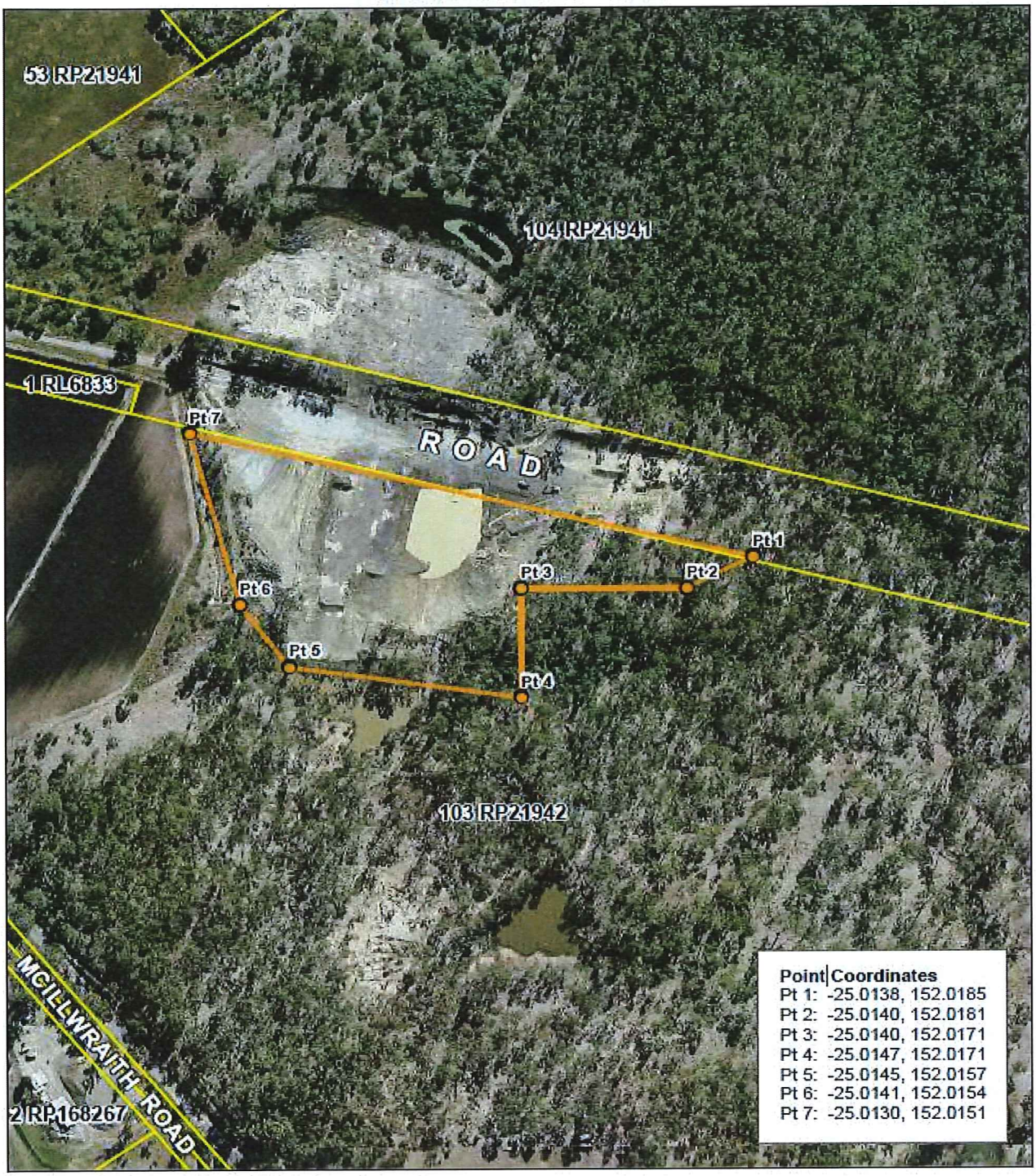
Waters all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.

You means the holder of the environmental authority.

Attachment 1 - LB Quarry proposal plan for quarry site. Plan reference Z14 – 218P

END OF PERMIT

Attachment 1: LB Quarry Proposal Plan for Quarry Site.
Plan reference Z14 – 218P



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