

Permit

Environmental Protection Act 1994

Environmental authority EPPR02448814

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

Environmental authority number: EPPR02448814

Environmental authority takes effect on 09-07-2021

Environmental authority holder(s)

Name(s)	Registered address
BRW TRANSPORT & QUARRIES PTY LTD	102 Caseys Road VICTORIA PLAINS QLD 4751

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 7 on SP102207
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	LOT 25 on SP303751
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	LOT 25 on SP303751
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 190 on SP107817

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any

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inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA 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 an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

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Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 09 July 2021

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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)

LEGISLATIVE REQUIREMENTS AND CONDITIONS OF ENVIRONMENTAL AUTHORITY**PART 1 – COMMON CONDITIONS**

Environmentally relevant activity/activities	Location(s)
ERA 16-2(b) - Extracting, other than by dredging, in a year, the following quantity of material, (b) more than 100,000t but not more than 1,000,000t	Braeside Road, WAITARA – Lot 25 Plan SP303751
ERA 16-3(b) - Screening, in a year, the following quantity of material, (b) more than 100,000t but not more than 1,000,000t	Braeside Road, WAITARA – Lot 25 Plan SP303751
ERA 16-3(a) Screening, in a year, the following quantity of material, (a) more than 5000t but not more than 100,000t	2047 Garntleigh Road, BAJOOL 4699 - Lot 7 Plan SP102207 Waterhold Road, BAJOOL 4699 - Lot 190 Plan SP107817

The environmentally relevant activity(ies) conducted at the locations described above for this part must be conducted in accordance with the following site specific conditions.

General

- G1-1 All reasonable and practicable **measures** must be taken to minimise the likelihood of environmental harm being caused.
- G1-2 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.
- G1-3 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.

Air

- A1-1 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**.

Noise

- N1-1 Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.

Waste

- WS1-1 All waste generated in carrying out the **activity** must be reused, recycled, or lawfully disposed of offsite.

PART 2 – CONDITIONS FOR EXTRACTION WITH ASSOCIATED SCREENING ON LOT 25/SP303751

Environmentally relevant activity/activities	Location(s)
ERA 16-2(b) - Extracting, other than by dredging, in a year, the following quantity of material, (b) more than 100,000t but not more than 1,000,000t	Braeside Road, WAITARA – Lot 25 Plan SP303751
ERA 16-3(b) - Screening, in a year, the following quantity of material, (b) more than 100,000t but not more than 1,000,000t	Braeside Road, WAITARA – Lot 25 Plan SP303751

The environmentally relevant activity(ies) conducted at the locations described above for this part must be conducted in accordance with the following site specific conditions.

General

- G2-1 **Activities** conducted under this environmental authority must not be conducted contrary to any of the following limitations:
1. Extracting, in a year, a maximum of 1,000,000t.
 2. Screening, in a year, a maximum of 1,000,000t.
- G2-2 Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
- G2-3 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.
- G2-4 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.
- G2-5 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.
- G2-6 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.

Noise

N2-1 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

Noise level dB(A)	Noise measured at a 'sensitive or commercial place'	
	7am — 10pm	10pm — 7am
	Monday to Saturday	
LAeq, adj, T	Background + 5dB	Background + 3dB
MaxL_{pA,T}	Background + 10dB	Background + 5dB
	Sundays and Public Holidays	
	LAeq, adj, T	Background + 3dB
	MaxL_{pA,T}	Background + 5dB

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.

N2-2 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 $L_{A98, adj, T}$;
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; and 7. location, date, and time of recording.

N2-3 **Blasting** activities must not exceed the limits for peak particle velocity and **Air blast overpressure** in Table 2: Blasting noise limits when measured at any **sensitive place** or **commercial place** in accordance with the associated monitoring requirements.

Table 2: Blasting noise limits

Blasting criteria	Blasting limits	Blasting criteria
Airblast overpressure	115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.	Airblast overpressure
Ground vibration peak particle velocity	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.	Ground vibration peak particle velocity

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.

N2-4

Prior to undertaking **blasting** activities all residents of properties within 5 kilometres of the blast and **extraction** area must be notified of the date and time of the commencement of any **blasting** activities.

Water

WT2-1

A site-specific stormwater management plan must be prepared and implemented for the site. The stormwater management plan must address the following:

- (a) erosion protection and sediment control **measures** for all stages of the **activity** to minimise erosion and the release of sediments;
- (b) management of disturbed and exposed soil to minimise the loss of sediment, through revegetation or the use of other stabilisation techniques;
- (c) all concentrated stormwater flows (including clean stormwater) should have concentrated flow paths, such as drainage lines, diversion drains, channels, and batter chutes (where applicable) which have been designed, constructed, effectively managed, and maintained to convey the runoff from events up to and including the average recurrence interval (ARI) of:
 - (i) 1 in 10 critical duration ARI storm events without causing water contamination, sheet, rill or gully erosion, sedimentation, or damage to structures or property. This excludes sites being operated as a quarry.
 - (ii) 1 in 5 critical duration ARI storm events without causing water contamination, sheet, rill or gully erosion, sedimentation, or damage to structures or property for sites being operated as quarry.
- (d) Sediment basin(s) should be installed and maintained to collect and treat stormwater runoff from all disturbed areas of the site, and areas in which any earthen material is stored.

For events up to and including a **24 hour storm event with an ARI of 1 in 5 years**, the following must be achieved:

- (a) a) a sediment basin must be designed, constructed, and operated to retain the runoff at the site;
- (b) the release stormwater from these sediment basins must achieve a total suspended solids (TSS) concentration of no more than 50mg/L for events up to and including those mentioned above.

For events larger than those stated above, all reasonable and practical **measures** must be taken to minimise the release of prescribed contaminants.

Land

L2-1 Treatment and management of acid sulfate soils must comply with the current edition of the *Queensland Acid Sulfate Soil Technical Manual*.

L2-2 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; and
6. the final landform is stable and protects public safety.

L2-3 Rehabilitation of disturbed areas required under condition L2, must take place progressively as works are staged and new areas of **extraction** are commenced.

Waste

WS2-1 All waste generated in carrying out the **activity** must be reused, recycled, or removed to a facility that can lawfully accept the waste.

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PART 3 – CONDITIONS FOR SCREENING ON LOT 7/SP102207 AND LOT 190/SP107817

Environmentally relevant activity/activities	Location(s)
ERA 16-3(a) - Screening, in a year, the following quantity of material, (a) more than 5000t but not more than 100,000t	2047 Garntleigh Road, BAJOOL 4699 - Lot 7 Plan SP102207 Waterhold Road, BAJOOL 4699 - Lot 190 Plan SP107817

The environmentally relevant activity(ies) conducted at the locations described above for this part must be conducted in accordance with the following site specific conditions.

General

- G3-1 The **activity** conducted under this environmental authority must be conducted in accordance with the following limitation:
1. **The activity** must not take place within 50 metres of any watercourse, wetland, or spring.
- G3-2 The **release of a contaminant into the environment** must not occur.
- G3-3 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.

Water

- WT3-1 Erosion and sediment control **measures** must be implemented and maintained to minimise erosion and the release of sediment.
- WT3-2 Stormwater contaminated by the **activity** must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

DEFINITIONS

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. 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 LA 90,1 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.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

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.

MaxL_{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:

- **Procedural measures** such as standard operating procedures for dredging operations, environmental risk assessment, management actions, departmental direction, and competency expectations under relevant guidelines
- **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

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 2004, or a World Heritage Area; or
- a public park or garden; or
- for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

24 hour storm event with an ARI 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.

END OF PERMIT