

Permit

Environmental Protection Act 1994

Environmental authority EPPR04175416

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

Environmental authority number: EPPR04175416

Environmental authority takes effect on 26 November 2020

Environmental authority holder(s)

Name(s)	Registered address
ECL Dalby Pty Ltd	Lot 64 Little Farm Road EMERALD QLD 4720

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 (b) more than 100,000t but not more than 1,000,000t	Skyville Quarry Lot 3 on RP617628
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	

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 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.

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

Date issued: 26 November 2020

Enquiries:
Energy and Extractive Resources
Department of Environment and Science
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Brisbane QLD 4001
Phone: (07) 3330 5715
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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

Agency interest: General	
Condition number	Condition
G1	Activities operating under this environmental authority must be conducted in accordance with the following limitations: 1. A minimum buffer distance of 30m must be maintained between all extraction activities (including infrastructure built to protect the quality of the watercourses stream order 1 and 2) and the high banks of waters. 2. Except for any buffer areas identified in condition G1, the extraction must only occur within: a. the 'extraction site' in Appendix 1 - Site A extractive area; b. 'Site B' in Appendix 2 - Site B extractive area; and c. 'Proposed Site C' in Appendix 4 - Site C extractive area. 3. Screening, stockpiling and other ancillary activities are permitted to occur in 'Site A (laydown area)' in Appendix 3 - Laydown Area. 4. Stockpiles must be located a minimum of 50 metres from waters.
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	Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the administering authority, or nominated delegate upon request, within the required timeframe and in the specified format.
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

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	has NATA certification, or an equivalent certification, for such analyses.
G8	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority, to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided to the administering authority, or nominated delegate, within the required timeframe and in the specified format 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 <i>Environmental Protection Act 1994</i> 6. ensure that reviews of environmental performance are undertaken at least annually.
G10	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
Agency interest: Air	
Condition number	Condition
A2	Other than as permitted within this environmental authority, odours or airborne contaminants not cause environmental nuisance to any sensitive place or commercial place.
A2	Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place: a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions); or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority.

Agency interest: Water																							
Condition number	Condition																						
W1	Other than as permitted within this environmental authority, contaminants must not be released to any waters.																						
W2	The only contaminants to be released to surface waters is treated stormwater runoff in accordance with <i>Table 1—Surface water release limits</i> and the associated monitoring requirements. Table 1 - Surface water release limits <table> <tr> <th>Release point description (latitude, longitude)</th><th>Quality characteristic (units)</th><th>Limit</th><th>Limit Type</th><th>Minimum Monitoring Frequency</th></tr> <tr> <td rowspan="4">-22.1825, 147.9607</td><td>Suspended solids</td><td>55mg/L</td><td>Maximum</td><td rowspan="4">Prior to release and weekly during release</td></tr> <tr> <td>pH</td><td>6.5-8.5</td><td>Range</td></tr> <tr> <td>Electrical conductivity (base flow)</td><td>720µS/cm</td><td>Maximum</td></tr> <tr> <td>Dissolved oxygen</td><td>85%-110% saturation</td><td>Range</td></tr> </table> Associated monitoring requirements - Release points must be in accordance with those identified in <i>Table 1 - Surface water Release limits</i>. - Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's <i>Water Quality Sampling Manual</i>. - Water and sediment samples must be representative of the general condition of the water body or sediments. - All determinations must employ analytical practical quantification limits of sufficiently sensitivity to enable comparisons to be made against water quality objectives/triggers/limits relevant to the particular water or sediment quality characteristic. - Monitoring must be undertaken prior to release and during a release as per the frequency stated. - All monitoring devices must be correctly calibrated and maintained.				Release point description (latitude, longitude)	Quality characteristic (units)	Limit	Limit Type	Minimum Monitoring Frequency	-22.1825, 147.9607	Suspended solids	55mg/L	Maximum	Prior to release and weekly during release	pH	6.5-8.5	Range	Electrical conductivity (base flow)	720µS/cm	Maximum	Dissolved oxygen	85%-110% saturation	Range
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W3	The release to waters permitted under W2 must not contain any other properties at a concentration capable of causing environmental harm.																																																	
W4	The release to waters permitted under W2 must not produce any slick or other visible evidence of oil or grease, scum, litter or other visually objectionable matter.																																																	
W5	Stormwater runoff from disturbed areas of the site, 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 prior to release.																																																	
W6	Stormwater that is not contaminated by the activity must be diverted away from areas where it may become contaminated by the activity. Stormwater that is contaminated by the activity must be directed to a treatment system.																																																	
W7	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.																																																	
Agency interest: Noise																																																		
Condition number	Condition																																																	
N1	Noise from the activity must not exceed the levels identified in <i>Table 2- Noise limits</i> when measured in accordance with the associated monitoring requirements. Table 2 - Noise limits <table><tr><td></td><td colspan="3">Monday to Saturday</td><td colspan="3">Sunday and Public Holidays</td></tr><tr><td></td><td>7am–6pm</td><td>6pm–10pm</td><td>10pm–7am</td><td>7am–6pm</td><td>6pm–10pm</td><td>10pm–7am</td></tr><tr><td></td><td colspan="6">Noise measured at the sensitive place*</td></tr><tr><td>L_{Aeq}, adj, T</td><td>45</td><td>35</td><td>30</td><td>40</td><td>35</td><td>30</td></tr><tr><td>Max L_{pA} T</td><td>-</td><td>-</td><td>47</td><td>-</td><td>-</td><td>47</td></tr><tr><td></td><td colspan="6">Noise measured at the commercial place</td></tr><tr><td>L_{Aeq}, adj, T</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td></tr></table> * A residential dwelling at the location is not considered to be a sensitive place, so long as a contractual arrangement exists between you and the owner of the dwelling Associated monitoring requirements 1. All monitoring devices must be calibrated and maintained according to the		Monday to Saturday			Sunday and Public Holidays				7am–6pm	6pm–10pm	10pm–7am	7am–6pm	6pm–10pm	10pm–7am		Noise measured at the sensitive place*						L _{Aeq} , adj, T	45	35	30	40	35	30	Max L _{pA} T	-	-	47	-	-	47		Noise measured at the commercial place						L _{Aeq} , adj, T	55	55	55	55	55	55
	Monday to Saturday			Sunday and Public Holidays																																														
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	Noise measured at the commercial place																																																	
L _{Aeq} , adj, T	55	55	55	55	55	55																																												

	manufacturer's instruction manual. - Any monitoring must be in accordance with the most recent version of the administering authority's <i>Noise Measurement Manual</i>. - Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation.						
N2	Blasting activities must not exceed the limits for peak particle velocity and air blast overpressure in <i>Table 3 - Blasting noise limits</i> when measured at any sensitive place or commercial place in accordance with the associated monitoring requirements. Table 3 - Blasting noise limits <table> <tr> <th>Blasting criteria</th><th>Blasting limits</th></tr> <tr> <td>Airblast overpressure</td><td>115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.</td></tr> <tr> <td>Ground vibration peak particle velocity</td><td>5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.</td></tr> </table> Associated monitoring requirements - Monitoring must be performed in accordance with the most recent edition of the administering authority's <i>Noise and Vibration from Blasting guideline</i> and <i>Noise Measurement Manual</i> and any relevant <i>Australian Standard</i>. - All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.	Blasting criteria	Blasting limits	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.	Ground vibration peak particle velocity	5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.
Blasting criteria	Blasting limits						
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.						
Ground vibration peak particle velocity	5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.						
N3	Blasting must be carried out in accordance with the current edition of the administering authority's <i>Noise and vibration from blasting guideline</i> and with <i>Australian Standard 2187</i> .						
N4	Unless prior approval is obtained from the administering authority: - blasting is only permitted during the hours of 9 am to 3 pm Monday to Friday, and from 9 am to 1 pm on Saturdays. - blasting is not permitted at any time on Sundays or public holidays.						
N5	When required by the administering authority, a blast monitoring program must be developed and implemented to monitor compliance with <i>Table 3 - Blasting noise limits</i> at any sensitive place or commercial place.						
N6	Generation substantial low frequency noise is not permitted.						

Agency interest: Land	
Condition number	Condition
L1	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 released from the site, including seepage, 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.
L2	Rehabilitation of disturbed areas required under condition L1 must take place progressively as works are staged and new extraction areas are commenced.
Agency interest: Waste	
Condition number	Condition
WS1	All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.

Definitions

Key terms and/or phrases in this environmental authority are defined in this section. 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.

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.*

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 Science 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 EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

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*.

Environmental value –

- a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Land means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes **tidal land**).

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.

NATA means National Association of Testing Authorities.

Nominated delegate means another government agency that provides services to the **administering authority**.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the senses; disgusting, nauseous or repulsive.

Prescribed water contaminants means contaminants listed within Schedule 10 of the Environmental Protection Regulation 2019.

Release of a contaminant into the environment means to:

1. deposit, discharge, emit or disturb the contaminant
2. cause or allow the contaminant to be deposited, discharged, emitted or disturbed
3. fail to prevent the contaminant from being deposited, discharged emitted or disturbed
4. allow the contaminant to escape
5. 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:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Stormwater that is not contaminated by the activity includes stormwater runoff from external or undisturbed catchments.

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 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a sensitive place exceeding 55 dB(Z).

Tidal land means land that is submerged at any time by tidal water.

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.

Skyville Quarry - Extraction Zone

Legend

- Contour Levee
- Extraction Sediment Dam
- Extraction Site
- Haul Road

The map displays the Skyville Quarry extraction zone. A large blue area represents the current extraction site, with a red dot indicating the extraction point. A yellow area to the right is labeled 'Future Extraction Area'. A blue line outlines the 'Contour Levee'. A red line indicates the 'Extraction Sediment Dam'. A yellow line shows the 'Haul Road'. A scale bar indicates 700 m. The map is credited to Google Earth.

Appendix 2 - Site B extractive area



Figure 4-6 Site B proposed disturbance with points indicating GPS coordinates

Table 4-3 Site B GPS coordinates

Latitude	Longitude	Point
-22.1790	148.0288	1
-22.1783	148.0297	2
-22.1796	148.0310	3
-22.1811	148.0304	4
-22.1821	148.0311	5
-22.1840	148.0292	6
-22.1825	148.0287	7

Appendix 3 - Laydown Area



Figure 4-5 Site A (laydown area) approved existing disturbance with points indicating GPS coordinates

Table 4-2 Site A (laydown area) GPS coordinates

Latitude	Longitude	Point
-22.1789	147.9681	1
-22.1790	147.9690	2
-22.1792	147.9693	3
-22.1800	147.9691	4
-22.1793	147.9682	5
-22.1804	147.9695	6

Appendix 4 - Site C extractive area



0 100 200 m

Scale @ A4: 1:4,500
Date: 6 October 2020
Drawn by: Mollie Sedgwick

Data source:
Imagery: ArcGIS (2017)

Legend

- Proposed Site C boundary points
- Proposed Site C boundary
- Site A approximate boundary



Latitude	Longitude	Point
-22.1796	147.9679	1
-22.1804	147.9695	2
-22.1828	147.9692	3
-22.1829	147.9684	4
-22.1839	147.9679	5

END OF ENVIRONMENTAL AUTHORITY