

Assessment Report

Environmental Protection Act 1994

Variation or amendment application

This assessment report is for variation or amendment applications for environmental authorities for environmentally relevant activities under the Environmental Protection Act 1994.

PROJECT NAME: Amendment of the Environmental Authority EPPR00411413	
PRINCIPAL APPLICANT: Austral Brick Company Pty Ltd	
JOINT APPLICANTS: N/A	
AGENT/ SERVICE ADDRESS: Groundwork Plus / 6 Mayneview Street, Milton QLD 4064	
ERA DESCRIPTION: 16-(2b) Extracting in a year more than 100 000t but not more than 1000 000t of material; 16-(3b) Screening in a year more than 100 000t but not more than 1000 000t of material;	
LOCATION DESCRIPTION: German Church Road REDLAND BAY	
TENURE DESCRIPTION: Lot 1 Plan RP854704	
ECOTRACK PROJECT NO: 241391	ENVIRONMENTAL AUTHORITY NO: EPPR00411413
FILE NO: SOR116137	

1. Type of application

- ☐ Variation application – change to standard conditions – go to section 3
- ☒ Amend an existing Environmental Authority¹ – go to section 2

2. Background

Groundwork Plus has been commissioned by the Austral Brick Co Pty Ltd to prepare an application to amend the existing Environmental Authority EPPR00411413 relating to the extractive operations carried out at German Church Road, Redland Bay (the site). The application also requests a few amendments (being a spelling mistake, missing words and formatting errors) to the resource activity EPML00912113, which are considered clerical errors and do not constitute a formal application.

The extractive industry operations are carried out concurrently with the mining operations on the existing tenure of Lot 1 on RP854704. ML50035 overlays the cadastral boundaries of the site meaning the two approved footprints are indistinguishable.

History of Approvals

The following EAs/Permits for extractive activities were issued to Austral for the subject site:

- LGA No 241 of 1985 as varied by Consent Order – Local Government of Qld of 28 March 1991;
- Development Approval SR0376DA, issued by the administering authority on 17 April 2003;
- Integrated Authority SR2484, issued by the administering authority on 24 April 2003;
- Development Approval SPDE01169910 issued by the administering authority as a replacement document pursuant to s.621 of the *Environmental Protection Act 1994*. Converted Development Approvals SR2484 and SR0376DA following implementation of the *Sustainable Planning Act 2009*.

The following documents have been prepared for the extractive activity and mining operations, which are considered to be relevant to this EA amendment application:

- Report on Rehabilitation Acceptance Criteria: Native Ecosystems and Water Filled Voids and Planning Use Study (ML50035) (the report), dated 23 June 2005 (required to be submitted by 30 June 2005). The report outlined that the detailed planning of the post extraction landform could not be determined given the longevity of the site operations. An temporary rehabilitation outcomes were proposed for a free draining site and a trigger put in place to amend this temporary rehabilitation outcome if extraction was to proceed below



the free draining level. Also it has been proposed that within at least 3 years prior to the mine expending below the free draining level (other than for settlement basins and like) the temporary rehabilitation is to be amended to accommodate a Rehabilitation Outcome – **Wetland Type 2**.

The interim rehabilitation outcome proposed in 2005 was for the part of the site within the Conservation Zone (Redland Planning Scheme January 2005) to be rehabilitated to **Native Ecosystem**. The part of the site zoned Rural Non-Urban was proposed to be rehabilitated to a **Native Ecosystem** where the final slopes exceed 20° the land was to be grassed and stabilised to a similar condition to other established pastures in the district, with sloped 20° or less used for rural residential living.

- Plan of Operations 2008 to 2013, dated May 2008;
- Plan of Operations 2013 to 2018, dated June 2013;

The proposed amendments to the EA include both, clerical error amendments and amendment to rehabilitation conditions proposed to re-align the extractive activity permit with mining permit.

Following the re-issue of EPPR00411413 (previously known as SPDE01169910), rehabilitation conditions were imposed which had previously not been a requirement for the activity under the extractive activity EA. This includes an Open Area limitation and final rehabilitation outcomes which are inconsistent with the prescribed rehabilitation outcomes of the mining permit and previously existing Integrated Authority for the extractive operations SR0376DA.

3. Assessment Level Decision

What is the assessment level decision?

☒ Minor

☐ Major Notice of assessment level decision must be given to the applicant within 10 BD if major amendment, stating grounds for why it is a major amendment.

The proposed changes are considered to be Minor as per following reasons:

1. The changes are proposed to the conditions included in the EAs, which are not standard conditions.
2. No additional environmental values are to be impacted as a result of the change, and no increase or change in the emissions or releases generated by the activity is anticipated, therefore the amendment will not significantly increase the level of potential environmental harm.
3. No increased areas of disturbance are proposed to occur as a result of the amendment.
4. No increase in the scale or intensity of the activity is to take place as a result of the amendment.
5. No increased areas of disturbance are proposed to occur as a result of the amendment.

NOTE: Refer to the definition of 'minor amendment' in Section 223 of the EP Act. If the requested amendment does not meet this definition, then the amendment is a major amendment and must be assessed against the same regulatory requirements you would assess a site specific application against – but only in relation to the matter covered by the amendment application.

4. Documents submitted to support the application

☐ Rehabilitation Plan/Report (if removing an ERA)

☐ Post Closure Management Plan (if remove ERA)

☐ Compliance statement (if remove ERA)

☐ Declaration – Compliance with eligibility criteria (required for variation)

☐ Declaration stating activity was not carried out (if remove ERA)

☐ Registered suitable operator number or application (required for variation)

¹ Applicants are excluded from applying to amend their EA if they triggered a material change of use under SPA (and therefore needed a development approval (DA)) and have not applied for their DA first.

5. Assessment

Are all the ERA's for the environmental authority eligible ERA's? (Variation Application only)

- ☒ Yes
- ☐ No – this application **must** be refused under s. 173 of the EP Act
- ☐ Not applicable

Describe the proposed variation or amendment

Condition No. (applicable)	Details of proposed change to condition or EA	Applicant's justification for proposed change to condition or EA
D1-2	The applicant has requested replacing Noise Limits prescribed in Schedule D – Table 1 of the Environmental Authority EPPR00411413 with improved table containing relevant criteria such as 'Noise Sensitive Place' and 'Commercial Place'.	Schedule D – Table 1 Noise Limits of EA EPPR00411413 does not identify which criteria are applicable to 'Noise Sensitive Place' and which is applicable to 'Commercial Place'. This error arose as a result of previous conversion of SR2484 and SR0376A, given the previous EA SR2484 and SR0376DA prescribed noise criteria for a 'Commercial Place' and 'Noise Sensitive Place'.
3:F1-1	The applicant has proposed a modernization of the Table 1 (Final Land Use and Rehabilitation Outcome Schedule) prescribed in Part 3 Schedule F.	<p>The current Table 1 (Final Land Use and Rehabilitation Outcome Schedule) contains a few errors which have been identified by the applicant.</p> <p>The Rehabilitation Outcome relevant to Mine Void disturbance type is proposed to be changes from '(Native ecosystem?) SPPKC' to 'Native Ecosystem' and disturbance type 'Extraction Void'.</p> <p>The rehabilitation outcome for sediment traps/water basins has been proposed to be changes from 'Wetland Type 2' to 'Wetland Type 1'.</p> <p>In the first instance the 'SPPKC' is considered to be a clerical error as there is not relevant definition or explanation of that term.</p> <p>In the second instance, proposed rehabilitation outcome - 'Wetland Type 1' was previously prescribed in the historical ES's SR2484 and SR0376DA, and in the mining EA EPML00912113.</p>
3:F5-1	The applicant has proposed to delete this condition, which prescribes 'Wetland Type 2' outcome and insert one that prescribes 'Wetland Type 1'.	To re-align the condition with above proposed amendment.

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3:F7-1	The applicant has proposed to delete the open area limits prescribed in a table 2 Schedule F.	The Open Area Limits condition belongs rather to resource EA (Mining lease) than to extractive EA. The open area for Rochdale and Redland Bay sites were not prescribed in any previous historical permits.
3:F7-2	The applicant proposed deletion of the condition.	The condition is relevant to above described condition and is not required following deletion of 3:F7-1.

Environmental values and associated impacts relevant to the change

Variation applications and major amendments to existing environmental authorities **must** be assessed against any regulatory requirements relevant to the amendment/variation.

a)	<p>List ALL the Environmental risks, proposed discharges or emissions as a result of the amendment/variation and highlight the level of risk (cumulative/widespread/irreversible)</p> <p><i>[This information must be provided by the applicant. Technical Guides on the Business and Industry Portal; www.business.qld.gov.au can provide further information]</i></p>
N/A	
b)	<p>What are the Environmental values that may be affected by the identified risks/discharges? This must be considered as per section 51 of the EP Reg. Any Quality Objectives in a relevant EPP must also be considered.</p> <p><i>[This information must be provided by the applicant. Officers can also use sources such as the environmental protection policies, technical guides on the Business and Industry Portal; www.business.qld.gov.au and on ecomaps.]</i></p>
N/A	
c)	<p>Have mitigation measures been proposed and has an acceptable level of impact been determined if discharges/emissions are unavoidable?</p> <p>Has the applicant addressed any applicable management hierarchy? E.g. emissions, contamination and generation of waste must be avoided first. Must be considered as per Section 51 of the EP Reg.</p> <p>Does the application reflect the management intent detailed in the appropriate EPP for the values? Must be considered as per Section 51 of the EP Reg.</p> <p>Does the application meet the environmental objectives and performance outcomes in Schedule 5, Part 3, Table 1 of the EP Reg? This assessment MUST be done as per section 51 of the EP Reg.</p> <p><i>[Management objectives for the environmental values must be considered as per section 51 of the EP Reg in determining an acceptable level of impact, refer to relevant EPPs and other publications.]</i></p>
N/A	

Standard Criteria

Assessing officers **must** consider the standard criteria before making a recommendation.

Have you considered the Standard Criteria? ☒ Yes

[refer to the department's regulatory requirements guideline for guidance on how to consider the standard criteria]
<Insert detail here of any specific considerations that have effected your decision>

6. Other assessment considerations

EIS process and public notification requirements compliant?	☐ Yes ☐ No – EA amendment cannot be granted ☒ Not applicable
Public Notification requirements in Division 2 complied with? Or substantially complied with?	☐ Yes ☐ No – EA amendment cannot be granted ☒ Not applicable
Copy of approval has been sent to: psd.help@qld.gov.au <If this decision includes a monitoring program for a new discharge to waters OR to an amendment of an existing monitoring program of a release to waters, the administrators of the WaTERS database must be notified>	☐ Yes ☒ Not applicable
Applicant is a registered suitable operator?	☒ Yes ☐ No – Variation application must be refused ☐ Not applicable

7. Consultations

<p>1. In relation to proposed changes to the Table 1 in Schedule D (Noise limits) the Department has decided to modify Schedule D - Noise and vibration of the EA EPPR00411413 to reflect current noise and vibration requirements and standards. According to section 240 of the <i>Environmental Protection Act 1994</i> the Department is allowed to make other amendments to the conditions it considers relate to the subject matter of the proposed amendment and are necessary or desirable.</p> <p>Following consultations with Cate Puschmann and Toshi Yoshino – EHP noise experts and the applicant the following changes have been agreed upon:</p> <ul style="list-style-type: none"> • Condition : <p><i>D1-2 All noise from activities must not exceed the levels specified in Schedule D - Table 1 and 2 at any noise affected premises.</i></p> <p>has been modified and reads:</p> <p><i>N1-2 All noise from the activities must not exceed the levels specified in Appendix 3 - Table 1 (Noise limits) at any sensitive or commercial place when measured in accordance with the associated monitoring requirements. Any noise from the activities that exceed the levels specified in Appendix 3 - Table 1 (Noise limits) is considered an environmental nuisance.</i></p> <ul style="list-style-type: none"> • Condition: <p><i>D2-1 When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:</i></p> <ul style="list-style-type: none"> - <i>L_A 10, adj, 10 mins</i> - <i>L_A 1, adj, 10 mins</i> - <i>the level and frequency of occurrence of impulsive or tonal noise;</i> 	
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- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

has been amended and reads:

N1-3 When requested by the administering authority, noise monitoring must be undertaken in accordance with the associated monitoring requirements of Appendix 3 – Table 1 (Noise limits), and the results notified within 14 days to the administering authority. Monitoring must include:

- $LA_{eq,adj,T}$
- Background noise (Background) as $LA_{90,adj,T}$
- $MaxL_{pA,T}$
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

- Condition:

D2-2 The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

has been amended and reads :

N1-4 The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's 'Noise Measurement Manual'.

- The following additional conditions have been introduced:

N1-5 Blasting activities must not exceed the limits for 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.

N1-6 Blasting must be carried out in accordance with the current edition of the administering authority's 'Noise and vibration from blasting guideline' and with Australian Standard 2187.

N1-7 Unless prior approval is obtained from the administering authority:

1. blasting is only permitted during the hours of 9am to 3pm Monday to Friday,
2. blasting is not permitted at any time on Saturdays, Sundays and public holidays.

N1-8 When required by the administering authority, a blast monitoring program must be developed and implemented to monitor compliance with Table 2 (Blasting noise limits) at any sensitive place or commercial place.

- Condition:

(D3-2) Vibration emitted from activities must not exceed the levels specified in Schedule D - Table 3 at any vibration sensitive place.

Has been amended and reads:

N1-10 Vibration emitted from activities must not exceed the levels specified in Appendix 3 -Table 2 (Blasting noise limits) at any vibration sensitive place. Any vibration emitted from the activities that exceed the levels specified in Appendix 3 - Table 2 (Blasting noise limits) is considered an environmental nuisance.

- Condition:

(D4-1) When requested by the Administering Authority, vibration monitoring and recording must be undertaken to investigate any complaint of nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- peak particle velocity (mm/s); and
- location of the blast/s within the site (including which bench level); and
- atmospheric conditions including temperature, relative humidity and wind speed and direction; and
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors; and
- location, date and time of recording.

Has been modified and reads:

N1-11 When requested by the administering authority, vibration monitoring and recording must be undertaken in accordance with the most recent edition of the administering authority's 'Noise and Vibration from Blasting' guideline and Australian Standard 2187 to investigate any complaint of nuisance, and the results notified within 14 days to the

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administering authority. Monitoring must include:

- peak particle velocity (mm/s); and
- location of the blast/s within the site (including which bench level); and
- atmospheric conditions including temperature, relative humidity and wind speed and direction; and
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors; and
- location, date and time of recording.

- Table 1 in Schedule D:

Schedule D – Table 1 (Noise limits)

Monday to Saturday	
7am - 6pm	
	b/g + 5
	b/g + 10
	b/g + 10
	b/g + 15

Has been replaced with a new Table 1 (Noise limits) and moved to Appendix 3 of the EA:

Noise level measured in dB(A)	Monday to Friday			Saturday	
	6am – 7am	7am – 6pm	6pm – 6am	7am – 4pm	4pm – 7am
Noise measured at a nuisance sensitive place					
L_{Aeq, adj, T}	Background +3	Background +5	Background +0	Background +5	Background +0
MaxL_{pA, T}	Background +8	Background +10	Background +5	Background +10	Background +5
Noise measured at a commercial place					
L_{Aeq, adj, T}	Background +8	Background +10	Background +5	Background +10	Background +5
MaxL_{pA, T}	Background +13	Background +15	Background +10	Background +15	Background +10

Associated monitoring requirements

1. All monitoring devices must be correctly calibrated and maintained.
2. Any monitoring of noise emission from the activity must be undertaken when the activity is in operation.
3. Sundays / Public Holidays - no Audible Noise.
4. The minimum value for T must be:
 - 15 minutes for continuous steady noises,
 - 1 hour for intermittent noises.

- Table 2 and 3 in Schedule D:

Schedule D - Table 2 (Airblast Overpressure Level)

Location	Monday to Friday 9 am - 3 pm	Saturday, Sundays and public holidays
Sensitive or commercial place	Air blast overpressure level is no more than 115 db (Lin) Peak for four (4) out of five (5) consecutive blasts initiated and not greater than 120 db (Lin) Peak at any time.	No blasting to occur

Note: The method of measurement and reporting of over pressure levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

and

Schedule D - Table 3 (Vibration limits)

Location	Vibration measured
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	Monday to Friday 9 am - 3 pm	Saturday, Sundays and public holidays
Sensitive or commercial place	5mm/s peak particle velocity for nine (9) out of ten (10) consecutive blasts and not greater than 10 mm/s peak particle velocity at any time	No blasting

Note: The method of measurement and reporting of vibration levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

Have been incorporated into one single table (Table 2 Blasting noise limits) and moved to Appendix 3 of the EA:

Table 2 (Blasting noise limits)

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	5mm/second peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10mm/second peak particle velocity at any time.

Associated monitoring requirements

1. All monitoring devices must be correctly calibrated and maintained.

- the following definitions have been removed from the EA:

approval means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the Environmental Protection Act 1994.

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response

" $L_{A, \text{max adj}, T}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"noise sensitive place" means -

- a dwelling, 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; or
 - a park or gardens.
- and includes the curtilage of such place.

- the following additional definitions have been included:

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.

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:

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- 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.

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.

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.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurement, with a predominant component within the frequency range 10 to 200Hz. It includes any noise emission likely to cause an overall sound pressure level at a sensitive place exceeding 55dB(Z).

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

- the following definitions have been modified:

the definition of **administering authority** have been changed from:

"administering authority" means the Environmental Protection Agency or its successor.

to:

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

the definition of **you** have been changed from:

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

to:

you means the holder of this environmental authority or owner / occupier of the land which is the subject of this approval.

the definition of **site** have been changed from:

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

to:

site means the place to which this environmental authority relates or the premises to which this approval relates.

the definition of **this authority** have been changed from:

"this authority" means this environmental authority/development approval.

to:

this authority means this environmental authority.

the definition of **commercial place** have been changed from:

"commercial place" means a place used as an office or for business or commercial purposes.

to:

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.

the definition of **annual return** have been changed from:

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

to:

annual return means the return required by the annual notice under the Environment Protection Act, 1994.

2. In relation to the Land schedule of EA EPPR00411413 the following changes have been made:

- Part 3 Schedule F – Table 1 (Final Land Use and Rehabilitation Outcome Schedule):

<i>Disturbance Type</i>	<i>Projective Surface Area (ha)</i>	<i>Rehabilitation Outcome</i>
<i>Mine void</i>	<i>17.2</i>	<i>Industrial (Native ecosystem?) SPPKC</i>
<i>Sediment traps / water basins</i>	<i>1</i>	<i>Wetland Type 2</i>
<i>Roads</i>	<i>0.8</i>	<i>No rehabilitation required - retain</i>
<i>Buffer</i>	<i>4</i>	<i>No rehabilitation required - retain</i>

has been amended as follow:

Table 1 (Final Land Use and Rehabilitation Outcome Schedule)

<i>Disturbance Type</i>	<i>Projective Surface Area (ha)</i>	<i>Rehabilitation Outcome</i>
<i>Mine void</i>	<i>17.2</i>	<i>Industrial Native ecosystem</i>
<i>Sediment traps / water basins</i>	<i>1</i>	<i>Wetland Type 1</i>
<i>Roads</i>	<i>0.8</i>	<i>No rehabilitation required - retain</i>
<i>Buffer</i>	<i>4</i>	<i>Native Ecosystem</i>

the Rehabilitation Outcome relevant to Buffer zone(s) has been changed from 'No rehabilitation required – retain' to 'Native Ecosystem', as per the original permit - SR0376DA.

- Condition:

Rehabilitation Outcome – Wetland Type 2 (water filled voids)

(3:F5-1) Complete an investigation into rehabilitation of disturbed areas to wetland type 2 outcome and submit a report to the administering authority proposing acceptance criteria. A report on the investigation and proposals for acceptance criteria must address:

- water quality to be achieved in the water filled void;*
 - water quality to be achieved for any discharges from the void; and*
 - revegetation standards to be met for the fringes of the void.*
- and the report must be submitted to the administering authority by 30 June 2005.*

has been replaced with:

L1-6 Rehabilitation Outcome – Wetland Type 1 (water filled voids)

Areas that are to be rehabilitated to Wetland Type 1 outcome will be considered rehabilitated when the dams are revegetated with species appropriate to filter contaminants from the water, and water discharges from the dams do not exceed the total suspended solids value of the inflow to the pond.

The amendment of rehabilitation outcome conditions (above) will provide some consistency with the requirements prescribed in the resource permit EMPL00912113. Additionally, review of the historical permits revealed that the Wetland Type 2 rehabilitation outcome had previously been included in past permits and during conversion of SR SR0376DA and SR2484 into SPDE01169910 (currently known as EPPR00411413) possibly as a result of administrative error.

- In regards to the Open Area Limitation prescribed in Schedule F Table 2 – Open Area Limits, the Department considers that this table does not belong to the extractive industry permit EPPR00411413 as it refers to Mining Leases. A review of the historical permits (SR0376DA, SR2484, MIN101484410) revealed historically there have been no Open Area limitations for the Redland Bay or Rochdale mining leases, therefore the Department has agreed to remove the table from the current EA.

Schedule F Table 2 – Open Area Limits:

<i>Tenure</i>	<i>Location</i>	<i>Open Area Limit (Ha)</i>
<i>ML 50189</i>	<i>Gardner Rd, Rochdale</i>	<i>2.5</i>
<i>ML 1152</i>	<i>Ford Road, Burbank</i>	<i>4</i>
<i>ML 50035</i>	<i>German Church Road Redland Bay</i>	<i>6</i>

Has been removed from the EA.

Moreover, as per applicants justification 'Retrospective conditioning of Open Area limits at this stage for these sites would erode Austral's existing mining rights' and 'Transfer of these Open Area limits to the mining EA would be strongly disadvantageous and contradictory to Austral's existing mining approvals'.

8. Summary

Following consultation with Cate Puschmann and Toshi Yoshino of the department on 13 January 2014, and receiving written agreement from the applicant a new Noise and Vibration conditions have been introduced to the German Church Rd Part of the EA.

The recently generated Permit EPPR00411413 consists of three (3) different permits (SPDE01169910, IPDE00896808 and IPDE01104308) relevant to three (3) different sites: German Church Rd, Redland Bay; 103 Riverview Rd, Riverview and 105 Gardner Rd, Rochdale. The change to Noise and vibration conditions has been limited only to German Church Rd, Redland Bay site at this stage, due to jurisdictional issues and tight timeframes. The remaining sites (Riverview and Rochdale) retain the original, old noise and vibration conditions and limits, which can be possibly changed in the future (subject to the separate application). Therefore, the Appendix 5 - Definitions, has been divided into two parts: ones related to German Church Rd site and ones related to Riverview and Rochdale sites.

Numbering of condition has also been changed/amended accordingly to reflect overall changes and ensure consistency and clarity of the EA. All tables have been placed in appropriate Appendixes to ensure clarity.

Also, the following clerical errors, occurring in Environmental Authority (Mining Activities) EPML00912113 have been corrected:

- Condition numbering in Schedule D – Noise and Vibration, Noise Nuisance has been corrected.
- The criterion of 'Commercial Place' has been inserted in Schedule D – Table 2: Noise Limits.
- Figures 1, 2 and 3 have been inserted in Appendix 4 of the EA.

The clerical error amendments are not a part of the above formal amendment application.

Any conditions placed on the EA are necessary or desirable ☒ Yes

9. Recommendation

It is recommended that the application be:

☒ **Approved**

☐ **Refused** – provide statement of reasons

Assessing Officer: Dot Rosiak

Position: Environmental Officer

Signed: 73(2)Irrelevant

Date: 17 January 2014

10. Review and endorsement

Insert any comments relevant for the delegates consideration:		
Kerynne Birch	73(2)Irrelevant	17/01/14
Supervisor	Signed	Date

Approval

I approve the recommendation based on the reasons stated in this report.		
Shari Murphy	73(2)Irrelevant	22.1.14
Delegate	Signed	Date

Notice

Environmental Protection Act 1994

Notice of Decision – Amendment Application

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision made under section 277 of the Environmental Protection Act 1994.

Groundwork Plus
PO Box 1779
MILTON QLD 4064

cc./ The Mining Registrar
Department of Natural Resources & Mines
PO Box 1476
COORPAROO QLD 4151
Attn: Craig Watson

Our Reference: 241391

Dear Sir / Madam

Re: Amendment to environmental authority (mining lease) No. MIN101484410 for Mining Lease (ML) 1167

The Department of Environment and Heritage Protection (the department) has assessed the application received on 17 December 2012 to amend environmental authority (mining activities) number MIN101484410 and wishes to advise you that the application has been granted.

Please find attached amended Environmental Authority (relating to amendment of conditions to remove surrendered Mining Lease (ML) 1167) issued for the following:

Environmental Authority Number	Authorised Mining Tenement	Applicant
MIN101484410	ML1151	The Austral Brick Company Pty Ltd
	ML1156	
	ML1165	
	ML50165	
	ML50189	
	ML1152	

Notice of Decision – Amendment Application

	ML50035	
	ML4578	
	ML50115	

If you require more information please contact Rebecca Walton, the Project Manager, on (07) 3137 4257.

Yours Sincerely

73(2)Irrelevant

Peter Vasel
Delegate
Department of Environment and Heritage
Protection
18 January 2013

Enquiries:
400 George Street
GPO Box 2454
Queensland 4001 Australia
Telephone (07) 3137 4257
Fax (07) 3330 5754
Website www.ehp.qld.gov.au
Email rebecca.walton@ehp.qld.gov.au

Notice

Environmental Protection Act 1994

Assessment level decision

This notice is issued by the administering authority¹, pursuant to section 229 of the Environmental Protection Act 1994 to advise whether a proposed amendment to an environmental authority is a major or minor amendment.

To: The Austral Brick Company Pty Ltd
PO Box 269
MOUNT GRAVATT QLD 4122

Email: peter.truasheim@australbricks.com.au

Your reference: EPPR00411413
Our reference: 241391

Assessment level decision for an application to amend an environmental authority

1. **Application details** The application to amend the environmental authority (reference EPPR00411413) was received by the administering authority on 10-Dec-2013.

Land description: German Church Road REDLAND BAY Lot 1 Plan RP854704; 103 Riverview Road, RIVERVIEW Lot 1 Plan RP166658; 105 Gardner Rd ROCHEDALE QLD 4123 Lot 2 Plan RP844169.

2. **Decision**

The assessment level decision for this application is that the proposed amendment to the environmental authority is a minor amendment.

The administering authority will, within 10 business days of this notice being given, decide to either approve or refuse your application.

73(2) Irrelevant

Signature

Shari Murphy
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

6 Jan 14

Date

Enquiries:

Dorota Rosiak
ES-RSD-SER-Brisbane North
Level 8 400 George Street
GPO Box 2454
BRISBANE CITY QLD 4000
Phone: (07) 3330 6372
Email: Dorota.Rosiak@ehp.qld.gov.au

¹ The Department of Environment and Heritage Protection is the administering authority under the Environmental Protection Act 1994.

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Checklist

Environmental Protection Act 1994

Amendment application - assessment level decision and public notice

This checklist is to be used after receiving an environmental authority amendment application to decide whether the proposed amendment is a major or minor amendment (the assessment level decision) as required under section 228 of the Environmental Protection Act 1994 and if a major amendment, whether public notice is required under sections 230, 233 or 152 of that Act.

1. APPLICATION DETAILS

EA NO:	EPPR00411413 and EPML00912113	Project No:	241391
Applicant:	Austral Brick Company Pty Ltd	File No:	SOR116137
Tenure:	Lot1 RP854704 / ML50035	Received Date:	10-DEC-13
Project Name:	Amendment of EAs	Checklist Due:	6-JAN-2014
Amendment Application Description:	<p>Groundwork Plus acting on behalf of Austral Brick Co Pty Ltd has proposed a following changes to conditions of the Environmental Authority EPPR00411413:</p> <ul style="list-style-type: none"> - replacing the existing noise limits table prescribed in condition D1-2 with a new one that includes noise criteria for a 'Noise Sensitive Place' and a 'Commercial Place'; - replacing the existing final land use and rehabilitation outcome schedule prescribed in condition 3:F1-1 with a new one including slightly different rehabilitation outcomes, to align the outcomes with the rehabilitation outcomes specified in the Mining Lease EPML00912113; - replacing the rehabilitation outcome known as 'Wetland Type 2' description prescribed in condition 3:F5-1 with 'Wetland Type 1', in order to align this rehabilitation outcome with the Mining Lease; - removing condition 3:F7-1 and 3:F7-2 that specify the open area and progressive rehabilitation requirements. <p>Additionally, they requested an amendment of the following clerical errors occurring in a Mining Lease (resource/mining activity EA) EPML00912113:</p> <ul style="list-style-type: none"> - correcting condition numbering; - correcting the property description (Lot and Plan); - inserting Appendix 1 Figures which were left out following recently completed amendment of the Mining Lease; - correcting Noise Limit Table included in condition D1-2. <p>The amendments proposed to the Mining Lease EPML00912113 are clerical or administrative errors, which do not constitute the part of the subject amendment application.</p>		

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Amendment applications – assessment level decision and public notice

2. ASSESSMENT CONSIDERATIONS

An assessment level decision must be made within 10 business days from receipt of the amendment application (section 228). This decision determines whether the proposed amendment is low risk and involves straightforward changes to the environmental authority (EA) or whether the activities proposed are likely to lead to a significant increase in the scale, intensity, level of environmental harm or impact.

Consideration In considering the amendment application is the administering authority satisfied that the amendment application:	Yes / No	Justification (if required)
(a) is not a change to a condition identified in the EA as a standard condition?	Yes	The changes are proposed to the conditions included in the EAs, which are not standard conditions.
(b) does not significantly increase the level of environmental harm caused by the relevant activity?	Yes	No additional environmental values are to be impacted as a result of the change, and no increase or change in the emissions or releases generated by the activity is anticipated, therefore the amendment will not significantly increase the level of potential environmental harm.
(c) does not change any rehabilitation objectives stated in the EA in a way likely to result in significantly different impacts on environmental values than the impacts previously permitted under the EA?	Yes	No increased areas of disturbance are proposed to occur as a result of the amendment.
(d) does not significantly increase the scale or intensity of the relevant activity?	Yes	No increase in the scale or intensity of the activity is to take place as a result of the amendment.
(e) does not relate to a new relevant resource tenure for the authority that is (i) a new mining lease? or (ii) a new petroleum lease? or (iii) a new geothermal lease under the Geothermal Energy Act? or (iv) a new GHG injection and storage lease under the GHG storage Act?	Yes	The mining lease and resource tenure are an existing ones.
(f) involves an addition to the surface area for the relevant activity of no more than 10% of the existing area?	Yes	No increased areas of disturbance are proposed to occur as a result of the amendment.
(g) for an environmental authority for a petroleum activity, involves (i) constructing a new pipeline—the new pipeline does not exceed 150km? or (ii) extending an existing pipeline—the	Yes	N/A

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Amendment applications – assessment level decision and public notice

extension does not exceed 10% of the existing length of the pipeline?		
(h) relates to a new relevant resource tenure for the authority that is an exploration permit or GHG permit—and the amendment application under section 224 seeks an amended environmental authority that is subject to the standard conditions for the relevant activity or authority, to the extent it relates to the permit?	Yes	N/A

Recommendation – major or minor amendment

After completing the list above, mark which of the following applies:

(a) If all the 'Yes' boxes are marked, the application is a minor amendment

- Send ALD Notice to applicant in accordance with s229 within 10 business days
- Proceed to decide whether to grant or refuse the application

MINOR ☒

(b) If any of the 'No' boxes are marked, the application is a major amendment with issues likely to lead to a significant increase in the scale, intensity, level of environmental harm or impact.

MAJOR ☐

- Proceed to the public notification consideration (Section 3)

3. PUBLIC NOTIFICATION CONSIDERATION – MAJOR AMENDMENTS

There are a number of different public notification processes that apply for a major amendment under the *Environmental Protection Act 1994*. Mark the relevant box and complete the relevant section:

- i) Public notice of a major amendment for a resources activity, other than a mining activity. ☐ Complete section 3A
- ii) Public notice of a major amendment for a mining activity, authorised under a mining lease, and there is no certificate of public notice under the *Mineral Resources Act 1989* (Section 252A). ☐ Complete section 3B
- iii) Public notice of a major amendment for a mining activity, authorised under a mining lease, and there is a certificate of public notice under the *Mineral Resources Act 1989* (Section 252A). ☐ Complete section 3B

3A. PUBLIC NOTIFICATION CONSIDERATION – RESOURCE ACTIVITY MAJOR AMENDMENTS ONLY (s230)

Where an amendment application has been decided to be a **major amendment**, public notification requirements may be triggered. Resource activities other than a mining activity may trigger public notification requirements where an activity is determined to involve a substantial increase in the risk of environmental harm and a substantial change in the quantity or quality or the results of the release of a quantity or quality of contaminant permitted to be released into the environment.

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Amendment applications – assessment level decision and public notice

Consideration	Yes/ No / N/A	Justification (If Required)
There is likely to be a substantial increase in the risk of environmental harm under the amended EA (s230(2)(a)) <u>and</u> the risk is the result of a substantial change in the quantity or quality of contaminant permitted to be released into the environment (s230(2)(b)(i)).	<select>	
There is likely to be a substantial increase in the risk of environmental harm under the amended EA (s230(2)(a)) <u>and</u> the risk is the result of a substantial change in the results of the release of a quantity or quality of contaminant permitted to be released into the environment (s230(2)(b)(ii)).	<select>	
<p><i>Without limiting the above items, the following is taken to be a substantial change:</i></p> <ul style="list-style-type: none"> - An increase of 10% or more in the quantity of a contaminant to be released into the environment - If the amendment application is for an environmental authority for a resource project, an amendment to add an ineligible ERA for the authority 		

Recommendation – public notification under s230

- ☐ If both considerations above are marked 'No' or "N/A", the application does not require public notification.
- ☐ If either of the considerations above are marked 'Yes', the application may require public notification.

Public Notification is not required ☐

- Send ALD Notice to applicant in accordance with s229 within 10 business days, stating the decision (i.e. a major amendment) and the reasons for the decision
- Proceed to information stage.

Public Notification is required ☐

- Send ALD Notice to applicant in accordance with s229 including public notification requirement (s230) and the reasons for the decision (s230(4)) within 10 business days after the ALD is made.
- Proceed to information and notification stages.

3B. PUBLIC NOTIFICATION – MINING ACTIVITY MAJOR AMENDMENTS ONLY (s233 OR s152)

Amendment applications – assessment level decision and public notice

Recommendation – Public Notification under s233 or s152Public notification is required under s152 ☐Public notification is required under s233 ☐

- Send ALD Notice to applicant in accordance with s229 within 10 business days, stating the decision (i.e. a major amendment) and the reasons for the decision.
- Proceed to information and notification stages.

Assessing Officer	Reviewing Officer
Sign: _____ 73(2)Irrelevant	Sign: _____ 73(2)Irrelevant
Date: <u>6/01/2014</u>	Date: <u>06/01/14</u>
Name: Dot Rosiak	Name: Kerynne Birch
Position: Environmental Officer	Position: Principle Environmental Officer
Delegate	
Recommendation/s: APPROVED / NOT APPROVED	
Sign: _____	Date: _____
Name: Shari Murphy	
Position: Manager, Brisbane North	



Project Running Report

Date 10-DEC-2013 **Status** Application Validation **Decision** Level 2

60-(2f) Waste disposal >50000t but <100000t yr (1)(b)

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
German Church Road REDLAND BAY	German Church Road		REDLAND BAY	4165	QLD
103 Riverview Road, RIVERVIEW	103 Riverview Road		RIVERVIEW	4303	QLD
105 Gardner Rd ROCHEDALE QLD 4123	105 Gardner Rd		ROCHEDALE	4123	QLD

Agency Interests/Ratings

Category	Type	Rating
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Permits: 1

Permit Ref	Permit Type	Status
EPPR00411413	Environmental Authority (Site Specific)	Assessment

Date 27-AUG-2013 **Status** Application Validation **Decision** Level 2

Primary Clients

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
The Austral Brick Company Pty Ltd	105 Gardner Road		ROCHEDALE	4123	QLD

Activities

Name
16-(2b) Extractive >100000t but <1000000t yr



Project Running Report

Date	Status	Decision
27-AUG-2013	Application Validation	Level 2

16-(3b) Screening >100000t but <1000000t yr



Project Running Report

Date	Status	Decision
27-AUG-2013	Application Validation	Level 2

42-(a) Clay or ceramic products >200t but <5000t yr



Project Running Report

Date 27-AUG-2013 **Status** Application Validation **Decision** Level 2

60-(2f) Waste disposal >50000t but <100000t yr (1)(b)

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
German Church Road REDLAND BAY	German Church Road		REDLAND BAY	4165	QLD
103 Riverview Road, RIVERVIEW	103 Riverview Road		RIVERVIEW	4303	QLD
105 Gardner Rd ROCHEDALE QLD 4123	105 Gardner Rd		ROCHEDALE	4123	QLD

Agency Interests/Ratings

Category	Type	Rating
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Permits: 1

Permit Ref	Permit Type	Status
EPPR00411413	Environmental Authority (Site Specific)	Withdrawn

AR #: 052317

Admin. Office: Brisbane South

Project #: 2413.91

Posted to: L8 400 George Street

EA Application #: 544676

Permit #: EPPR 00411413

Development Permit Ref # (if applicable):

PaLM Coordinator: 73(2) Irrelevant

PaLM Processor: Mike Mullin

3016 - Validation Checklist - EA Amendment Application for a Prescribed ERA

Application Details		Indicate by Yes ☒ No ☐ or N/A ☐	
Amendment Processing:	☐ Existing EA has standard conditions only AND ☐ Is a minor amendment indicated by Question 2 response AND ☐ applicant can comply with standard conditions (Question 4) (all 3 boxes to be ticked for PaLM to issue amended EA)	☒ Other (ES to assess) Amendment type for initial data entry: ☒ Minor / Major (please circle)	
Amendment Reason: To align EA's, correct clerical & administrative errors & removes unnecessary conditions.			
Existing ERA No/s: 16-(3B), 42(A), 60, 16(2B)			
Proposed ERA No/s (if applicable):		☐ ERA is <u>not</u> mobile and temporary	
Version of Code (for ERA 57 or 16):		☐ ERA is mobile and temporary	
ERA No/s to be removed (if applicable):			
Applicant Name: THE AUSTRAL BRICK CO PTY LTD			
Application Dates		Indicate by Yes ☒ No ☐ or N/A ☐	
Application Received: 10/12/2013		Application requirements requested date:/...../20.....	
Response Due Date:/...../20.....		☐ Application Invalid (tick which applies below) ☐ Application requirements not met within timeframe ☐ Application is unable to be made Invalid date/...../20.....	
Application Complete Date: 10/12/2013		ALD Due Date: 24/12/2013 (10 b days from application complete date)	
Fill for minor amendment applications only where PaLM are processing end to end		ALD (as minor) Issue Date:/...../20..... Decision Due Date:/...../20..... (10 b days after ALD issue date) Decision Date:/...../20.....	
Application Checks		Indicate by Yes ☒ No ☐ or N/A ☐	
EA Take Effect Date:	EA Take Effect Date: ☐ Applicant has nominated take effect date/...../20..... (if decision date is after the nominated date the decision date will be the take effect date) ☐ Applicant has nominated a take effect event and must give notification when the event has occurred Details of event: ☒ EA will take effect upon approval		
For all amendment applications	☒ Form completed, signed and dated ☒ All attachments present ☒ Correct fee paid ☐ Receipt sent to client		Amount Paid \$ 285.60 Receipt No: 4200056 Date Paid: 10/12/13

<p>For all amendment applications</p>	<p>“Environmental Impact assessment” on application form - <i>Administrative check</i> to determine applicant has submitted:</p> <ul style="list-style-type: none"> ☐ a description of the environmental values likely to be affected by each relevant activity; and ☐ details of any emissions or releases likely to be generated by each relevant activity; and ☐ a description of the risk and likely magnitude of impacts on the environmental values; and ☐ details of the management practices proposed to be implemented to prevent or minimise adverse impacts; and ☐ details of how the land the subject of the application will be rehabilitated after each relevant activity ceases <p>“Waste management” on application form <i>Administrative check</i> to determine:</p> <ul style="list-style-type: none"> ☐ Applicant has indicated not applicable on application form ☐ Applicant has given description of the proposed measures for minimising and managing waste generated by the ERA activities <p>“Site Management Plan or Environmental Protection Order” <i>Administrative check</i> to determine:</p> <ul style="list-style-type: none"> ☐ Applicant has indicated there is no site management plan or environmental protection order on the application form ☐ Applicant has given details of the site management plan ☐ Applicant has given details of the environmental protection order
<p>Validity Check Indicate by Yes ☒ No ☒ or N/A ☐</p>	
<p>For all amendment applications</p>	<ul style="list-style-type: none"> ☒ Proposed amendment does not require a development application OR a development application has already been made ☒ Ticked No in sections 1 and 2 in the front checklist on the application form <p>if ☒ to the above the application is invalid:</p> <p>Notice of Invalid Application Issue Date...../...../20....</p>

Queensland Government
Dept of Environment & Heritage Protection

ABN: 46 640 294 485

RECEIPT

Received from: TJ Smith Pty Ltd
ABN/Address:

No.: 4200056

Description	Qty	Unit	Val	Extended	Discount	Ext Value	GST	Total Price
CHANGE AMENDMENT APPLN EA-PREScribed ERA	1		285.60	285.60	0.00	285.60		285.60

Date: 10/12/13	Time: 14:03	CHEQUE	285.60	Tot Value:	285.60
Brch: dnrbris	SPer: lxp			GST:	0.00
CYC: 178309	Reg: 92	Tendered	285.60	Tot Price:	285.60
				Tendered:	285.60
				Change:	0.00

Cheques or other negotiable instruments accepted subject to clearance.

Receipt No 4200056

Date 10.12.13

Amount \$ 285.60

Type CHQ EFT CSH CRDT

Cheque No 000032

Cheque Drawer TJ

Smith P/L

Initials 73(2)Irrelevant

Attachment 1

Application for Amendment of an Environmental Authority

Published on DES Disclosure Log
RTI Act 2009

Application form

Environmental authority

Application to amend an environmental authority

This approved form is to be used when applying to amend an environmental authority under sections 222 to 227 of the Environmental Protection Act 1994 (EP Act) for an environmentally relevant activity (ERA).

An application to amend an environmental authority is not appropriate in all circumstances. If you answer yes to any of the questions in the checklist below, you cannot use this application form. If you answer no to all of the questions in the checklist, you may continue to use this application form.

This form also contains questions relating the *Strategic Cropping Land Act 2011*. If you are proposing to undertake resource activities on strategic cropping land (SCL) or potential SCL, you may need to apply for a SCL compliance certificate (under section 117 of the *Strategic Cropping Land Act 2011*) or a SCL protection decision under sections 96 and 97 of the *Strategic Cropping Land Act 2011*.

If you would like to have a pre-lodgement meeting:

- For prescribed ERAs 2, 3 and 4—contact the Department of Agriculture, Fisheries and Forestry by email at livestockregulator@daff.qld.gov.au.
- For any other ERA—please fill out and lodge the form Application for a Pre-Design/Pre-Lodgement Meeting (EM1125¹), prior to lodging this application form.

Checklist for making an amendment application

You must complete this checklist before you continue with the application form.

If your application is for:

- ☒ a prescribed ERA → fill in Section 1 and Section 2 of the checklist below
- ☐ a resource activity → fill in Section 1 and Section 3 of the checklist below
- ☐ both a prescribed ERA and a resource activity → fill in sections 1, 2 and 3 of the checklist below

If you have answered yes to any of the below questions, you cannot use this application form. If you have answered no to all of the below questions, you may continue to use this application form.

Checklist questions		Guidance
Section 1		
Is the amendment to correct a clerical or formal error?	☐ YES ☒ NO	If yes, you cannot use this form. This request should be made in writing directly to the administering authority (no fees apply).

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.qld.gov.au.

Application form
Application to amend an environmental

Is the amendment to amalgamate 2 or more environmental authorities?	☐ YES ☒ NO	If yes, you cannot use this form. This request should be made through an application to amalgamate an environmental authority using either the form Application to Amalgamate 2 or More Environmental Authorities Into an Amalgamated Corporate Authority (EM789), or Application to Amalgamate 2 or More Environmental Authorities Into an Amalgamated Project or Local Government Authority (EM879).
Is the amendment to amend financial assurance only?	☐ YES ☒ NO	If yes, you cannot use this form. Please use the form Application to Amend or Discharge Financial Assurance (EM875).
Section 2		
Is the amendment for the holder of the environmental authority to transfer all or part of the environmental authority to a person?	☐ YES ☒ NO	If yes, you cannot use this form. Please use the form Request to Transfer All or Part of an Environmental Authority for a Prescribed Environmentally Relevant Activity (EM794).
Does the proposed amendment involve changes that require either an existing development application to be amended or a new development application to be lodged under the <i>Sustainable Planning Act 2009</i> and the application for the amendment has not been lodged.	☐ YES ☒ NO	The development application must be lodged for the proposed amendment before an environmental authority amendment application can be made.
Section 3		
Is the amendment for a partial surrender of an environmental authority for a mining, geothermal or petroleum resource activity?	☐ YES ☐ NO	If yes, you cannot use this form. Please use the form Application for Surrender or Partial Surrender of an Environmental Authority (EM796).

Definitions of terms used in this form

Where there is inconsistency between the definition of terms here and the terms used in the EP Act or the SCL Act, the terms in the EP Act and the SCL Act apply.

Environmentally relevant activity (ERA)	A resource activity or a prescribed ERA
ERA project	A prescribed ERA project or a resource project.
Management area	The management area for SCL is what is left of the combined area of all zones, after taking from the combined area, all protection areas. The protection and management area map is available on the Department of Natural Resources and Mines (DNRM) website at www.dnrm.qld.gov.au .
Mobile and temporary ERA	<p>A prescribed ERA, other than an activity that is dredging material, extracting rock or other material, or the incinerating of waste:</p> <ul style="list-style-type: none">(a) carried out at various locations using transportable plant or equipment, including a vehicle(b) that does not result in the building of any permanent structures or any physical change of the landform at the locations (other than minor alterations solely necessary for access and setup including, for example, access ways, footings and temporary storage areas)(c) carried out at any 1 of the locations:<ul style="list-style-type: none">(i) for less than 28 days in a calendar year, or(ii) for 28 or more days in a calendar year only if the activity is necessarily associated with, and is exclusively used in, the construction or demolition phase of a project.
Prescribed ERA	An environmentally relevant activity that is not a resource activity and is prescribed under section 19 of the EP Act.
Prescribed ERA project	All prescribed ERAs carried out, or proposed to be carried out, as a single integrated operation.
Protection area	A protection area for SCL is an area shown as a protection area on the protection area map. Protection area maps are available on the DNRM website at www.dnrm.qld.gov.au .
Registered suitable operator	A person who, or a corporation which, under section 318I of the EP Act has been assessed as being suitable to carry out an ERA and has been listed on the suitable operator register.
Registry record (SCL)	A record kept by the land registrar of land that is SCL or decided non-SCL. A search of the land registry the registrar keeps will show the record.

Resource activity	<p>An activity that is any of the following:</p> <ul style="list-style-type: none">(a) a geothermal activity(b) a greenhouse gas (GHG) storage activity(c) a mining activity(d) a petroleum activity.
Resource project	<p>Resource activities carried out, or proposed to be carried out, under 1 or more resource tenures, in any combination, as a single integrated operation.</p>
SCL compliance certificate	<p>The certificate given by the chief executive (Department of Agriculture, Fisheries and Forestry (DAFF)) to applicants who comply with the application requirements for a SCL compliance certificate. Recipients of a compliance certificate must comply with the relevant part of the SCL standard conditions code for resource activities. The conditions under the standard conditions code are taken to be conditions of the environmental authority or resource authority.</p>
SCL protection decision	<p>The decision made by the chief executive (DAFF) in relation to a SCL protection decision application. It provides for the chief executive (DAFF) to decide the impact of the resource activity on the land; and whether or not to impose conditions on either or both of the environmental authority or resource authority for the resource activity.</p>
Significant project	<p>A project declared under section 26 of the <i>State Development and Public Works Act 1971</i> to be a significant project.</p>
Single integrated operation	<p>Occurs when all the below criteria is met:</p> <ul style="list-style-type: none">(a) the activities are carried out under the day-to-day management of a single responsible individual, for example, a site or operations manager(b) the activities are operationally interrelated(c) the activities are, or will be, carried out at 1 or more places(d) the places where the activities are carried out are separated by distances short enough to make feasible the integrated day-to-day management of the activities.
Standard conditions code	<p>The code made by regulation about how resource activities may be carried out on SCL or potential SCL.</p>
Validation information notice	<p>An information notice for SCL provided to an applicant for a validation decision or any other eligible person for the land about the validation decision (cropping history and/or zonal criteria applications).</p>

GUIDE

If you require assistance in answering any part of this form, or have any questions about your application please contact the relevant department. Contact details are at the end of this form

The environmental authority number and details may be found on the existing environmental authority or quoted in other correspondence received from the administering authority.

If more space is required for any responses, please attach additional information as a separate page.

If there is an agent acting on behalf of the environmental authority holder, provide details in this section. An agent could be a consultant or a contact for the environmental authority holder.

As statutory documents need to be sent to all applicants, this section can also be used when there are multiple environmental authority holders to nominate an address for statutory documentation to be sent 'care of' to.

Prior to a decision being made on this application a decision must be made about whether this is a major or a minor amendment². This section will help the administering authority to decide this.

In general, minor amendments are likely to include single changes which are generally administrative in nature. Major amendments can include (but are not limited to) requests to add new

Application details

1. Environmental authority number

ENVIRONMENTAL AUTHORITY NUMBER
EPPR00411413
ENVIRONMENTAL AUTHORITY HOLDER NAMES
THE AUSTRAL BRICK CO PTY LTD

Agent details / address for service

The address supplied here will also be used as a service address for sending statutory documents. If blank, statutory documents will be sent to the address previously supplied for the holder or principal applicant for the environmental authority.

INDIVIDUAL OR BUSINESS NAME (INCLUDE TRADING NAME IF RELEVANT)	
THE AUSTRAL BRICK CO PTY LTD	
RESIDENTIAL ADDRESS OR REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX ADDRESS)	
C/O-GROUNDWORK PLUS	
PO BOX 1779	
MILTON QLD 4064	
CONTACT PERSON	
YOLAND DOWLING	
PHONE	FACSIMILE
07 3871 0411	07 3367 3317
EMAIL	
ydowling@groundwork.com.au	

2. Check the relevant boxes below that apply and describe in detail, the proposed amendment requested and the reason an amendment is being sought

Resource activities—fill in sections 1, 2 and 3

Prescribed ERAs—fill in sections 1 and 3 only

activities or varying the allowable impacts to environmental values. These amendments will require more detailed assessment and the provision of more detailed support material.

If you are requesting to increase the surface area of the activity, please provide details of the existing area, proposed area and the percentage increase.

If you are requesting to extend a pipeline, please provide details of the existing length, proposed length and the percentage increase.

If you are requesting to add a new tenure, please provide full details of tenement type and number.

Regardless of the checkbox ticked, you must provide as much detail about the proposed amendment as possible e.g. the extent of environmental harm caused by the amendment, the extent to which the scale or intensity of the original activity is to change or if this application is seeking to change a condition of approval, state which condition is the subject of this application and a justification of why the condition should be amended. Also include any proposed amendments to the condition (if applicable) or details of any new tenures or ERAs being added.

Note: If you hold an environmental authority for ERA 57 (Regulated waste transport) and are applying to add or remove vehicles within the

Section 1—Both prescribed ERAs and/or resource activities	
☐	The amendment changes a standard condition.
☐	The amendment increases environmental harm.
☒	The amendment changes rehabilitation objectives.
☐	The amendment increases the intensity or scale of the activity.
☐	The amendment adds to the surface area of the activity.
☒	Other—provide details The amendment seeks to align the Austral Redland Bay extractive industry and mining activity EAs, correct clerical and administrative errors and removes unnecessary conditions.
Section 2—Resource activities	
☐	The amendment is for a new pipeline that will be over 150 km in length.
☐	The amendment is for the extension of an existing pipeline by more than 10%.
☐	The amendment is for the addition of a new resource tenure to the environmental authority for a: <ul style="list-style-type: none"> ☐ mining lease ☐ petroleum lease ☐ geothermal lease under the <i>Geothermal Energy Act 2010</i> ☐ greenhouse gas injection and storage lease under the <i>Greenhouse Gas Storage Act 2009</i>. ☐ Other <ul style="list-style-type: none"> ☐ exploration permit ☐ mineral development licence ☐ mining claim. The tenement number is
☐	Other—provide details

Application form
Application to amend an environmental

ERA threshold, then use form Details of Regulated Waste Vehicles (EM869) instead available at www.qld.gov.au.

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Section 3—Details

PROVIDE FULL DETAILS OF THE PROPOSED AMENDMENT INCLUDING A JUSTIFICATION Refer to Covering Letter

3. Describe the land where the proposed amended activities will be carried out

- ☒ The activity will be carried out within the existing approved footprint of the environmental authority.
- ☐ The activity is mobile and temporary and will be carried out in a new area:

AREA OF OPERATION E.G. PARTICULAR LOCAL GOVERNMENTS OR ACROSS THE STATE OF QUEENSLAND

- ☐ The activity will be carried out at a new fixed location as follows:

STREET NUMBER	STREET NAME	SUBURB/TOWN
POSTCODE	LOT/PLAN	
PORT (IF APPLICABLE)		
TENURE DETAILS (IF APPLICABLE)		

4. Does the environmental authority involve activities which are subject to eligibility criteria and standard conditions?

- ☐ Yes ☐ In making the proposed amendment, I can comply with all the relevant eligibility criteria and the standard conditions for all relevant activities.
- ☐ In making the proposed amendment, I can comply with all of the relevant eligibility criteria but cannot comply with all of the standard conditions for all relevant activities. Further detail is provided below in relation to the standard conditions which cannot be met and any requested variations.

- ☐ In making the proposed amendment, I cannot comply with the relevant eligibility criteria or the standard conditions for all relevant activities and further detail has been provided below.

DETAILS IF ELIGIBILITY CRITERIA OR STANDARD CONDITIONS CANNOT BE MET DUE TO THE PROPOSED AMENDMENT

- ☒ No → go to question 5

If you currently have a Plan of Operations in place and would like to change the amount of financial assurance held, please contact Permit and Licence Management. Details are provided at the end of this form.

5. Do you currently have financial assurance held as part of the approved environmental authority

- ☐ Yes → ☐ I will not need to change the financial assurance in relation to this amendment.
- ☐ I will be changing the financial assurance and have attached the form Application to Amend or Discharge Financial Assurance for an Environmental Authority (EM875)
- ☐ I will be changing the financial assurance and will be amending or replacing my Plan of Operations.

- ☒ No

For information on the type of ERAs, please refer to the business and industry website:
www.business.qld.gov.au

6. What is the ERA type you are applying to amend?

- ☒ Prescribed ERA—this application involves only prescribed ERA activities → go to question 7
- ☐ Resource activity—this application involves resource activities → go to question 11

Prescribed ERA information

This question is only relevant to prescribed ERAs as resource activities will not trigger assessable development under the *Sustainable Planning Act 2009*.

7. Are there any development permits in effect or have any development applications been made under the Sustainable Planning Act 2009 to carry out the proposed amendment?

☒ Yes → provide a list of applicable development permits or applications below

☐ No → go to question 8

DEVELOPMENT PERMIT/ APPLICATION NUMBER	DEVELOPMENT PERMIT/ APPLICATION NAME	ASSESSMENT MANAGER	DATE OF APPLICATION OR APPROVAL	EXPIRY DATE
Refer to Covering Letter	Refer to Covering Letter	Refer to Covering Letter	Refer to Covering Letter	Refer to Covering Letter

Provide a list of all the ERAs that are to be removed from the environmental authority and identify whether the ERA has commenced.

8. Is this application to remove an ERA from your environmental authority?

☐ Yes → complete this question—go to question 9

☒ No → go to question 17

ERA NUMBER AND NAME	THRESHOLD	COMMENCED (YES/NO)	LOCATION (INCLUDING ALL LOT ON PLAN/TENURE DETAILS)

If you have identified above that any of the ERAs have not commenced, please complete the below:

☐ I declare that where identified, the ERAs above have not commenced.

The final rehabilitation report must be completed in the correct template and contain all the information specified in the template. The final rehabilitation report template is available at www.qld.gov.au using the publication number (EM872) as a search term.

Only a person with appropriate environmental expertise and/or experience in planning and executing site operations should sign this compliance statement. This person may be the environmental authority holder, a full time employee of the environmental authority holder or a consultant to the environmental authority holder.

Methods to verify compliance may include a desktop assessment of documentation, an interview with the landowner/holder or a field operator or a site inspection. Evidence used may include photographs, statements and other documentation (maps, plans, approvals, monitoring results etc.).

9. Does your environmental authority contain any rehabilitation conditions that are applicable to the ERAs that you are requesting be removed from the environmental authority?

- ☐ Yes → you must attach a final rehabilitation report
- ☐ No

10. Compliance statement

This compliance statement must be completed by, or on behalf of the environmental authority holder. Once completed, go to question 17

Attach a separate document to this application form which states the extent to which:

- the ERAs being removed from the environmental authority have complied with each relevant condition of approval
- the final rehabilitation report is accurate (include the date of the final rehabilitation report). Note: The compliance statement only needs to be made for the final rehabilitation report if the answer to question 9 is 'Yes'

Describe the qualifications and experience of the person signing the compliance statement.

Provide details of the date, method and evidence used to verify compliance and accuracy.

Provide the contact number of the person signing the compliance statement

Application form
Application to amend an environmental

--

I

(insert name and position of person making the compliance statement)

- make the compliance statement by or for the holder of the environmental authority
- confirm that, to the best of my knowledge, all information provided as part of this compliance statement, including attachments, is true, correct and complete. I am aware that it is an offence under section 480 of the *Environmental Protection Act 1994*, to give the administering authority information that I know is false, misleading or incomplete
- confirm that, to the best of my knowledge, this compliance statement, including attachments, does not include false, misleading or incomplete information
- confirm that, to the best of my knowledge, I have not knowingly failed to reveal any relevant information or document to the administering authority
- confirm that, to the best of my knowledge, all information provided in this compliance statement, including attachments, address the relevant matters and are factually correct
- confirm that the opinions expressed in this compliance statement, including attachments, are honestly and reasonably held
- I understand that all information supplied as part of this compliance statement, including attachments, can be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

SIGNATURE
DATE

Resource activity information

The SCL trigger map is a statutory map under the *Strategic Cropping Land Act 2011* that identifies the location and extent of SCL and potential SCL. It can be found on the Department of Natural Resources and Mines website at

www.dnrm.qld.gov.au. The Interactive Resource Tenure Mapping software also includes an SCL map layer.

Resource activities include entry on land that is SCL or potential SCL.

If you declare that you will not locate resource activities on SCL or potential SCL and fail to comply with this declaration, compliance action under the *Strategic Cropping Land Act 2011* may result.

Any future applications to amend the environmental authority that results in resource activities being located on SCL or potential SCL will need to meet the requirements of the *Strategic Cropping Land Act 2011*. This may include the need to make an application under the *Strategic Cropping Land Act 2011* for a SCL assessment.

Application forms for a SCL compliance certificate and SCL protection decision are available on the Department of Natural Resources and Mines website at www.dnrm.qld.gov.au.

You may only apply for a SCL compliance certificate if you can comply with the SCL standard conditions for resource activities (SCL code). The SCL code is available on the Department of Natural Resources and Mines website at www.dnrm.qld.gov.au. If you cannot comply with the SCL code, you must apply for a SCL protection decision.

You are required to make a SCL application (compliance certificate or protection decision) for each environmental authority (or amendment to an environmental authority) application that proposes to locate resource activities on SCL or potential SCL. This is the case even where a compliance certificate or protection decision already exists as a

11. Is there strategic cropping land (SCL) or potential SCL anywhere within the project area covered by the proposed amendment to the environmental authority?

- ☐ Yes → go to question 12
- ☐ No → you do not need to consider SCL any further and can go to question 14

12. Will any activities proposed under this environmental amendment application, be located on SCL or potential SCL?

- ☐ Yes → go to question 13
- ☐ No → by ticking this box I declare that:
- (i) this application does not include any resource activities proposed to be conducted directly on SCL or potential SCL, and
 - (ii) I will not allow the conduct of any resource activities, proposed under this application, directly on SCL or potential SCL.

You do not need to consider SCL any further.

Go to question 14

13. Which SCL assessment process do you choose to undertake?

- ☐ SCL compliance certificate application → complete the relevant application form, or provide the application reference if a relevant application has already been lodged.
- Application reference:
- ☐ SCL protection decision application → complete the relevant application form, or provide the application reference if a relevant application has already been lodged
- Application reference:
- ☐ No SCL application → I am eligible for exclusion from all of the *Strategic Cropping Land Act 2011* under Chapter 9, Division 2. Supporting evidence has been attached.

result of a previous environmental authority (or amendment to an environmental authority) application.

If you are not required to make an SCL application because you are eligible for exclusion from the *Strategic Cropping Land Act 2011*, you must attach evidence to your application that demonstrates your eligibility. Refer to sections 283 and 284 of the *Strategic Cropping Land Act 2011* for full details.

A biodiversity offset is required where an applicant has demonstrated they have made all practical and reasonable efforts to avoid and minimise impacts on State significant biodiversity values, but there is a residual development impact on 1 or more of these values

The Queensland Biodiversity Offsets Policy can be accessed at www.ehp.qld.gov.au.

This question applies if the current activity is a resource activity or the application is to add a resource activity to an existing operation.

Both the administering authority and the applicant have responsibilities to make the application notice and application documents available on a website during the public notification period. If the applicant has a website the administering authority will link to the location where the applicant will store these documents. A word searchable electronic PDF copy of the application documents must also be included.

'Resource activities' include mining, geothermal, greenhouse gas storage, petroleum or coal seam gas activities.

The administering authority will only link to the applicant's site or post the application documents if it is determined that the amendment represents a 'major amendment'.

14. Biodiversity offsets

Will the proposed amendment cause a negative impact to a state significant biodiversity value?

- ☐ Yes → attach supporting information that:
- ☐ demonstrates that all practical and reasonable efforts to avoid and minimise impacts on State significant biodiversity values has been undertaken.
 - ☐ describes how the requirements of the Queensland Biodiversity Offsets Policy will be met.
- ☐ No
- ☐ Don't know/uncertain

15. Does the application relate to a resource activity for which public notice requirements will apply?

- ☐ Yes → ☐ I have included details of the website where copies of the application notice and application documents will be made available during public notification stage. If the administering authority will require permission to link to this website, also provide contact details of the person who will be able to assist the administering authority in this process.
- ☐ I cannot make this information available on a website. All of the application information has been provided to the administering authority in an electronic format.
- ☐ No → go to question 16

WEBSITE ADDRESS	
CONTACT NAME	

TELEPHONE	
EMAIL	

An ineligible ERA is an activity that either does not comply with the eligibility criteria or does not have any eligibility criteria in place.

16. Does the proposed amendment relate to coal seam gas (CSG) activities that are ineligible ERAs?

☐ Yes → ☐ I have determined that the amendment will not change the way that CSG water is managed.

☐ I have determined that the amendment will change the way that CSG water is managed and have provided the mandatory information set out below.

☐ No → go to question 17

MANDATORY INFORMATION	
☐	The quantity of CSG water the applicant reasonably expects will be generated in connection with carrying out each relevant CSG activity.
☐	The flow rate at which the applicant reasonably expects the water will be generated.
☐	The quality of the water, including changes in the water quality the applicant reasonably expects will happen while each relevant CSG activity is carried out.
☐	The proposed management of water including, for example, the use, treatment, storage or disposal of the water.
☐	<p>The measurable criteria ('management criteria') against which the applicant will monitor and assess the effectiveness of the management of the water, including, for example, criteria for each of the following:</p> <ul style="list-style-type: none"> (i) the quantity and quality of the water used, treated, stored or disposed of (ii) protection of the environmental values affected by each relevant CSG activity (iii) the disposal of waste, including, for example, salt, generated for the management of the water.
☐	The action proposed to be taken if any of the management criteria are not complied with, to ensure that the criteria will be able to be complied with in the future.

☐	<p>If the application includes a CSG evaporation dam, an evaluation of the following must be provided:</p> <p>(i) best practice environmental management for managing CSG water</p> <p>(ii) alternative ways for managing CSG water</p> <p>(iii) whether there is a feasible alternative to a CSG evaporation dam for managing the water. Note if the evaluation shows that there is a feasible alternative option, the CSG evaporation dam cannot form part of the water management for this amendment application.</p>
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General ERA information

Completion of an EIS process is defined in section 60 of the EP Act.

17. Has an environmental impact statement (EIS) process that includes the proposed amendment, been completed?

- ☐ Yes → ☐ I have assessed the environmental risks of the proposed amendment and consider them to be the same as was assessed in the EIS. Go to question 20
- ☐ I have assessed the environmental risks of the proposed amendment and consider them to be different to what was assessed in the EIS. Go to question 18
- ☒ No → go to question 18

18. EIS triggers

Tick the relevant boxes below. If yes is ticked, you must describe or attach details of how the criterion is triggered including details of the impact.

<p><i>Only answer this question if the current ERA project is for an existing mine extracting between 2–10 million tonnes per year of run of mine (ROM) ore or coal.</i></p> <p>Is the proposed ERA amendment for an increase in the annual extraction of more than 100% or 5 million tonnes per year (whichever is the lesser)?</p>	☐ YES ☐ NO ☒ N/A	
--	--	--

The information provided here will assist the administering authority in deciding whether an EIS is required.

For further information refer to the guideline: Triggers for Environmental Impact Statements under the *Environmental Protection Act 1994* for mining, petroleum and gas activities. This guideline is available at www.qld.gov.au

<p><i>Only answer this question if the current ERA project is for an existing mine extracting over 10 million tonnes per year of ROM ore or coal.</i></p> <p>Is the proposed ERA amendment for an increase in annual extraction of more than 10% or 10 million tonnes per year (whichever is the lesser)?</p>	☐ YES ☐ NO ☒ N/A	
<p><i>Only answer this question if the current ERA project is for an existing mine extracting over 20 million tonnes per year of ROM ore or coal extraction.</i></p> <p>Is the proposed ERA amendment for an increase in annual extraction of greater than 25%?</p>	☐ YES ☐ NO ☒ N/A	
<p>Is the proposed ERA amendment for a mining activity that will extend into a Category A or B environmentally sensitive area, unless previously authorised by the state?</p>	☐ YES ☐ NO ☒ N/A	
<p>Is the proposed ERA amendment for a mining activity that would involve a substantial change in mining operations?</p> <p>For example: from underground to open cut, or (for underground mining) a change in operations that currently causes little subsidence but with the proposed ERA amendment, is likely to cause substantial</p>	☐ YES ☐ NO ☒ N/A	

subsidence?		
Is the proposed ERA amendment for a mining activity and a novel or unproven resource extraction process, technology or activity, is being proposed?	☐ YES ☐ NO ☒ N/A	
Is the proposed ERA amendment for a petroleum and gas activity that is likely to have a total disturbance area of greater than 2000 hectares at any 1 time during the life of the proposed project? This includes areas occupied by well pads (single or multi-directional), access tracks and roads, water storages, and process plants	☐ YES ☐ NO ☒ N/A	
Is the proposed ERA amendment for a petroleum and gas activity that is likely to involve the construction of a high pressure pipeline over a distance of 300 kilometres or greater	☐ YES ☐ NO ☒ N/A	
Is the proposed ERA amendment for a petroleum and gas activity that is likely to involve the construction of a liquefied natural gas plant	☐ YES ☐ NO ☒ N/A	

The administering authority may decide that an EIS is required for the amendment application (refer to section 142 of the EP Act).

Public notification may also be applicable to the amendment if the application is for a resource activity and the proposed amendment is considered to be a 'major amendment' (as defined in section 223 of the EP Act).

19. Assessment of the environmental impact and provision of specific supporting information

You must provide an assessment of the likely impact of the proposed amendment on the environmental values, including the following mandatory information in the table below, unless the not applicable check box is ticked.

Only tick the 'Not Applicable' check box if the proposed amendment does not cause a change to the environmental values, aspects and impacts as approved under the current environmental authority.

	MANDATORY INFORMATION	N/A
•	A description of the environmental values likely to be affected by the proposed amendment	☐
•	Details of any emissions or releases likely to be generated by the proposed amendment	☒
•	A description of the risk and likely magnitude of impacts on the environmental values	☒
•	Details of the management practices proposed to be implemented to prevent or minimise adverse impacts	☒
•	Details of how the land the subject of the application will be rehabilitated after each relevant activity ceases.	☐

To provide a response to the mandatory information, specific supporting information must be provided to the administering authority, the type and detail of which will depend on your particular ERA project. Support material for technical information requirements, is located on the business and industry website www.business.qld.gov.au.

You must include a description of the proposed measures for minimising and managing waste generated by the proposed amendments.

For further information on technical information to provide with your application, please refer to the business and industry website www.business.qld.gov.au:

20. Will waste generation or management be changed as a result of the amendment?

- ☐ Yes → provide details of how the waste will be minimised or managed below.
- ☒ No → go to question 21

WASTE MANAGEMENT DETAILS

21. Is this land currently subject to an environmental protection order or a site management plan?

- ☐ Yes → ☐ I have an environmental protection order in place and the details are provided below.

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☐ I have a site management plan in place and the details are provided below.

☒ No → go to question 22

PROVIDE THE REFERENCE NUMBER AND BRIEF DETAILS

22. Is any part of the land currently recorded in, or previously been recorded in, the environmental management register?

☐ Yes → complete the below table and provide the additional details requested

☒ No → go to question 23

PLEASE TICK RELEVANT BOXES	YES	NO	ADDITIONAL DETAILS
Has the land been removed from the environmental management register?	☐	☐	If yes is ticked, you must attach evidence (e.g. a notice) advising that details have been removed from the environmental management register

The first step towards payment is to calculate the fees payable. Information on these fees can be located in the information sheets Fees for Permits for Environmentally Relevant Activities (ERAs) (EM33) and Summary of Annual Fees for Environmentally Relevant Activities (ERAs) (EM389), available at www.qld.gov.au.

The highest annual fee of any activity associated with the ERA project will be the annual fee for this application. If the annual fee increases because of the amendment, a supplementary annual fee is payable.

Any outstanding annual fees for this environmental authority must be paid before this application will be processed.

If the application involves SCL, the applicable SCL fee can be found at www.dnrm.qld.gov.au or in the Strategic Cropping Land Regulation 2011.

To pay by credit card you will need to

23. Payment of fees

Application fee:	\$ 285.60
------------------	-----------

If your application is approved you must pay a supplementary annual fee within 20 business days of the amended environmental authority being issued. An invoice will be issued for the supplementary annual fee.

Operation of the amended activity cannot commence until the supplementary annual fee is paid.

You may pay your fee via cheque, money order or credit card.

Select the payment method below:

☒ Payment by cheque or money order made payable to the Department of Environment and Heritage Protection (attached).

☐ Payment by cheque or money order made payable to the Department of Agriculture, Fisheries and Forestry

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provide contact details so you can be contacted for your credit card payment to be made over the phone.

(attached).

☐ Please contact me (the applicant) for credit card payment:

Phone number: _____

Where there is more than 1 holder of the environmental authority, this declaration is to be signed by all holders, unless there is an agreement between all holders that 1 can sign on behalf of the other.

Note: If only 1 holder is signing this application form, they are committing all holders to the content of the application and the declaration.

Where the environmental authority holder is a company, this form must be signed by an authorised person for that company.

Privacy statement

The Departments of Environment and Heritage Protection (EHP) and Agriculture, Fisheries and Forestry (DAFF) are collecting the information on this form to process your amendment application for an environmental authority. This collection is authorised under sections 222 to 227 of the *Environmental Protection Act 1994*. Some information may be given to the Department of Natural Resources and Mines (DNRM) for the purposes of processing this application and/or the administration of the *Strategic Cropping Land Act 2011*. Your personal information will only be accessed by authorised employees within these departments and will not be disclosed to any other parties unless authorised or required by law. For queries about privacy matters please email privacy@ehp.qld.gov.au or telephone: (07) 3330 5436.

24. Declaration

Note: If you have not told the truth in this application you may be prosecuted.

Where an agreement is in place between all holders of the environmental authority, that 1 holder can sign on behalf of the other joint holders, please tick the below checkbox.

☒ I have the authority to sign this form on behalf of all the joint holders of the environmental authority.

I declare that:

- I am the holder of the environmental authority, or authorised signatory for the holder of the environmental authority.
- If the proposed amendment is made, the relevant activities will continue to comply with the eligibility criteria for all eligible ERAs, or where they cannot, I have indicated otherwise in my application and provided the required support information.
- The information provided is true and correct to the best of my knowledge. I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false, misleading or incomplete in a material particular.
- I understand that failure to provide sufficient information may result in the application being refused.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.
- I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of management practices proposed or implemented.
- I give permission for the administering authority to provide a link to public notification documents on a website, the location and access requirements of which were provided in question 15.
- I understand that it is an offence under section 227 of the *Strategic Cropping Land Act 2011* to give to an authorised person

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a document containing information that is false or misleading in a material particular. I consent to and acknowledge that the information provided on this form will be given to authorised persons under the *Strategic Cropping Land Act 2011* in appropriate circumstances in relation to the administration of that Act.

- I understand that an incomplete application (including applications that do not include the fee) may be invalid. Invalid applications will be returned without processing and will only be processed if resubmitted with all invalidating issues addressed.

APPLICANT'S NAME GERARD SCHLUTER	
APPLICANT'S SIGNATURE  73(2) Irrelevant	
POSITION OF SIGNATORY QUALITY, SAFETY AND ENVIRONMENT MANAGER	DATE 4/12/13
JOINT HOLDER'S NAME (IF APPLICABLE) NA	JOINT HOLDER'S SIGNATURE (IF APPLICABLE)
JOINT HOLDER'S NAME (IF APPLICABLE) NA	JOINT HOLDER'S SIGNATURE (IF APPLICABLE)

Applicant checklist

- ☒ Application form has been signed and all questions completed.
- ☐ Question 5: Application to Amend or Discharge Financial Assurance for an Environmental Authority (EM875) is attached (if applicable).
- ☐ Question 13: Supporting evidence of exclusion from meeting the requirements of the *Strategic Cropping Land Act 2011* has been attached (if applicable)
- ☐ Question 14: Supporting information for biodiversity offsets attached (if applicable)
- ☐ Question 16: mandatory information for the assessment of coal seam gas activities attached (if applicable)
- ☒ Question 19: mandatory information for assessment of

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environmental impacts attached (if applicable)

☒ Fees paid or enclosed.

Please include a word searchable electronic PDF copy of the application documents when you lodge your application.

Further information

The latest version of this publication and other publications referenced in this document can be found at www.qld.gov.au using the relevant publication number (EM847 for this form) as a search term.

Please submit your completed application kit to:

For a mining ERA where the proposed amendment impacts upon the resource tenure:

Mining Registrar
Department of Natural Resources and Mines
DNRM have a list of office locations for mining registrars on their website www.dnrm.qld.gov.au

For ERA 2, ERA 3 or ERA 4

Post:

Senior Environmental Scientist
Animal Industries
Department of Agriculture, Fisheries
and Forestry
PO Box 102
TOOWOOMBA QLD 4350

Enquiries:

Phone: (07) 4688 1374
Fax: (07) 4688 1192
Email: livestockregulator@daff.qld.gov.au

For all other ERAs

Post:

Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001

Courier or hand delivery:

Permit and Licence
Management
Department of Environment
and Heritage Protection
Level 3, 400 George Street
BRISBANE QLD 4000
Business hours: 8:30am–
4:30pm business days

Enquiries:

Permit and Licence Management
Phone: 13 QGOV (13 74 68)
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Attachment 2

Historical Approvals

(Refer to CD Rom Enclosed)

Published on DES Disclosure Log
RTI Act 2009

Attachment 3

Relevant Documents Prepared for Redland Bay

(Refer to CD Rom Enclosed)

Published on DES Disclosure Log
RTI Act 2009

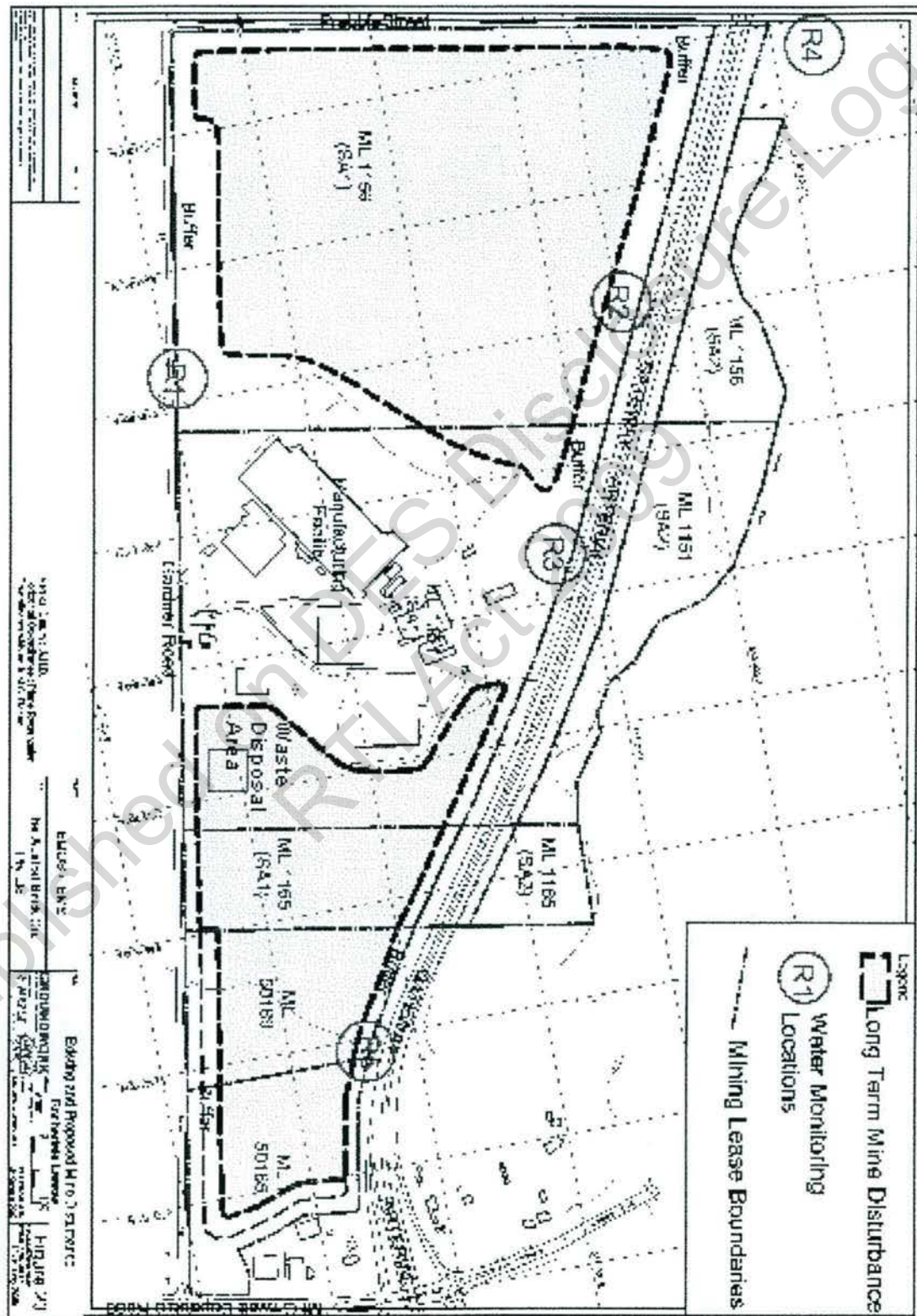
Attachment 4

EPML00912113 Appendix 1 Figures

Published on DES Disclosure Log
RTI Act 2009

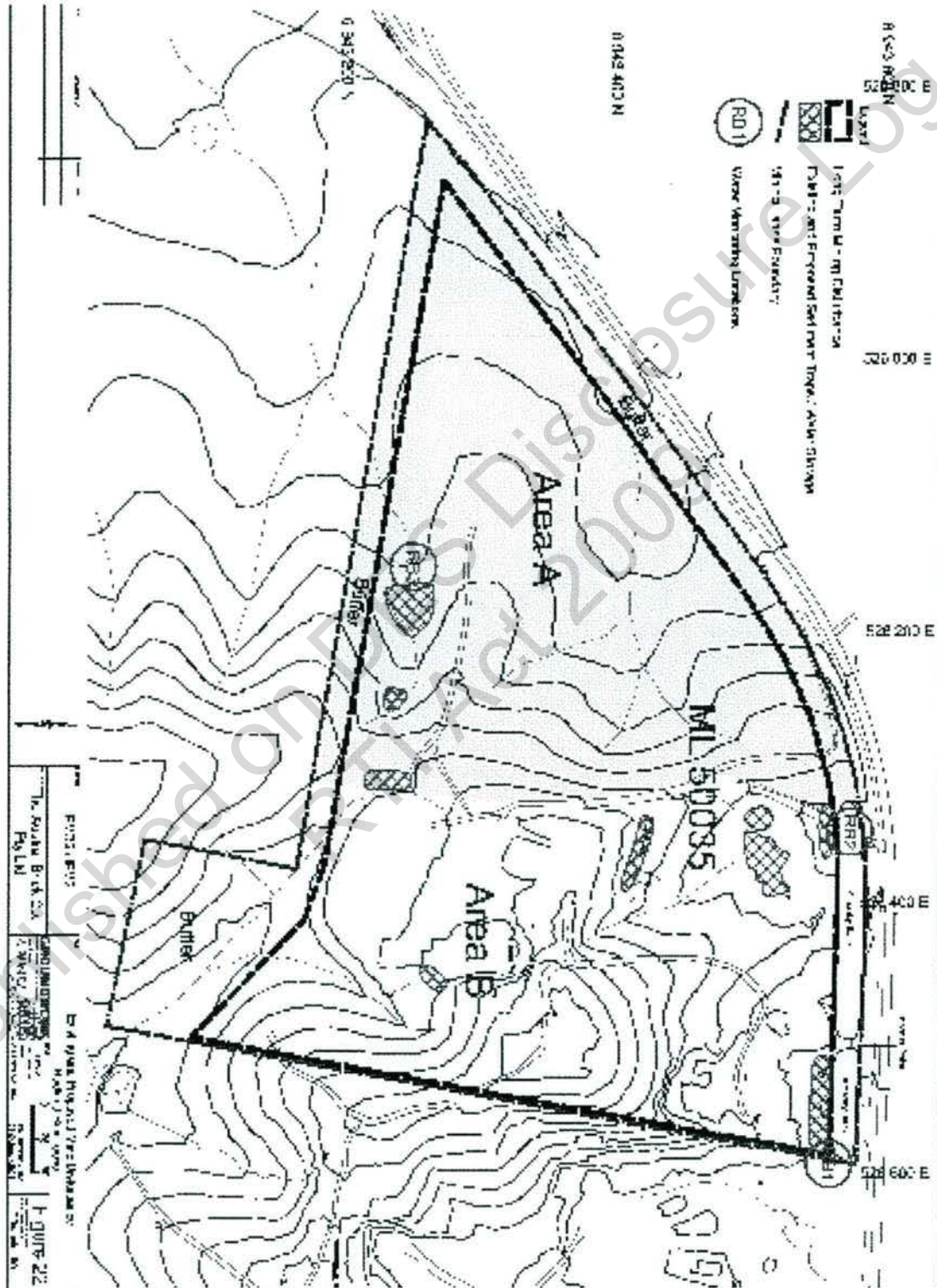
Permit¹ Number: MIN101484410

APPENDIX 1 – FIGURE 1

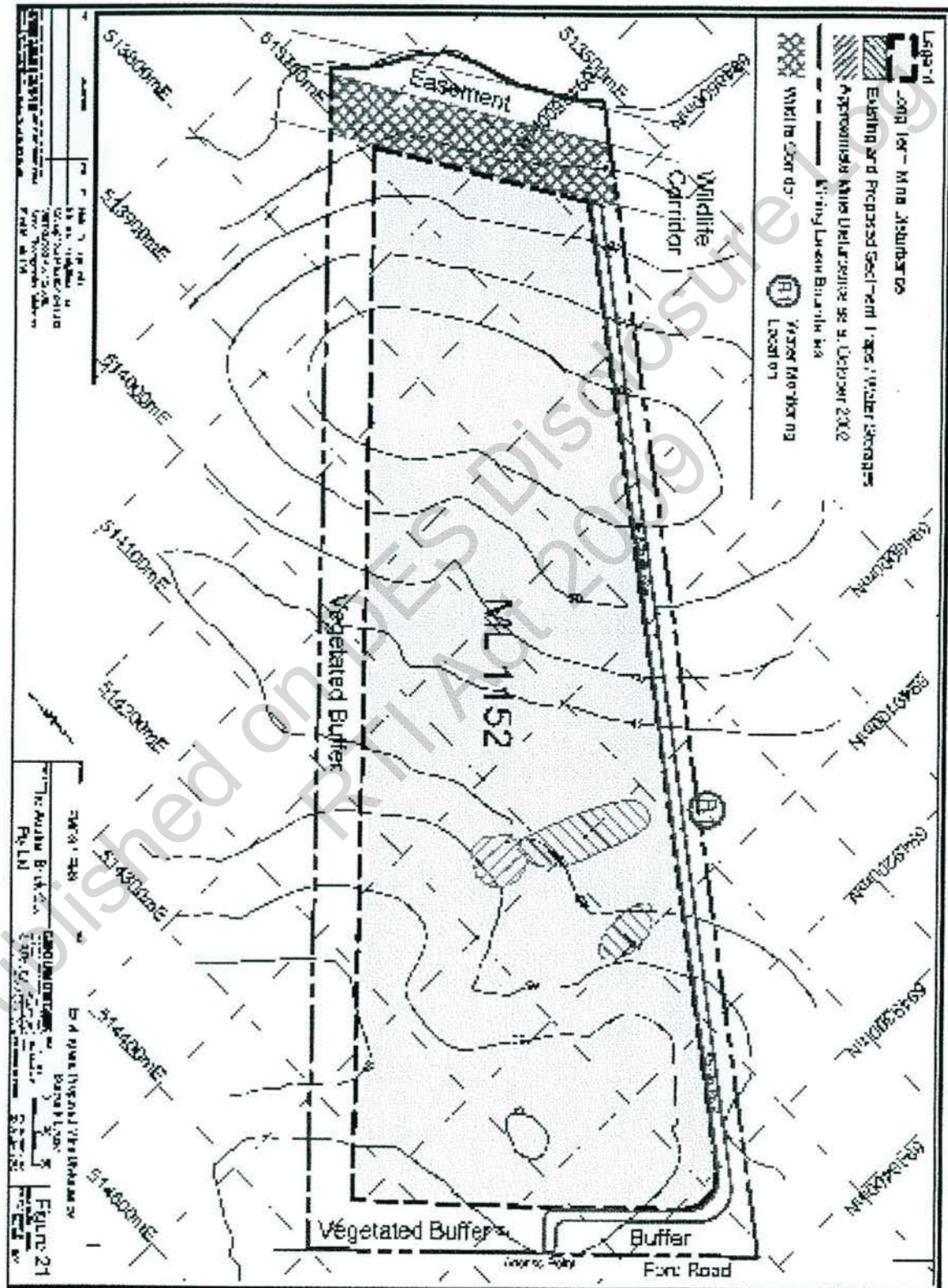


APPENDIX 1 – FIGURE 2

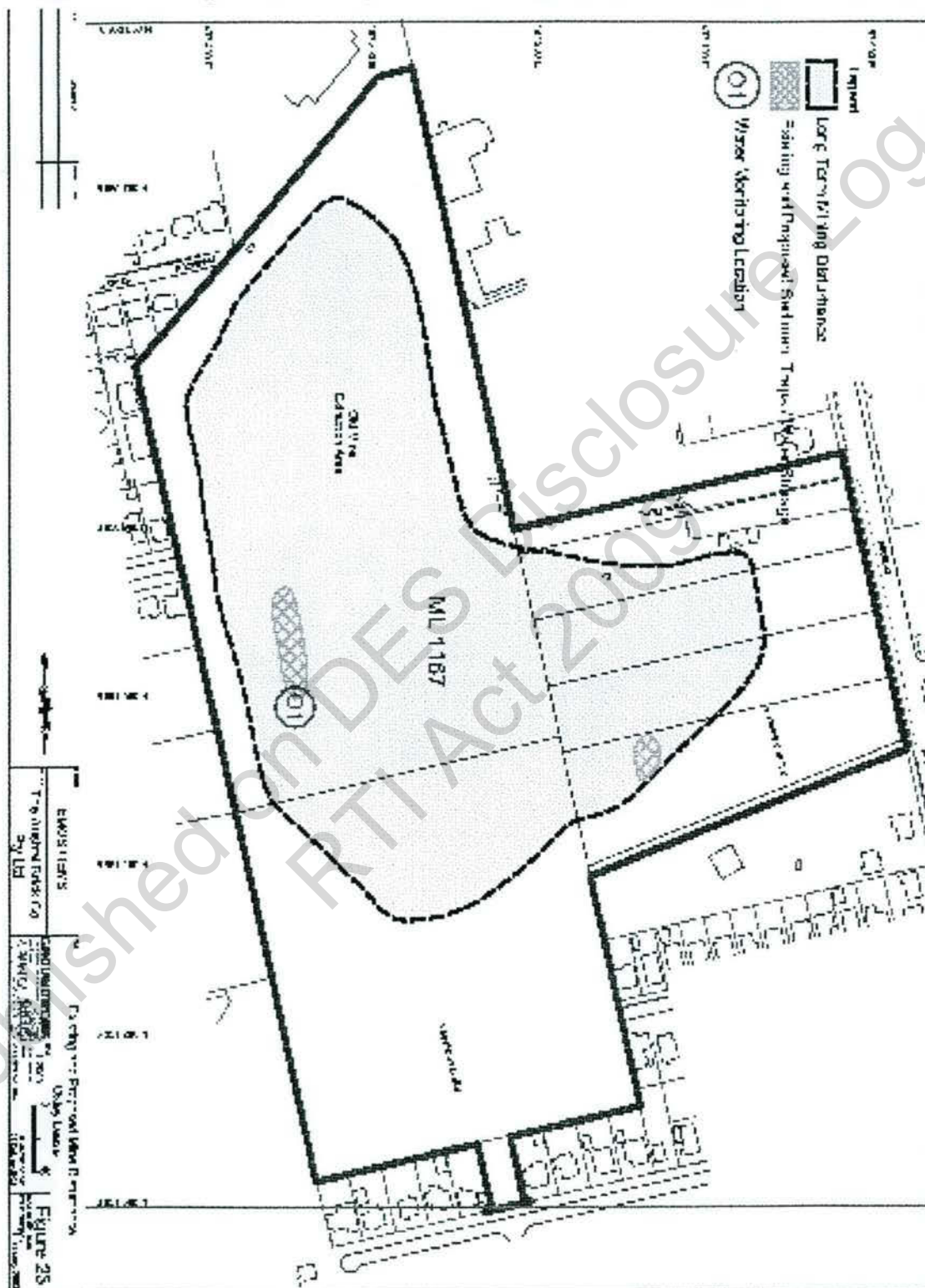
ML 50035 German Church Road Redland Bay – Monitoring Locations and Buffer Zones



APPENDIX 1 – FIGURE 3
ML 1152 Ford Road Burbank – Monitoring Locations and Buffer Zones



APPENDIX 1 – FIGURE 4
ML 1167 Douglas St, Oxley – Monitoring Locations and Buffer Zones



END OF ENVIRONMENTAL AUTHORITY



REV	DESCRIPTION	DATE	BY
1	Initial Issue	2013-09-09	Groundwork
2	Revised	2013-09-10	Groundwork
3	Revised	2013-09-10	Groundwork
4	Revised	2013-09-10	Groundwork
5	Revised	2013-09-10	Groundwork
6	Revised	2013-09-10	Groundwork
7	Revised	2013-09-10	Groundwork
8	Revised	2013-09-10	Groundwork
9	Revised	2013-09-10	Groundwork
10	Revised	2013-09-10	Groundwork

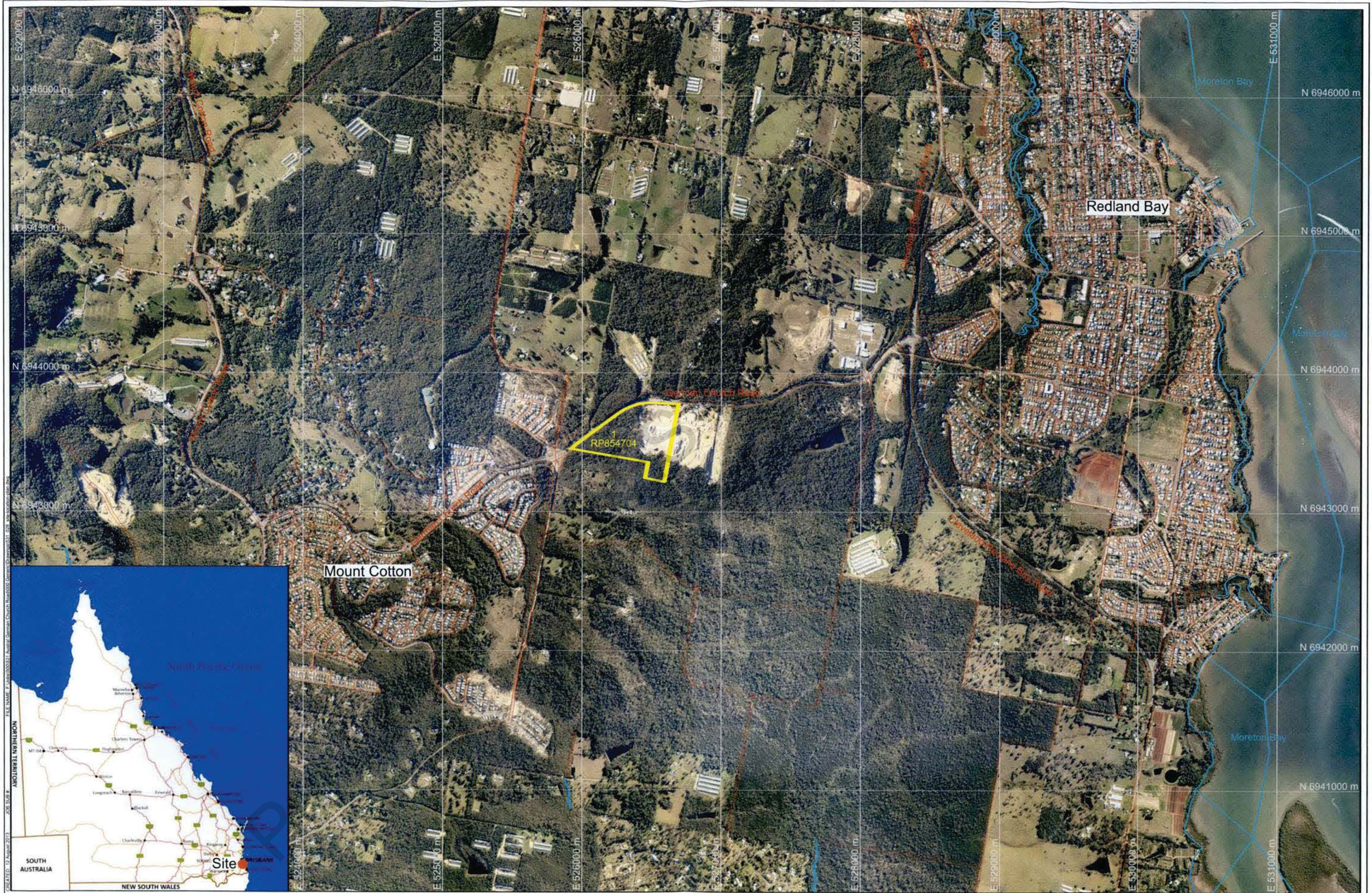
Legend:
Site Boundary
Cadastral Boundary
Easement Boundary
Haul Road



Redland Bay Quarry
The Austral Brick Co. Pty Ltd

Figure 2 - Site Layout Plan

GROUNDWORK	SCALE	DRAWING NUMBER	REVISION
plus	1:2,000	531.031	
PH: +61 7 3871 0411 WWW.GROUNDWORK.COM.AU	0 40		
DATE: 9 September 2013 PRINTED: 30 September 2013			



REV	DESCRIPTION	DATE	BY

Data Sources:
 Photography: Nearmap, Image date: 2013-08-03
 Topography: Cadastre
 Ecosystem: Other

THESE DESIGNS AND PLANS ARE COPYRIGHT AND ARE NOT TO BE USED OR REPRODUCED WHOLLY OR IN PART OR TO BE USED ON ANY PROJECT WITHOUT THE WRITTEN PERMISSION OF GROUNDWORK PLUS. 80 025 140 308

Legend:

- Site Boundary
- Cadastral Boundary - Road
- Cadastral Boundary - Water



PROJECT: Redland Bay Quarry
 CLIENT: The Austral Brick Co. Pty Ltd

Figure 1 - Site Locality Plan
 SCALE: 1:25,000
 DATE: 13 August 2013
 PRINTED: 9 September 2013
 DRAWN: LT
 CHECKED:

GROUNDWORK plus
 PH: +61 7 3871 0411
 WWW.GROUNDWORK.COM.AU

DRAWING NUMBER: 531.028
 REVISION:

DATUM: HORIZONTAL / VERTICAL / ZONE



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Southern Regional Office (Brisbane)
 GPO Box 2771 BRISBANE QLD 4001
 Phone: (07) 3224 5641 Fax: (07) 3225 8723
 www.env.qld.gov.au ABN: 87221158786

Integrated Authority No. SR2484

Section 311 Environmental Protection Act 1994

This integrated authority, issued in accordance with section 311 of the Environmental Protection Act 1994 (the EP Act), provides for the carrying out of different Environmentally Relevant Activities or Environmentally Relevant Activities at different places managed in an integrated way. This integrated authority comprises of one or more types of environmental authority(ies) in accordance with sections 86, 93, 95, 104, 113 and 311, of the EP Act, and this integrated authority details the conditions that are relevant to each stated type of environmental authority.

**Under the provisions of the
 Environmental Protection Act 1994 this integrated authority is issued to:**

The Austral Brick Company Pty Ltd
 105 Gardner Road
 ROCHEDALE QLD 4123

**in respect of carrying out the Environmentally Relevant Activities (ERAs) at the
 different places and under the types of environmental authorities
 described in Table 1.**

This integrated authority is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is 24 April.

This integrated authority takes effect from 24 April 2003.

Signed

Date

Peter Smith
Acting Manager (Licensing)
 Delegate of Administering Authority
Environmental Protection Act 1994

Note: This integrated authority document is not proof of the current status of the integrated authority. The current status of the integrated authority may be ascertained by contacting the Environmental Protection Agency.

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Table 1: This integrated authority consists of the following part(s):

Part 1: Licence (with development approval) (Section 86)

Applicable Part & Schedule(s)	ERA No.	ERA name	Lot	Plan	Location
Part 1 all schedules	20(c)	Extracting rock or other material – extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) from a pit or quarry using plant or equipment having a design capacity of 100,000 t or more a year.	Part of Lot 1	RP854704	Parish of Redland German Church Road REDLAND BAY
Part 1 all schedules	22(c)	Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) or by dredging using plant or equipment having a design capacity of 100,000 tonnes or more a year.	Part of Lot 1	RP854704	Parish of Redland German Church Road REDLAND BAY

Part 2: Licences (without development approval) (Section 93)

Applicable Part & Schedule(s)	ERA No.	ERA name	Lot	Plan	Location
ROCHEDALE PLANT					
Part 2 all schedules Part 4 all schedules	17	Fuel burning - any process involving the use of fuel burning equipment (including, for example, a standby power generator) that is capable of burning (whether alone or in total) 500 kg or more of fuel per hour.	2	844169	County of Stanley, Parish of Tingalpa. 105 Gardner Road ROCHEDALE
Part 2 all schedules Part 4 all schedules	61	Clay or ceramic products manufacturing - manufacturing a clay or ceramic product, including bricks, tiles, pipes, pottery goods and refractories, in works having a design production capacity of more than 200 t per year.	2	844169	County of Stanley, Parish of Tingalpa. 105 Gardner Road ROCHEDALE
Part 2 all schedules Part 4 all schedules	75(a)(vi)	Waste disposal - operating a facility for disposing of only general waste or limited regulated waste, if the facility is designed to receive waste at the rate of 50 000 t or more, but less than 75 000 t per year.	2	844169	County of Stanley, Parish of Tingalpa. 105 Gardner Road ROCHEDALE

RIVERVIEW PLANT					
Part 2 all schedules Part 4 all schedules	17	Fuel burning - any process involving the use of fuel burning equipment (including, for example, a standby power generator) that is capable of burning (whether alone or in total) 500 kg or more of fuel per hour.	1	RP 166658	Parish of Stanley, County of Goodna 103 Riverview Road RIVERVIEW
Part 2 all schedules Part 4 all schedules	22(c)	Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) or by dredging using plant or equipment having a design capacity of 100,000 t or more a year.	1	RP 166658	Parish of Stanley, County of Goodna 103 Riverview Road RIVERVIEW
Part 2 all schedules Part 4 all schedules	61	Clay or ceramic products manufacturing - manufacturing a clay or ceramic product, including bricks, tiles, pipes, pottery goods and refractories, in works having a design production capacity of more than 200 t per year.	1	RP 166658	Parish of Stanley, County of Goodna 103 Riverview Road RIVERVIEW

Part 3: Environmental authority (mining lease) (Section 258)

Applicable Part & Schedule(s)	ERA No.	ERA name	Mining Lease Number	Location
Part 3 all schedules Part 4 all schedules		Section 18(a) of the <i>Environmental Protection Act 1994</i> : Mining Activities Schedule 6 of the <i>Environmental Protection Regulation 1998</i> . Item 11B mining activities, other than a standard mining activity, carried out using equipment and plant having a mineral ore throughput of more than 100,000t during a year but less than 500,000t a year.	1167	Douglas Street OXLEY
			1151	Gardner Road ROCHEDALE
			1152	Ford Road BURBANK
			1156	Gardner Road ROCHEDALE
			1165	Gardner Road ROCHEDALE
			50165	Gardner Road ROCHEDALE
			50189	Gardner Road ROCHEDALE
			50035	German Church Road REDLAND BAY
			4578	Patrick Street SWANBANK
			50115	Whitwood Road NEW CHUM

Part 4: Conditions common to Parts 2 and 3

Applicable Part & Schedule(s)	ERA No.	ERA name	Lot	Plan	Location
ROCHEDALE PLANT, RIVERVIEW PLANT and ALL MINING LEASES					
Parts 2 and 3 – all schedules Part 4		All ERAs listed in Parts 2 and 3			All locations listed in Parts 2 and 3

The aforementioned description of the ERA(s) for which this authority is issued is simply a restatement of the ERA(s) as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA(s) for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA(s) then such conditions prevail to the extent of the inconsistency.

This integrated authority incorporates the following parts:



- Part 1 - Licence (with development approval)
- Part 2 - Licences (without development approval)
- Part 3 - Environmental authority (mining lease)
- Part 4 - Conditions applicable to both Part 2 (Licences [Without Development Approval][Section 93]) AND Part 3 (Environmental Authority [Mining Lease] [Section 258])

Each part consists of conditions relevant to various issues.

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PART 1 - LICENCE(S) (WITH DEVELOPMENT APPROVAL) (Section 86)

Applicable Sites – German Church Road Extractive Operation only

This part and its conditions must be considered in conjunction with any conditions imposed on your development approval(s) granted under the Integrated Planning Act 1997 or its equivalent for the activities under this part.

Part 1 Schedule A - General conditions

- (1:A1-1) Provide a financial assurance in the amount and form and at a time required by the administering authority.

END OF CONDITIONS FOR SCHEDULE A

Part 1 Schedule I - Definitions

“Administering authority” means the Environmental Protection Agency or its successor.

END OF CONDITIONS FOR SCHEDULE I

Part 1 Schedule J - Site Plans

There are no conditions prescribed in this schedule.

END OF CONDITIONS FOR SCHEDULE J

END OF PART 1

PART 2 - LICENCE(S) (WITHOUT DEVELOPMENT APPROVAL) (Section 93)

Applicable Sites – Riverview and Rochedale Brick Manufacturing Plants

This part is for the carrying out of a level 1 environmentally relevant activity without a development approval, under chapter 4, part 3, division 2, subdivision 1 of the Environmental Protection Act 1994. The conditions in this Part of this Integrated Environmental Authority are in addition to those contained in all of Part 4 of this Integrated Environmental Authority.

Part 2 Schedule A - General conditions

Refer to Part 4 Schedule A of this integrated authority.

END OF CONDITIONS FOR PART 2 SCHEDULE A

Part 2 Schedule B - Air

Nuisance

- (2:B1-2) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any odour sensitive place.

The Release of Contaminants to the Atmosphere

- (2:B2-1) The release of contaminants to the atmosphere from a point source must only occur from those release points identified in Part 2 Schedule B - Table 1 and must be directed vertically upwards without any impedance or hindrance.
- (2:B2-2) Contaminants must be released to the atmosphere from a release point at a height and a flow rate not less than the corresponding height and velocity stated for that release point in Part 2 Schedule B - Table 1 and not more than the efflux temperature stated for that release point in Part 2 Schedule B - Table 1.
- (2:B2-3) Contaminants must not be released to the atmosphere from a release point at a mass emission rate/concentration, as measured at a monitoring point, in excess of that stated in Part 2 Schedule B - Table 1 and monitored not less frequently than Part 2 Schedule B Table 1.
- (2:B2-4) Monitoring provisions and monitoring points must be provided for all the release points listed in Part 2 Schedule B, Table 1. The monitoring provisions and monitoring points must comply with the Australian Standard AS 4323.1 - 1995 "Stationary source emissions Method 1: Selection of sampling provisions".
- (2:B2-5) The holder of this environmental authority must conduct a monitoring program of contaminant releases to the atmosphere at the release points, frequency, and for the parameters specified in Part 2 Schedule B, Table 1 and which complies with the following:
- (a) All determinations of the quality of contaminants released must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.
 - (b) All determinations of the quality and quantity of contaminants released to the atmosphere must be made in accordance with methods prescribed in the Department of Environment Air Quality Sampling Manual, November 1997, or more recent editions or supplements to that document as such become available.

- (c) The following tests must be performed for each required determination specified in Part 2 Schedule B, Table 1:
- (i) gas velocity and volume flow rate;
 - (ii) temperature; and
 - (iii) water vapour concentration.
- (d) Where practicable, samples taken must be representative of the contaminants discharged when emissions are expected to be maximum,
- (e) During the sampling period the following additional information must be gathered:
- (i) production rate;
 - (ii) equipment operating;
 - (iii) product made;
 - (iv) date of sampling;
 - (v) start and end time of sampling;
 - (vi) fuel rate;
 - (vii) fluoride concentration in the mixture of clay used before and after fired (Rochedale only); and
 - (viii) proportion of each raw clay used (Rochedale only).
- (f) Oxides of nitrogen must be calculated as NO^2 at a 7 percent oxygen level and total particulates must be determined where gas volume is calculated to 12 percent CO^2 .

Part 2 Schedule B - Table 1 (Release of contaminants)

Release point number	Minimum release height (metres)	Minimum velocity (m/sec)	Minimum efflux temp (°C)	Contaminant	Release Limit	Sampling frequency
Riverview Plant A1 - Swindell Dressler Tunnel Kiln	25	8	n/a	Concentration total particulates	0.25 g/m ³	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Concentration nitrogen oxides	0.35 g/m ³	Not less frequently than annually
				Mass emission nitrogen oxides	n/a	Not less frequently than annually
Rosedale Plant A1 - Swindell Dressler Tunnel Kiln	30	8.7	126	Total particulates	0.25 g/m ³	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Nitrogen oxides	0.35 g/m ³	Not less frequently than annually
				Mass emission nitrogen oxides	n/a	Not less frequently than annually
				Total fluoride (mass emission rate) g/sec	1.35	Not less frequently than annually
				Concentration total fluoride	n/a	Not less frequently than annually
Rosedale Plant A2 - Ceric Tunnel Kiln	15	9.5	124	Total particulates	0.25 g/m ³	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Nitrogen oxides	0.35 g/m ³	Not less frequently than annually
				Mass emission nitrogen oxides	n/a	Not less frequently than annually
				Total fluoride (mass emission rate) g/sec	1.88	Not less frequently than annually
				Concentration total fluoride	n/a	Not less frequently than annually

Riverview Plant

- (2:B3-1) Total Fluoride emissions from the release point numbered A1 at the Riverview Plant must not result in Ground Level Concentrations (GLC's) in excess of 3.7 ug/m³ for an averaging time of 12 hours and 0.5 ug/m³ for an averaging time of 90 days, beyond the boundaries of the licensed place.
- (2:B3-2) For the purposes of checking conformity with condition 2:B3-1, the results of the Fluoride monitoring as required in Part 2 Schedule B - Table 1 must be expressed as ugHF/m³ and modelled using an Appropriate Air Pollution Dispersion Modelling Program to determine the Ground Level Concentrations for the 12 hour and 90 day averaging time.
- (2:B3-3) The only fuel to be used in the Swindell Dressler Tunnel Kiln is natural gas.
- (2:B3-4) There must be no visible emission from release point number A1.

Rosedale Plant

- (2:B4-1) The only fuel to be used in the Swindell Dressler Tunnel Kiln (A1) and the Ceric Tunnel Kiln (A2) is natural gas.

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- (2:B4-2) There must be no visible emission from release point numbers A1 or A2.
- (2:B4-3) The holder of this environmental authority must conduct a vegetation survey to detect chemical fumigation when there is non-compliance with any limit in Part 2 Schedule B – Table 1 and/or with the fluoride mass emission rate in Part 2 Schedule B – Table 1, or within three (3) years of the last vegetation survey submitted to the administering authority.
- (2:B4-4) The vegetation survey required by condition 2:B4-3 must be conducted at Boorabbin Picnic Ground, along Stackpole Street, F R Caterson Park, along Mt Petrie Road, Gardner Road and Prebble Street.
- (2:B4-5) A person or body possessing appropriate experience and qualifications must perform the vegetation survey required by condition 2:B4-3 of this environmental authority.
- (2:B4-6) The holder of this environmental authority must ensure the data collected by conditions 2:B2-5 and 2:B4-3 of this environmental authority is analysed and interpreted to assess the nature and extent of any environmental impact of the environmentally relevant activity. The data, analysis and assessment must be submitted to the administering authority within three (3) months of the completion of any vegetation survey required by condition 2:B4-3.

END OF CONDITIONS FOR PART 2 SCHEDULE B

Part 2 Schedule C - Water

Release to waters – Rochedale Plant only

- (2:C1-1) Process water, storm water and/or receiving waters must be monitored at the locations and frequencies defined in Part 2 Schedule C - Table 1 and comply with the contaminant limits defined in Part 2 Schedule C - Table 2.

Part 2 Schedule C - Table 1 (Water monitoring locations and frequency)

Monitoring Point	Monitoring Type	Co-ordinates (AMG)		Frequency
		Easting	Northing	
R1	Background for point R3	511580	6951560	When point R3 is sampled
R3	Discharge	511040	6951970	"Event Release"

Part 2 Schedule C - Table 2 (Discharge contaminant limits)

Monitoring Point	Parameter	Minimum	Maximum
R3	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50mg/L or not more than 110% of the value at R1*

* For the same monitoring event

Stormwater Management Plan – Rochedale Plant Only

- (2:C2-1) The holder of this environmental authority must have developed and implemented an effective and appropriate Stormwater Management Plan which details how the holder of this environmental authority will manage the actual and potential environmental impacts resulting from the contamination of stormwater at the licensed place.
- (2:C2-2) The Stormwater Management Plan must address at least the following matters:
- prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants; and
 - diversion of upstream runoff away from areas containing wastes or contaminants; and
 - minimisation of the size of contaminated areas; and
 - cleaning of contaminated areas without water; and
 - installation and maintenance of pollution control equipment such as oil separators, silt and rubbish traps, and stormwater diversion systems; and
 - installation and maintenance of sediment control measures for stormwater such as by means of coagulation, sedimentation, dissolved air flotation, settling basins or other suitable means; and
 - paving and roofing of contaminated areas; and
 - revegetation of exposed or disturbed areas; and
 - diversion of upstream runoff from exposed or disturbed areas and stockpiles; and
 - sampling and monitoring of stormwater discharges from the licensed place to waters for parameters including the following:
 - suspended solids; and
 - pH.

END OF CONDITIONS FOR PART 2 SCHEDULE C

Part 2 Schedule D - Noise

- (2:D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
- (2:D1-2) All noise from activities must not exceed the levels specified in Part 2 Schedule D - Table 1 at any noise affected premises.

Part 2 Schedule D Table 1: Noise Limits

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
Noise measured at a 'Noise sensitive place'						
L _{A10} , adj, 10 mins	b/g+5	b/g+5	b/g+3	b/g+5	b/g+5	b/g+0
L _{A1} , adj, 10 mins	b/g+10	b/g+10	b/g+5	b/g+10	b/g+10	b/g+5
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	b/g+10	b/g+10	b/g+8	b/g+10	b/g+10	b/g+5
L _{A1} , adj, 10 mins	b/g+15	b/g+15	b/g+10	b/g+15	b/g+15	b/g+10

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Note: The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Manuals.Noise monitoring

(2:D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, which is neither frivolous or vexatious or based on mistaken belief on the opinion of the authorised officer, and the results notified within 14 days to the administering authority. Monitoring must include:

- L_A 10, adj, 10 mins
- L_A 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(2:D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR PART 2 SCHEDULE D

Part 2 Schedule E – Waste

The conditions of this Part 2 Schedule E Waste Schedule apply to the Rochedale Plant only, in addition to those conditions in Part 4 Schedule E.

Waste Management Plan (WMP)

(2:E1-1) The holder of this environmental authority, must develop and implement an effective and appropriate Waste Management Plan which details how the holder of this environmental authority will manage the actual and potential environmental impacts resulting from all wastes produced at the licensed place.

(2:E1-2) The Waste Management Plan must address at least the following matters:

- (a) the quantity and nature of each waste produced;
- (b) the current method of disposal;
- (c) proposed methods of pre-treatment or disposal;
- (d) expected reduction in quantity of waste produced through waste minimisation and cleaner production;
- (e) investigation and evaluation of alternative treatment options;
- (f) areas to be set aside for the segregation and storage of recyclable solid wastes;
- (g) where a no-cost recycling service is available, reasonable and practicable steps must be taken to ensure recyclable waste is not deposited in the general waste stream. Such steps may include, but are not limited to provision of receptacles; suitable signage; and promotion of awareness among staff of the recycling service.
- (h) provisions for carrying out and submitting to the administering authority a waste audit within 12 months from the date of issue of this environmental authority and thereafter every five (5) years.

- (2:E1-3) A copy of the Waste Management Plan and subsequent amendments must be kept at the licensed place and must be made available to any authorised person or the administering authority on request.
- (2:E1-4) The holder of this environmental authority must not implement a Waste Management Plan or amend a Waste Management Plan where such implementation or amendment would result in a contravention of any condition of this environmental authority.

On Site Waste Disposal

- (2:E2-1) The defined on site waste disposal area is described as "Waste Disposal Area" delineated on Figure 1 of Appendix 1.
- (2:E2-2) Only the following general waste, which is generated by the brickworks operation, is to be disposed of at the Waste Disposal Area:
- (i) broken and reject bricks, pavers and other ceramic products;
 - (ii) timber;
 - (iii) plastic, paper and cardboard; and
 - (iv) concrete and concrete products with or without reinforcing steel.
- (2:E2-3) Where general waste associated with the manufacture of bricks or pavers on the licensed place is disposed of on the premises (other than as permitted by another schedule of this environmental authority), the holder of this environmental authority must monitor and record:
- (a) the date, quantity and type of waste disposed; and
 - (b) the location of disposal of the waste; and
 - (c) the method of disposal of the waste.
- (2:E2-4) Appropriate signs must be prominently displayed at the waste disposal area or appropriate written instructions must be given to all persons responsible for depositing waste:
- The signs or written instructions must at least indicate:
- (i) the types of waste that may be disposed;
 - (ii) the types of waste which must not be disposed;
 - (iii) the location where the wastes must be deposited within the general waste disposal area, and
 - (iv) that open burning of waste is prohibited.
- (2:E2-5) Wastes must not be deposited beyond the boundaries of the waste disposal area.
- (2:E2-6) Regulated waste must not be stored or disposed of or deposited in the waste disposal area.

Security

- (2:E3-1) The holder of this environmental authority must prevent any unauthorised disposal of waste on or in the licensed place.
- (2:E3-2) The holder of this environmental authority must ensure that all access gates are locked when the licensed place is unattended.

END OF CONDITIONS FOR PART 2 SCHEDULE E



Part 2 Schedule F - Land

Release of Contaminants to Land

- (2:F1-1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land.

END OF CONDITIONS FOR PART 2 SCHEDULE F

Part 2 Schedule G - Community

Refer to Part 2 Schedule G of this authority.

END OF CONDITIONS FOR PART 2 SCHEDULE G

END OF PART 2

PART 3 - ENVIRONMENTAL AUTHORITY (MINING LEASE) (Section 258)

This part is for the carrying out of an environmental authority (mining activities) for a mining lease under chapter 5, parts 1, 2 and 6 of the Environmental Protection Act 1994. The conditions in this Part of this Integrated Environmental Authority are in addition to those contained in all of Part 4 of this Integrated Environmental Authority.

Part 3 Schedule A - General

Financial Assurance

- (3:A1-1) Provide a financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.

NOTE: The calculation of financial assurance for condition (3:A1-1) must be in accordance with Guideline 17 and may include a performance discount. The amount is defined as the maximum total rehabilitation cost for complete rehabilitation of all disturbed areas, which may vary on an annual basis due to progressive rehabilitation. The amount required for the financial assurance must be the highest Total Rehabilitation Cost calculated for any year of the Plan of Operations and calculated using the formula: (Financial Assurance = Highest Total Annual Rehabilitation Cost x Percentage Required)

- (3:A1-2) The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.

NOTE: Where progressive rehabilitation is completed and acceptable to the administering authority, progressive reductions to the amount of financial assurance will be applicable where rehabilitation has been completed in accordance with the acceptance criteria defined within this environmental authority.

END OF CONDITIONS FOR PART 3 SCHEDULE A

Part 3 Schedule B - Air

Refer to Part 4 Schedule B of this Integrated Authority.

END OF CONDITIONS FOR PART 3 SCHEDULE B

Part 3 Schedule C - Water

Release to waters

- (3:C1-1) Process water, storm water and/or receiving waters must be monitored at the locations and frequencies defined in Part 3 Schedule C - Table 1 (at the locations depicted in Appendix 1 Figures 1, 2, 3 and 4) and comply with the contaminant limits defined in Part 3 Schedule C - Table 2.



Part 3 Schedule C - Table 1 (Water monitoring locations and frequency)

*Monitoring Point	Monitoring Type	Co-ordinates (AMG)		Frequency
		Easting	Northing	
Rochedale Leases (MLs 1156, 1151, 1165, 50189 and 50165)				
R1	Background for point R3	511580	6951560	When point R3 is sampled
R3	Discharge	511040	6951970	"Event Release"
R4	Background for points R2 and R5	510500	6951200	When points R2 and/or R5 are sampled
R2	Discharge	510880	6951600	Each Pumped Release
R5	Discharge	511470	6952600	"Event Release" and each pumped release
Burbank Lease (ML1152)				
B1	Discharge	513890	6949050	"Event Release"
Redland Bay Lease (ML50035)				
RB1	Discharge	526590	6943600	"Event Release"
RB2	Discharge	526350	6943600	"Event Release"
RB3	Discharge	526160	6943250	"Event Release"
Oxley Lease (ML1167)				
O1	Discharge	497350	6951000	Each Pumped Release

* Refer to Appendix 1 Figures 1, 2, 3 and 4 for monitoring locations.

Part 3 Schedule C - Table 2 (Contaminant release limits)

Monitoring Point	Parameter	Minimum	Maximum
Rochedale Leases (MLs 1156, 1151, 1165, 50189 and 50165)			
R2 and R5	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50mg/L or not more than 110% of the value at R4*
R3	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50mg/L or not more than 110% of the value at R1*
Burbank Lease (ML1152)			
B1	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50
Redland Bay Lease (ML50035)			
RB1, RB2, RB3	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50
Oxley Lease (ML1167)			
O1	pH	6.5	9
	Total Suspended Solids (mg/L)	-	50

* for the same monitoring event

Part 3 Schedule D - Noise and vibration

Noise nuisance

- (3:D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
- (3:D1-2) All noise from activities must not exceed the levels specified in Part 3 Schedule D - Table 2 at any noise affected premises.
- (3:D1-3) No mining activities may be undertaken outside of the hours for the sites listed in Part 3 Schedule 3 Table 1, unless the activities are solely for pollution control.

Part 3 Schedule D - Table 1: Operating Hours

Tenure(s) – mining leases	Location	Hours
1151, 1156, 1165, 50165, 50189	Rochedale	Mon-Fri 6am – 6pm; Sat 6am-5pm
1152	Burbank	Mon-Fri 7am – 5pm
50035	Redland Bay	Mon-Fri 7am – 6pm; Sat 7am-4pm
1167	Oxley	Mon-Fri 7am – 5pm
4578	Swanbank	Mon-Sat daylight hours
50115	New Chum	Mon-Sat daylight hours

Part 3 Schedule D - Table 2 (Noise limits)

Noise level dB(A) measured as	Monday to Saturday	
	6am - 7am	7am - 6pm
Noise measured at a 'Noise sensitive place'		
L _{A10} , adj, 10 mins	b/g+3	b/g+5
L _{A1} , adj, 10 mins	b/g+5	b/g+10
Noise measured at a Commercial place'		
L _{A10} , adj, 10 mins	b/g+8	b/g+10
L _{A1} , adj, 10 mins	b/g+10	b/g+15

Noise monitoring

(3:D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, which is neither frivolous or vexatious or based on mistaken belief on the opinion of the authorised officer, and the results notified within 14 days to the administering authority. Monitoring must include:

- L_A 10, adj, 10 mins
- L_A 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(3:D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR PART 3 SCHEDULE D

Part 3 Schedule E - Waste

Refer to Part 4 Schedule E of this integrated authority.

END OF CONDITIONS FOR PART 3 SCHEDULE E

Part 3 Schedule F - Land

Rehabilitation landform criteria

(3:F1-1) All areas significantly disturbed by mining activities must be rehabilitated in accordance with Part 3 Schedule F – Table 1.

Part 3 Schedule F - Table 1 (Final Land Use and Rehabilitation Outcome Schedule)

Tenure ID	Disturbance Type	Projective Surface Area (ha)	Rehabilitation Outcome
ROCHEDALE LEASES			
ML1151	Infrastructure (brick manufacturing and ancillary facilities)	22.5	Industrial
	Mine void	7.0	Industrial
	Sediment traps / water basins	0.2	Wetland Type 1
	Amenity banks / buffers	4.0	Native Ecosystem
ML1156	Mine void	31.5	Industrial
	Sediment traps / water basins	2.0	Industrial or Wetland Type 1
	Amenity banks / buffers		Native Ecosystem
ML1165	Mine void	5.0	Industrial
	Sediment traps / water basins	0.2	Wetland Type 1
	Amenity banks / buffers	0.8	Native Ecosystem
ML50165	Mine void	3.7	Wetland Type 2
	Amenity banks / buffers	3.2	Native ecosystem
ML50189	Mine void	5.2	Wetland Type 2
	Amenity banks / buffers	1.6	Native Ecosystem
BURBANK LEASE			
ML1152	Mine void	24	Native Ecosystem
	Sediment traps / water basins	0.6	Wetland Type 1
	Roads	1	No rehabilitation required – retain
	Buffer	8.8	Native Ecosystem
REDLAND BAY LEASE			
ML50035	Mine void	17.2	To be determined
	Sediment traps / water basins	1	Wetland Type 1
	Roads	0.8	No rehabilitation required – retain
	Buffer	4	Native Ecosystem
OXLEY LEASE			
ML1167	Mine void	7.8	Industrial
	Sediment traps / water basins	0.5	Wetland Type 1
	Roads	0.5	No rehabilitation required – retain
	Buffer	6.6	No rehabilitation required – retain / Residential
NEW CHUM LEASE			
ML50115	Mine voids	31.0	Industrial
	Spoil stockpiles	13	Industrial
	Roads	3.0	No rehabilitation required – retain
	Water Storages	1.5	No rehabilitation required – retain

Part 3 Schedule F - Table 1 (Final Land Use and Rehabilitation Outcome Schedule) - continued

Tenure ID	Disturbance Type	Projective Surface Area (ha)	Rehabilitation Outcome
SWANBANK LEASE			
ML4578	Mine voids	17.2	Industrial
	Stockpile areas	3.3	Industrial
	Spoil stockpiles	10	Industrial
	Roads / power line easements	3.3	No rehabilitation required - retain
	Water Storages	0.8	No rehabilitation required - retain

Rehabilitation Outcome – Industrial or Residential

- (3:F2-1) Subject to conditions 3:F2-2, 3:F2-3 and 3:F2-4, disturbed land nominated for industrial or residential rehabilitation outcome will be considered rehabilitated when the land is stabilised and does not, or will not have potential to cause environmental harm to the environmental values.
- (3:F2-2) Disturbed land and/or mine voids remaining at the end of mine life and nominated for the rehabilitation outcome of industrial, will only be considered suitable for surrender when a development approval and environmental authority (with development approval) application (or applicable local government and environmental approvals (or lawful use) relevant at the time) has been approved for the proposed activities.
- (3:F2-3) In the event of an unsuccessful development application (or other requirement at the time) for proposed industrial activities, an application must be made by the holder of this environmental authority to nominate an alternative rehabilitation outcome.
- (3:F2-4) To remove any doubt, the nomination of the final land use of industrial or residential in Part 3 Schedule F Table 1, does not negate any local or state government planning or approval requirements for the development of that land.

Rehabilitation Outcome – Native Ecosystem

- (3:F3-1) Areas that are to be rehabilitated to native ecosystem must comply with the following outcomes:
- achievement of a self sustaining native ecosystem with a species composition and distribution similar to the pre-mining species composition and distribution; and
 - the landform must be suitable to support the ecosystem in 3:F3-1 a), not impede fauna corridors and be stable and non-polluting.
- (3:F3-2) Complete an investigation into rehabilitation of disturbed areas and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in 3:F3-1. A report on the investigation, which will propose acceptance criteria, must be submitted to the administering authority by 30 June 2005.

Rehabilitation Outcome – Wetland Type 1 (rehabilitated sediment dams)

- (3:F4-1) Areas that are to be rehabilitated to wetland type 1 outcome will be considered rehabilitated when the dams are revegetated with species appropriate to filter contaminants from the water, and water discharges from the dams do not exceed the total suspended solids value of the inflow to the pond.

Rehabilitation Outcome – Wetland Type 2 (water filled voids)

- (3:F5-1) Complete an investigation into rehabilitation of disturbed areas to wetland type 2 outcome and submit a report to the administering authority proposing acceptance criteria. A report on the investigation and proposals for acceptance criteria must address:
- a) water quality to be achieved in the water filled void;
 - b) water quality to be achieved for any discharges from the void; and
 - c) revegetation standards to be met for the fringes of the void.
- and the report must be submitted to the administering authority by 30 June 2005.

Buffer Zones

- (3:F6-1) There must be no mining activities conducted in the buffer zones or wildlife corridor areas identified in Appendix 1 Figures 1, 2, 3 and 4, other than for the construction or removal of amenity banks, environmental control works, and activities involved with access or provision of services to the lease areas.

Open Area and Progressive Rehabilitation

- (3:F7-1) The *open area* for the relevant mining lease must not exceed the area described in Part 3 Schedule F Table 2.

Part 3 Schedule F Table 2 – Open Area Limits

Tenure	Location	Open Area Limit (Ha)
ML 1152	Ford Road, Burbank	4

- (3:F7-2) Subject to condition 3:F7-1, progressive rehabilitation must commence within three years of areas become available within the operational land.

Infrastructure

- (3:F8-1) All infrastructure, constructed by or for the environmental authority holder during the mining activities including water storage structures, must be removed from the site prior to mining lease surrender, except where agreed in writing by the post mining land owner / holder.

NOTE: This is not applicable where the landowner / holder is also the environmental authority holder.

Rehabilitation Outcome – To be determined

- (3:F9-1) The final land use of mine voids for Redland Bay lease (MR 50035) is to be determined by a Planning Use Study which is to be consistent with any Planning Scheme and any rehabilitation outcome.
- (3:F9-2) The Planning Use Study report must be submitted to the administering authority by 30 June 2005.

END OF CONDITIONS FOR PART 3 SCHEDULE F

Part 3 Schedule G - Community

Refer to Part 4 Schedule G of this integrated authority

END OF CONDITIONS FOR PART 3 SCHEDULE F

END OF PART 3

R

PART 4 – CONDITIONS APPLICABLE TO BOTH PART 2 (LICENCES [WITHOUT DEVELOPMENT APPROVAL][Section 93]) AND PART 3 (ENVIRONMENTAL AUTHORITY [MINING LEASE] [Section 258])

Applicable Sites – Riverview and Rochedale Brick Manufacturing Plants and all mining leases.

This part contains conditions that are applicable to all locations and environmental authority types contained within Part 3 and Part 4 of this Integrated Authority.

Part 4 Schedule A - General conditions

Prevent and /or minimise likelihood of environmental harm

- (4:A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.

NOTE: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of Measures, Plant and Equipment

- (4:A2-1) The holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper condition; and
 - operate such measures, plant and equipment in a proper manner.

Records

- (4:A3-1) Record, compile and keep all monitoring results required by Parts 2, 3 and 4 of this integrated authority and present this information to the administering authority when requested, in a specified format.

Storage and Handling of Flammable and Combustible Liquids

- (4:A4-1) Spillage of all flammable and combustible liquids must be contained within an on-site containment system and controlled in a manner that prevents environmental harm (other than trivial harm) and maintained in accordance with Section 5.9 of AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 1993.

Definitions

- (4:A5-1) Words and phrases used throughout this EA are defined in Part 4 Schedule H – Definitions. Where a definition for a term used in this EA is sought and the term is not defined within this EA, the definitions in the Environmental Protection Act 1994, its Regulations and Environmental Protection Policies must be used.



Integrated Environmental Management System (IEMS)

- (4:A6-1) Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:
- develop an Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
 - implement and maintain the IEMS from the commencement of carrying out the activities.
- (4:A6-2) The IEMS must provide for at least the following functions:
- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
 - The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
 - Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
 - Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
 - Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
 - Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
 - Effective communication to ensure two-way communication on environmental matters between operational staff and higher management;
 - Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
 - Monitoring of the release of contaminants into the environment including procedures, methods, record keeping and notification of results;
 - Conducting assessment of the environmental impact of any release of contaminants into the environment;
 - Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than annually; and
 - Waste prevention, treatment and disposal; and
 - A program for continuous improvement.
- (4:A6-3) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out the activities.

Part 4 Schedule B - Air

Dust nuisance

- (4:B1-1) Subject to Conditions (4:B1-2) and (4:B1-3) the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.

- (4:B1-2) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
- for a complaint alleging dust nuisance, dust deposition; and
 - 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 (μm) (PM10) suspended in the atmosphere over a 24hr averaging time.
- (4:B1-3) If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of (4:B1-1):
- a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method of 1991; and
 - b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive or commercial place downwind of the operational land, when monitored in accordance with:
 - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method, when monitored in accordance with AS 3580.9.6 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet - Gravimetric method of 1990;
- or
- Any alternative method of sampling PM10, which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
- NOTE: You must propose which monitoring method is appropriate in accordance with condition (4:B1-3) (a) or (b) or both.

Dust Control

- (4:B2-1) Stockpiles must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to anemometer switching systems which trigger operation of effective water spray systems during winds likely to generate such releases, use of dust suppressants, shielding and storage in bunkers.
- (4:B2-2) Trafficable areas must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to sealing with bitumen or other suitable material, keeping surfaces clean, use of water sprays, adoption and adherence to speed limits, use of dust suppressants and wind breaks.
- (4:B2-3) Raw material preparation plants and external transfer conveyors must be operated and maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to transfer of materials in a moist state, enclosure of conveyors and buildings, use of water sprays at transfer points, shielding and wind breaks.

END OF CONDITIONS FOR PART 4 SCHEDULE B

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Part 4 Schedule D - Noise and Vibration

Refer to Part 3 Schedule D of this integrated authority for mining activity conditions

Refer to Part 2 Schedule D of this integrated authority for non-mining conditions.

END OF CONDITIONS FOR PART 4 SCHEDULE D

Part 4 Schedule E – Waste

General

- (4:E1-1) The holder of this environmental authority must not:
- (i) burn waste at or on the licensed place; nor
 - (ii) allow waste to burn or be burnt at or on the licensed place; nor
 - (iii) remove waste from the licensed place and burn such waste elsewhere.

Off Site Movement

- (4:E2-1) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and record the following:
- (a) the date, quantity and type of waste removed; and
 - (b) name of the waste transporter and/or disposal operator that removed the waste; and
 - (c) the intended treatment/disposal destination of the waste.
- (NOTE: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition).
- (4:E2-2) Regulated waste must not be sent for disposal at any facility without the written approval of the person operating that facility.

Records

- (4:E3-1) Records must be maintained for a period of five (5) years for all wastes mentioned in this schedule.

Notification of Improper Disposal Of Regulated Waste

- (4:E4-1) If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or which is improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

END OF CONDITIONS FOR PART 4 SCHEDULE E

Part 4 Schedule F - Land

There are no conditions prescribed for this schedule.

END OF CONDITIONS FOR PART 4 SCHEDULE F

Part 4 Schedule G – Community

Complaint response

- (4:G1-1) All complaints received must be recorded including details of complainant, reasons for the complaint, investigations undertaken, conclusions formed and actions taken. This information must be made available for inspection by the administering authority on request.

END OF CONDITIONS FOR PART 4 SCHEDULE G

Part 4 Schedule H – Definitions

“acceptance criteria” means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding:

- vegetation establishment, survival and succession;
- vegetation productivity, sustained growth and structure development;
- fauna colonisation and habitat development;
- ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- resilience of vegetation to disease, insect attack, drought and fire;
- vegetation water use and effects on ground water levels and catchment yields.

“airblast overpressure” means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dB).

“ambient (or total) noise” at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.

“competent person” means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.

“authority” means environmental authority (mining activities) under the *Environmental Protection Act 1994*.

“blasting” means the use of explosive materials to fracture-

- (a) rock, coal and other minerals for later recovery; or
- (b) structural components or other items to facilitate removal from a site or for reuse.

“commercial place” means a place used as an office or for business or commercial purposes, other than a place within the boundaries of the operational land.

“dam” means a containment or proposed containment whether permanent or temporary, which is designed to contain, divert or control flowable substances. However this does not include a fabricated or manufactured tank or container designed to a recognised standard.

“environmental authority holder” means the holder of this environmental authority.

“event release” means when water is released and which must occur at least four times per year.

R



"flowable substance" means matter or mixture of materials which can be forced to or otherwise flow under any conditions possible in a situation. It includes water, other liquids or a mixture that includes water or any other liquid or suspended solids.

"hazardous waste" means any substance, whether liquid, solid or gaseous, derived by or resulting from, the processing of minerals that tends to destroy life or impair or endanger health.

"IEMS / Project EMOS" document titled "Environmental Management Overview Strategy (consolidating mining project numbers PJ50036, 50134, 50128 and 50150) incorporating Integrated Environmental Management System (mining, manufacturing and extractive industries). Prepared for The Austral Brick Company Pty Ltd. Prepared by Groundwork Environmental Management Services Pty Ltd. October 2002".

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for 10% of any 10-minute measurement period, using Fast response.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for 1% of any 10-minute measurement period, using Fast response

" $L_{A, \text{max adj}, T}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"land capability" as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

"land suitability" as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

"land use" term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

"mandatory reporting level" means the volume below the spillway crest, equivalent to the lower of the AEP, 72 hour storm or the AEP wave allowance (AEP is the annual exceedence probability).

"mineral" means a substance which normally occurs naturally as part of the earth's crust or is dissolved or suspended in water within or upon the earth's crust and includes a substance which may be extracted from such a substance, and includes—

- (a) clay if mined for use for its ceramic properties, kaolin and bentonite;
- (b) foundry sand;
- (c) hydrocarbons and other substances or matter occurring in association with shale or coal and necessarily mined, extracted, produced or released by or in connection with mining for shale or coal or for the purpose of enhancing the safety of current or future mining operations for coal or the extraction or production of mineral oil therefrom;
- (d) limestone if mined for use for its chemical properties;
- (e) marble;
- (f) mineral oil or gas extracted or produced from shale or coal by in situ processes;
- (g) peat;
- (h) salt including brine;
- (i) shale from which mineral oil may be extracted or produced;
- (j) silica, including silica sand, if mined for use for its chemical properties;
- (k) rock mined in block or slab form for building or monumental purposes;

but does not include—

- (l) living matter;
- (m) petroleum within the meaning of the Petroleum Act 1923;
- (n) soil, sand, gravel or rock (other than rock mined in block or slab form for building or monumental purposes) to be used or to be supplied for use as such, whether intact or in broken form;
- (o) water.

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

- a dwelling, 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; or
- a park or gardens.

and includes the curtilage of such place.

"noxious" means harmful or injurious to health or physical well being, other than trivial harm.

"non-standard" means a mining operation that if in the opinion of the administering authority does not have a low risk of serious environmental harm and the activities can not comply with the criteria for standard mining activities prescribed in schedule 1A of the *Environmental Protection Regulation 1998*. The standard mining activity trigger criteria are as follows;

- the mining activities do not or will not cause more than 10 ha of land to be significantly disturbed at any one time;
- the mining activities do not or will not cause more than 5 ha of land to be significantly disturbed at any one time;
 - (a) in a riverine area;
 - (b) because of mine workings;
- the mining activities are not or will not be carried out in, or within 2 km of a category A *Environmentally Sensitive Area*;
- the mining activities are not or will not be carried out in, or within 1 km of a category B environmentally sensitive area;
- the mining activities do not include a level 1 environmentally relevant activity
- no more than 20 persons are carrying out or will, at any one time, carry out the mining activities;

"offensive" means causing reasonable offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive, other than trivial harm.

"open area" means those parts of the mining lease that are cleared in preparation for, or to conduct mining, but have not had *rehabilitation* commence. Open area excludes permanent roads, fixed plant and water quality control devices.

"peak particle velocity (ppv)" means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mms⁻¹).

"protected area" means - a protected area under the *Nature Conservation Act 1992*; or

- a marine park under the *Marine Parks Act 1992*; or
- a World Heritage Area.

"progressive rehabilitation" means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

"reference site" (or analogue site) may reflect the original location, adjacent area or another area where rehabilitation success has been completed for a similar biodiversity. Details of the reference site may be as photographs, computer generated images and vegetation models etc.

“rehabilitation” the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

“representative” means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

“residual void” means an open pit resulting from the removal of ore and/or waste rock which will remain following the cessation of all mining activities and completion of rehabilitation processes.

“self sustaining” means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority.

“significant disturbance” – includes land

- (a) if it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it.
 - i. to a state required under the relevant environmental authority; or
 - ii. if the environmental authority does not require the land to be rehabilitated to a particular state – to its state immediately before the disturbance.

Some examples of disturbed land include:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining activities have ceased; or
- areas where land has been contaminated and a suitability statement has not been issued.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the EPA, areas previously significantly disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the EPA;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

“sensitive place” means;

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- an educational institution; or
- a medical centre or hospital; or
- a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or



- a public park or gardens; or
- a place used as a workplace, an office or for business or commercial purposes which is not part of the mining activity and does not include employees accommodation or public roads.

"spillway" means passage or outlet from the dam through which surplus water flows.

"stable" means geotechnical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

"trivial harm" means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount of, or amounts totalling more than \$5,000.

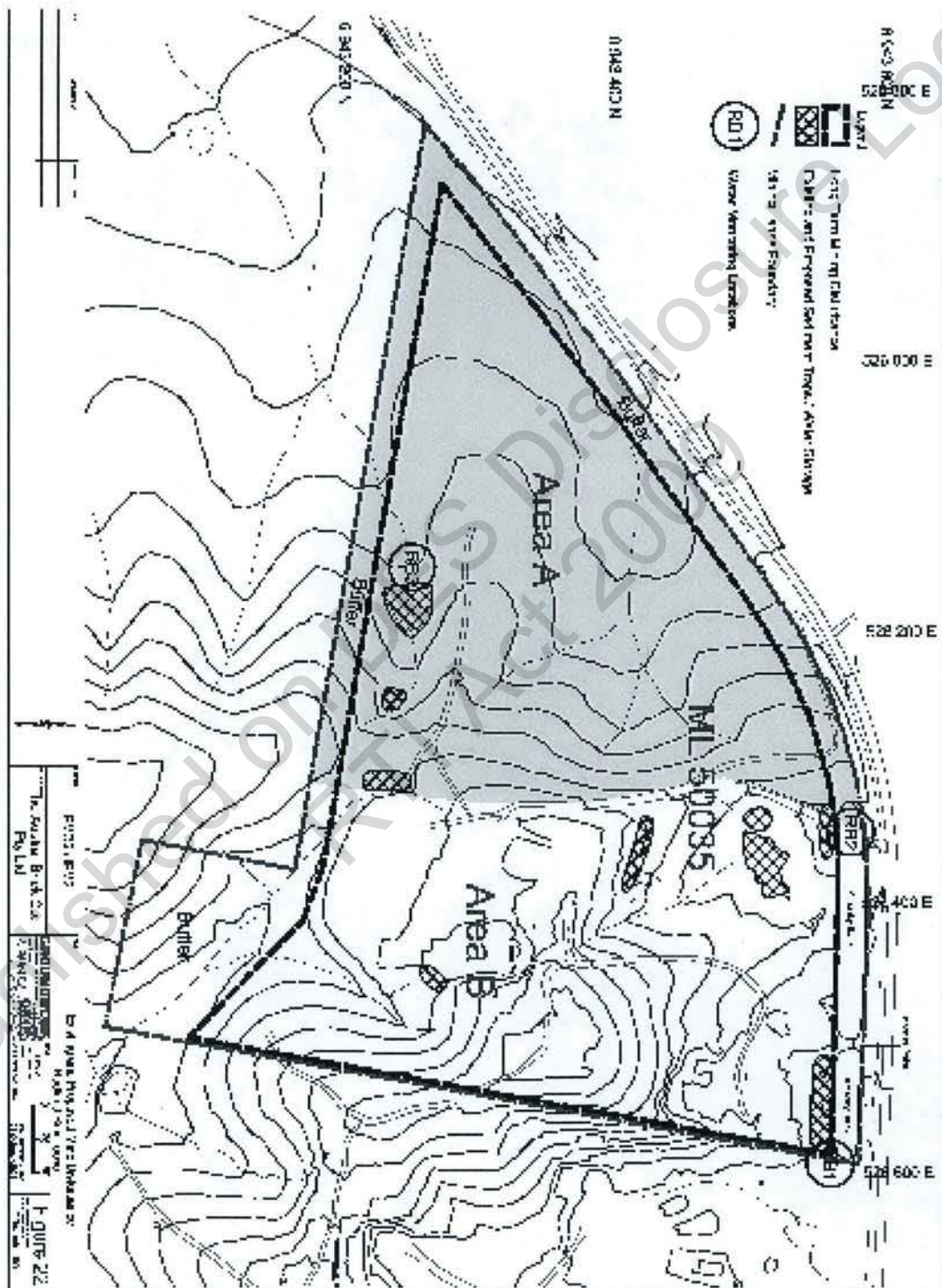
"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea) or any part thereof.

END OF CONDITIONS FOR PART 4 SCHEDULE I

END OF PART 4

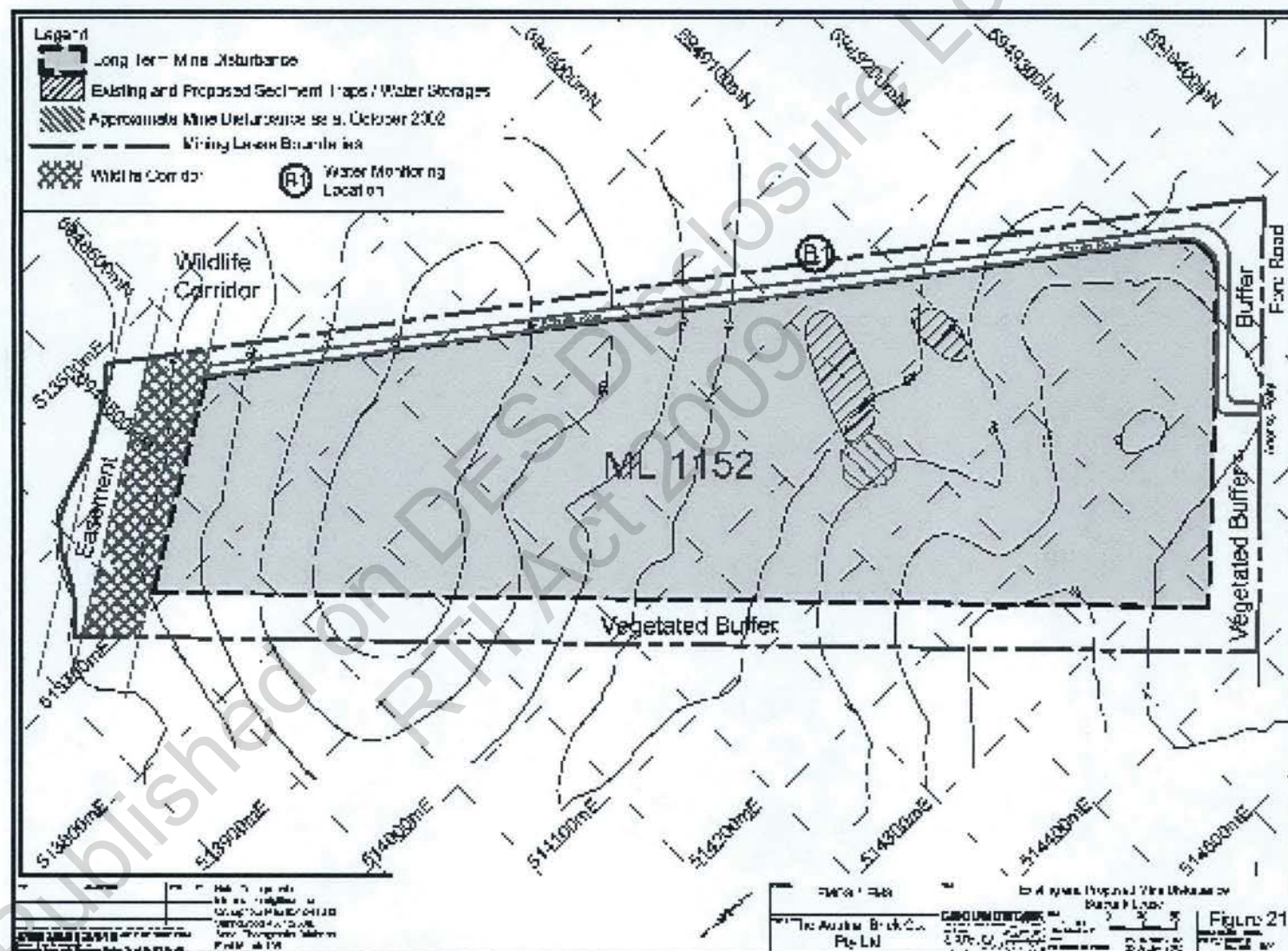
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APPENDIX 1 – FIGURE 2
ML 50035 German Church Road Redland Bay – Monitoring Locations and Buffer Zones



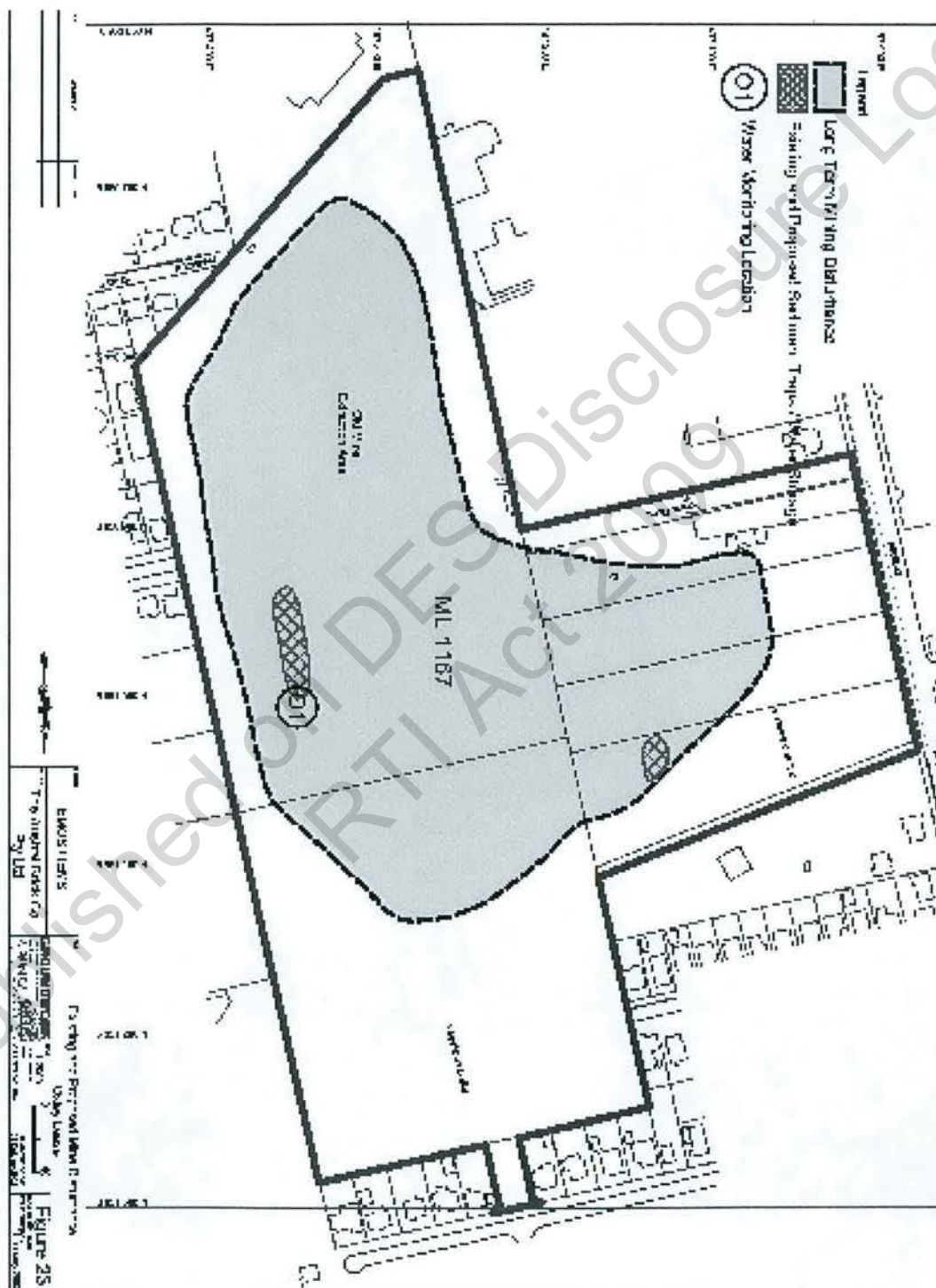


APPENDIX 1 – FIGURE 3
ML 1152 Ford Road Burbank – Monitoring Locations and Buffer Zones



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APPENDIX 1 – FIGURE 4
ML 50035 German Church Road Redland Bay – Monitoring Locations and Buffer Zones



END OF INTEGRATED AUTHORITY

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Environmental Protection Act 1994
Environmental Authority (Mining Activities) Non Code Compliant Level 1 Mining Project

Permit¹ Number: MIN101484410

This permit is issued by the administering authority to authorise the activity specified in the permit in accordance with the conditions specified in the permit. This decision was made pursuant to Section 207 of the Environmental Protection Act 1994.

Takes Effect From: 19 July 2010

Details

Permit Holder(s)	Name	Address
Principal Holder	The Austral Brick Company Pty Ltd	105 Gardner Road ROCHEDALE QLD 4123

Activity(s)	Authorised Mining tenements	Location(s)
Mining Lease – Section 18(a) of the <i>Environmental Protection Act 1994</i> : Mining Activities Schedule 6 of the <i>Environmental Protection Regulation 1998</i> . Item 11B mining activities, other than a standard mining activity, carried out using equipment and plant having a mineral ore throughput of more than 100,000t during a year but less than 500,000t a year.	ML1151	Gardner Road ROCHEDALE
	ML1156	Gardner Road ROCHEDALE
	ML1165	Gardner Road ROCHEDALE
	ML50165	Gardner Road ROCHEDALE
	ML50189	Gardner Road ROCHEDALE
	ML1152	Ford Road BURBANK
	ML1167	Douglas Road OXLEY
	ML50035	German Church Road REDLAND BAY
	ML4578	Patrick Street SWANBANK
	ML50115	Whitwood Road NEW CHUM

The anniversary date of the environmental authority is 24 April.

The environmental authority is subject to the attached conditions of approval.

73(2) Irrelevant

Ernst Bruynius
 Delegate
 Administering Authority
Environmental Protection Act 1994

Date 14/7/2010

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management

Environmental Authority (Mining Lease) Non Code Compliant Level 1 Mining Project
Permit¹ Number: MIN101484410

This **Environmental Authority** incorporates the following schedules:

- Schedule A - General
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions

Schedule A - General

Prevent and /or minimise the likelihood of environmental harm

- (A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority¹.

Financial Assurance

- (A2-1) Provide a financial assurance² in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.
- (A2-2) The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely³.

Maintenance of Measures, Plant and Equipment

- (A3-1) The holder must:
- a) take all *control measures* and install plant and equipment necessary to ensure compliance with the conditions of this *environmental authority*; and
 - b) maintain such *control measures*, plant and equipment in a proper condition; and
 - c) operate such *control measures*, plant and equipment in a proper manner.

Records

- (A4-1) Record, compile and keep all monitoring results required by this environmental authority and present this information to the administering authority when requested, in a specified format.

¹ NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

² NOTE: The calculation of financial assurance for condition (A1-1) must be in accordance with Guideline 17 and may include a performance discount. The amount is defined as the maximum total rehabilitation cost for complete rehabilitation of all disturbed areas, which may vary on an annual basis due to progressive rehabilitation. The amount required for the financial assurance must be the highest Total Rehabilitation Cost calculated for any year of the Plan of Operations and calculated using the formula: (Financial Assurance = Highest Total Annual Rehabilitation Cost x Percentage Required).

³ NOTE: Where progressive rehabilitation is completed and acceptable to the *administering authority*, progressive reductions to the amount of financial assurance will be applicable where rehabilitation has been completed in accordance with the acceptance criteria defined within this environmental authority.

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Storage and Handling of Flammable and Combustible Liquids

- (A5-1) Storage of all flammable and combustible liquids must be within an on-site containment system and controlled in a manner that prevents *environmental harm* (other than trivial harm) and maintained in accordance with Section 5.9 of AS 1940 - *Storage and Handling of Flammable and Combustible Liquids* of 1993.

Definitions

- (A6-1) Words and phrases used throughout this environmental authority are defined in Schedule H – Definitions. Where a definition for a term used in this environmental authority is sought and the term is not defined within this environmental authority, the definitions in the Environmental Protection Act 1994, its Regulations and Environmental Protection Policies, as amended from time to time must be used.

Integrated Environmental Management System (IEMS)

- (A7-1) Prior to the commencement of any environmentally relevant activity ('the activity') under this environmental authority, the holder of this environmental authority must:
- develop and Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
 - implement and maintain the IEMS from the commencement of carrying out the activities.
- (A7-2) The IEMS must provide for at least the following functions:
- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
 - o The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
 - o Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
 - o Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
 - o Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation) and;
 - o Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
 - o Effective communication to ensure two-way communication on environmental matters between operational staff and higher management; and
 - o Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
 - Monitoring of the release of contaminants into the environment including procedures, methods record keeping and notification of results;
 - Conducting assessment of the environmental impact of any release of contaminants into the environment;
 - Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than annually; and
 - Waste prevention, treatment and disposal; and
 - A program for continuous improvement.

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- (A7-3) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out these activities.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Dust Nuisance

- (B1-1) Subject to Conditions (B1-2) and (B1-3) the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.
- (B1-2) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate complaint of environmental nuisance caused by dust and/or particulate matter, and the results must be notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
- for a complaint alleging dust nuisance, dust deposition; and
 - for a complaint alleging adverse health effects caused by dust, the concentration per cubic meter of particulate matter with an aerodynamic diameter of less than 10 micrometers (μm) (PM_{10}) suspended in the atmosphere over a 24hr averaging time.
- (B1-3) If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of (B1-1):
- a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 *Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method* of 1991; and
 - b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (μm) (PM_{10}) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive place downwind of the operational land, when monitored in accordance with:
 - Particulate matter - *Determination of suspended particulate PM_{10} high-volume sampler with size-selective inlet - Gravimetric method*, when monitored in accordance with AS 3580.9.6 *Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet - Gravimetric method* of 1990; or
 - Any alternative method of sampling PM_{10} , which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority⁴.

⁴ NOTE: You must propose which monitoring method is appropriate in accordance with condition (B1-3) (a) or (b) or both.

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Dust Control

- (B2-1) Stockpiles must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter into the atmosphere. Reasonable and practicable measures may include but are not limited to anemometer switching systems which trigger operation of effective water spray systems during winds likely to generate such releases, use of dust suppressants, shielding and storage in bunkers.
- (B2-2) Trafficable areas must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to sealing with bitumen or other suitable material, keeping surfaces clean, use of water sprays, adoption and adherence to speed limits, use of dust suppressants and wind breaks.
- (B2-3) Raw material preparation plants and external conveyors must be operated and maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to transfer of materials in a moist state, enclosure of conveyors and buildings, use of water sprays at transfer points, shielding and wind breaks.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to waters

- (C1-1) Process water, storm water and/or receiving waters must be monitored at the locations and frequencies defined in Schedule C – Table 1 (at the locations depicted in Appendix 1 Figures 1, 2, 3 and 4) and comply with the contaminant limits defined in Schedule C – Table 2.

Schedule C – Table 1: Water monitoring locations and frequency

Schedule C – Table 1. Water monitoring locations and frequency				
*Monitoring point	Monitoring Type	Co-ordinates (AMG)		Frequency
		Easting	Northing	
Rochedale Leases (MLs 1156, 1151, 1165, 50189 and 50165)				
R1	Background for point R3	511580	6951560	When point R3 is sampled
R3	Discharge	511040	6951970	"Event Release"
R4	Background for points R2 and R5	510500	6951200	When points R2 and/or R5 are sampled
R2	Discharge	510880	6951600	Each pumped release
R5	Discharge	511470	6952600	"Event Release" and each pumped release
Burbank Lease (ML 1552)				
B1	Discharge	513890	6949050	"Event Release"
Redland Bay Lease (ML50035)				
RB1	Discharge	526590	6943600	"Event Release"
RB2	Discharge	526350	6943600	"Event Release"
RB3	Discharge	526160	6943250	"Event Release"
Oxley Lease (ML1167)				
O1	Discharge	497350	6951000	Each pumped release

* Refer to Appendix 1 Figure 1, 2, 3 and 4 for monitoring locations.

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Schedule C - Table 2: Contaminant release limits

Monitoring point	Parameter	Minimum	Maximum
Rochedale Leases (MLs 1156, 1151, 1165, 50189 and 50165)			
R2 and R5	pH	6.5	9
	Total suspended solids (mg/L)	-	50mg/L or not more than 110% of the value at R4*
R3	pH	6.5	9
	Total suspended solids (mg/L)	-	50mg/L or not more than 110% of the value at R1*
Burbank Lease (ML 1552)			
B1	pH	6.5	9
	Total suspended solids (mg/L)	-	50mg/L
Redland Bay Lease (ML50035)			
RB1, RB2, RB3	pH	6.5	9
	Total suspended solids (mg/L)	-	50mg/L
Oxley Lease (ML1167)			
O1	pH	6.5	9
	Total suspended solids (mg/L)	-	50mg/L

* for the same monitoring event

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and Vibration

Noise nuisance

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
- (D1-2) All noise from activities must not exceed the levels specified in Schedule D – Table 2 at any noise affected premises.
- (D1-3) No mining activities may be undertaken outside of the hours for the sites listed in Schedule D – Table 1, unless the activities are solely for pollution control.

Schedule D – Table 1: Operating hours

Tenure(s) mining leases	Location	Hours
1151, 1156, 1165, 50165, 50189	Rochedale	Mon-Fri 6am-6pm; Sat 6am-5pm
1152	Burbank	Mon-Fri 7am-5pm
50035	Redland Bay	Mon-Fri 7am-6pm; Sat 7am-4pm
1167	Oxley	Mon-Fri 7am-5pm
4578	Swanbank	Mon-Sat daylight hours
50115	New Chum	Mon-Sat daylight hours

Schedule D - Table 2: Noise limits

Noise level dB(A) measured as	Monday to Saturday	
	6am-7am	7am-6pm
Noise measured at a Noise sensitive place		
L _{A10} , adj, 10 mins	b/g+3	b/g+5
L _{A1} , adj, 10 mins	b/g+5	b/g+10
Noise measured at a Noise sensitive place		
L _{A10} , adj, 10 mins	b/g+8	b/g+10
L _{A1} , adj, 10 mins	b/g+10	b/g+15

Noise monitoring

- (D2-1) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint, which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer, and the results must be notified within 14 days to the administering authority. The monitoring must include:
- L_{A1}, adj, 10 mins
 - L_{A10}, adj, 10 mins
 - the level and frequency of occurrence of impulsive or tonal noise;
 - atmospheric conditions including wind speed and direction;
 - effects due to extraneous factors such as traffic noise; and
 - location, date and time of recording.

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- (D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's *Noise Measurement Manual*.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

Waste handling

- (E1-1) The holder of this environmental authority must not:
- i) burn waste at or on the licensed place; nor
 - ii) allow waste to burn or be burnt at or on the licensed place; nor
 - iii) remove waste from the licensed place and burn such waste elsewhere.

Off site movement

- (E2-1) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and record the following⁵:
- i) the date, quantity and type of waste removed; and
 - ii) name of the waste transporter and/or disposal operator that removed the waste; and
 - iii) the intended treatment/disposal destination of the waste.

Records

- (E3-1) Records must be maintained for a period of five (5) years for all wastes mentioned in this schedule.

Notification of improper disposal of regulated waste

- (E4-1) If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or which is improper or unlawful, then the holder of this environmental authority must as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

END OF CONDITIONS FOR SCHEDULE E

⁵ Note: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition.

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Schedule F - Land

Rehabilitation landform criteria

- (F1-1) All areas significantly disturbed by mining activities must be rehabilitated in accordance with Schedule F – Table 1.

Schedule F – Table 1: Final land use and rehabilitation outcomes

Tenure ID	Disturbance Type	Projective surface area (ha)	Rehabilitation outcome
Rochedale Leases			
ML1151	Infrastructure (brick manufacturing and ancillary facilities)	22.5	Industrial
	Mine void	7.0	Industrial
	Sediment traps / water basins	0.2	Wetland Type 1
	Amenity banks / buffers	4.0	Native ecosystem
ML1156	Mine void	31.5	Industrial
	Sediment traps	2.0	Industrial or Wetland Type 1
	Amenity banks / buffers		Native ecosystem
ML1165	Mine void	5.0	Industrial
	Sediment traps / water basins	0.2	Wetland Type 2
	Amenity banks / buffers	0.8	Native ecosystem
ML50165	Mine void	3.7	Wetland Type 2
	Amenity banks / buffers	3.2	Native ecosystem
ML50189	Mine void	5.2	Wetland Type 2
	Amenity banks / buffers	1.6	Native ecosystem
Burbank Lease			
ML1152	Mine void	24	Native ecosystem
	Sediment traps / water basins	0.6	Wetland Type 1
	Roads	1.0	No rehabilitation required – retain
	Buffer	8.8	Native ecosystem
Redland Bay Lease			
ML50035	Mine void	17.2	To be determined
	Sediment traps / water basins	1.0	Wetland Type 1
	Roads	0.8	No rehabilitation required – retain
	Buffer	4.0	Native ecosystem
Oxley Lease			
ML1167	Mine void	7.8	Industrial
	Sediment traps / water basins	0.5	Wetland Type 1
	Roads	0.5	No rehabilitation required – retain
	Buffer	6.6	No rehabilitation required – retain / residential
New Chum Lease			
ML50115	Mine void	31.0	Industrial
	Spoil stockpiles	13	Industrial
	Roads	3.0	No rehabilitation required – retain
	Water storages	1.5	No rehabilitation required – retain
Swanbank Lease			
ML4578	Mine voids	17.2	Industrial
	Stockpile areas	3.3	Industrial
	Spoil stockpiles	10.0	Industrial
	Roads / power line easements	3.3	No rehabilitation required – retain
	Water storages	0.8	No rehabilitation required – retain

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Rehabilitation Outcome – Industrial or Residential

- (F2-1) Subject to conditions F2-2, F2-3 and F2-4, disturbed land nominated for industrial or residential rehabilitation outcome will be considered rehabilitated when the land is stabilised and does not, or will not have potential to cause environmental harm to the environmental values.
- (F2-2) Disturbed land and/or mine voids remaining at the end of the mine life and nominated for the rehabilitation outcome of industrial, will only be considered suitable for surrender when an application (or applicable local government and environmental approvals (or lawful use) relevant at the time) has been approved for the proposed activities.
- (F2-3) In the event of an unsuccessful development application (or other requirement at the time) for proposed industrial activities, an application must be made by the holder of this environmental authority to nominate an alternative rehabilitation outcome.
- (F2-4) To remove any doubt, the nomination of the final land use of industrial or residential in Schedule F – Table 1, does not negate any local or state government planning or approval requirements for the development of that land.

Rehabilitation outcome – Native Ecosystem

- (F3-1) Areas that are to be rehabilitated to native ecosystem must comply with the following outcomes:
 - a) achievement of self sustaining native ecosystem with a species composition and distribution similar to the pre-mining species composition and distribution; and
 - b) the landform must be suitable to support the ecosystem in F3-1 a), not impede fauna corridors and be stable and non-polluting.
- (F3-2) Complete an investigation into rehabilitation of disturbed areas and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in F3-1. A report on the investigation, which will propose acceptance criteria, must be submitted to the administering authority by June 2005.

Rehabilitation outcome – Wetland Type 1 (rehabilitated sediment dams)

- (F4-1) Areas that are to be rehabilitated to wetland type 1 outcome will be considered rehabilitated when the dams are revegetated with species appropriate to filter contaminants from the water, and water discharges from the dams do not exceed the total suspended solids value of the inflow to the pond.

Rehabilitation outcome – Wetland Type 2 (water filled voids)

- (F5-1) Complete an investigation into rehabilitation of disturbed areas to wetland type 2 outcome and submit a report to the administering authority proposing acceptance criteria. A report on the investigation and proposals for acceptance criteria must address:
 - a) water quality to be achieved in the water filled void;
 - b) water quality to be achieved for any discharges from the void; and
 - c) revegetation standards to be met for the fringes of the void.
 The report must be submitted to the administering authority by 30 June 2005.

Buffer zones

- (F6-1) There must be no mining activities conducted in the buffer zones or wildlife corridor areas identified in Appendix 1 Figures 1, 2, 3 and 4, other than for the construction or removal of amenity banks, environmental control works, and activities involved with access or provision of services to the lease areas.

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Open Area and Progressive Rehabilitation

- (F7-1) The *open area* for the relevant mining lease must not exceed the area described in Schedule F – Table 2.

Schedule F – Table 2: Open area limits

Tenure	Location	Open area limit (ha)
ML1152	Ford Road, Burbank	4

- (F7-2) Subject to condition F7-1, progressive rehabilitation must commence within three years of areas becoming available within the operational land.

Infrastructure

- (F8-1) All infrastructure, constructed by or for the environmental authority holder during the mining activities including water storage structures, must be removed from the site prior to mining lease surrender, except where agreed in writing by the post mining land owner / holder⁶.

Rehabilitation outcome – To be determined

- (F9-1) The final land use of mine voids for Redland Bay lease (ML50035) is to be determined by a Planning Use Study which is to be consistent with any Planning Scheme and any rehabilitation outcome.
- (F9-2) The Planning Use Study report must be submitted to the administering authority by 30 June 2005.

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Community

Complaint response

- (G1-1) All complaints received must be recorded including details of complainant, reasons for the complaint, investigations undertaken, conclusions formed and actions taken. This information must be made available for inspection by the administering authority on request.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

“**acceptance criteria**” means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly disturbed by the mining activities. Acceptance criteria may include information regarding:

- vegetation establishment, survival and succession;

⁶ Note: This is not applicable where the landowner / holder is also the environmental authority holder.

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- vegetation productivity, sustained growth and structure development;
- fauna colonisation and habitat development;
- ecosystem processes such as soil development and nutrient cycling, and the re-colonisation of specific fauna groups such as collembolan, mites and termites which are involved in these processes;
- microbiological studies including re-colonisation by mycorrhizal fungi, microbial biomass and respiration;
- effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development.;
- resilience of vegetation to disease, insect attack, drought and fire; and
- vegetation water use and effects on groundwater levels and catchment yields.

“administering authority” means the Department of Environment and Resource Management or its successor.

“airblast overpressure” means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dB).

“ambient (or total) noise” at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.

“blasting” means the use of explosive materials to fracture –

- a) rock, coal and other minerals for later recovery; or
- b) structural components or other items to facilitate removal from a site or for reuse.

“commercial place” means a place used as an office or for business or commercial purposes, other than a place within the boundaries of the operational land.

“competent person” means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.

“dam” means a containment or proposed containment whether permanent or temporary, which is designed to contain, divert or control flowable substances. However this does not include a fabricated or manufactured tank or container designed to a recognisable standard.

“environmental authority holder” means the holder of this environmental authority.

“event release” means when water is released and which must occur at least four times per year.

“flowable substance” means matter or mixture of materials which can be forced to or otherwise flow under any conditions possible in a situation. It includes water, other liquids or a mixture that includes water or any other liquid or suspended solids.

“hazardous waste” means any substance, whether liquid, solid or gaseous, derived by or resulting from, the processing of minerals that tends to destroy life or impair or endanger health.

“IEMS / Project EMOS” document titled “Environmental Management Overview Strategy (consolidating mining project numbers PJ50036, 50134, 50128 and 50150) incorporating Integrated Environmental Management System (mining, manufacturing and extractive industries). Prepared for The Austral Brick Company Pty Ltd. Prepared by Groundwork Environmental Management Services Pty Ltd. October 2002”.

“ $L_{A 10, \text{adj}, 10 \text{ mins}}$ ” means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10-minute measurement period, using Fast response.

“ $L_{A 1, \text{adj}, 10 \text{ mins}}$ ” means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10-minute measurement period, using Fast response

“ $L_{A, \text{max adj}, T}$ ” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10-minute period, using Fast response.

“land” in the “land schedule” of this document means land excluding waters and the atmosphere.

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“land capacity” as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

“land suitability” as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

“land use” term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

“mandatory reporting level” means the volume below the spillway crest, equivalent to the lower of the AEP, 72 hour storm or the AEP wave allowance (AEP is the annual exceedance probability).

“mineral” means a substance which normally occurs naturally as part of the earth's crust or is dissolved or suspended in water within or upon the earth's crust and includes a substance which may be extracted from such a substance, and includes –

- a) clay if mined for use for its ceramic properties, kaolin and bentonite;
 - b) foundry sand;
 - c) hydrocarbons and other substances or matter occurring in association with shale or coal and necessarily mined, extracted, produced or released by or in connection with mining for shale or coal or for the purpose of enhancing the safety of current or future mining operations for coal or the extraction or production of mineral oil there from;
 - d) limestone if mined for use for its chemical properties;
 - e) marble
 - f) mineral oil or gas extracted from shale or coal by insitu processes;
 - g) peat;
 - h) salt including brine;
 - i) shale from which mineral oil may be extracted or produced;
 - j) silica, including silica sand, if mined for use for its chemical properties;
 - k) rock mined in block or slab form for building or monumental purposes;
- but does not include-
- l) living matter;
 - m) petroleum within the meaning of the Petroleum Act 1923;
 - n) soil, sand, gravel or rock (other than rock mined in block or slab form for building or monumental purposes) to be used or to be supplied for use as such, whether intact or in broken form;
 - o) water.

“noxious” means harmful or injurious to health or physical well being, other than trivial harm.

“non-standard” means a mining operation that if in the opinion of the administering authority does not have a low risk of serious environmental harm and the activities can not comply with the criteria for standard mining activities prescribed in schedule 1A of the *Environmental Protection Regulation 1998*. The standard mining activity trigger criteria are as follows:

- the mining activities do not or will not cause more than 10 ha of land to be significantly disturbed at any one time;
- the mining activities do not or will not cause more than 5 ha of land to be significantly disturbed at any one time;
 - o in a riverine area;
 - o because of mine workings;
- the mining activities are not or will more be carried out in, or within 2km of a category A *Environmentally Sensitive Area*;
- the mining activities are not or will not be carried out in, or within 1km of a category B *Environmentally Sensitive Area*;
- the mining activities do not include a level 1 environmentally relevant activity

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- no more than 20 persons are carrying out or will, at any one time, carry out the mining activities.

“offensive” means causing reasonable offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive, other than trivial harm.

“open area” means, for the purposes of this environmental authority, areas that have been cleared in preparation for mining, are being mined and have not had any topsoil or seed spread on the re-profiled area to commence the rehabilitation process.

“peak particle velocity (ppv)” means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mms⁻¹).

“protected area” means - a protected area under the Nature Conservation Act 1992; or

- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

“progressive rehabilitation” means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

“reference site” (or analogue site) may reflect the original location, adjacent area or another area where rehabilitation success has been completed for a similar biodiversity. Details of the reference site may be as photographs, computer generated images and vegetation models etc.

“rehabilitation” the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

“representative” means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

“residual void” means an open pit resulting from the removal of ore and/or waste rock which will remain following the cessation of all mining activities and completion of rehabilitation processes.

“self sustaining” means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority.

“significant disturbance” – includes land

- a) if it is contaminated land; or
- b) it has been disturbed and human intervention is needed to rehabilitate it:
 - to a state required under the relevant environmental authority; or
 - if the environmental authority does not require the land to be rehabilitated to a particular state - to its state immediately before the disturbance.

Some examples of disturbed land include:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation and topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be removed after mining activities have ceased; or
- areas where land has been contaminated and a suitability statements has not been issued.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);

Environmental Authority (Mining Lease) Non Code Compliant Level 1 Mining Project
Permit¹ Number: MIN101484410

- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the administering authority, areas previously significantly disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the administering authority;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

“sensitive place” means;

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- an educational institution; or
- a medical centre or hospital; or
- a protected area under the Nature Conservation Act, the Marine Parks Act 1992 or a World Heritage Area; or
- a public park or gardens; or
- a place used as a workplace, an office or for business or commercial purposes which is not part of the mining activity and does not include employees accommodation or public roads.

“spillway” means passage or outlet from the dam through which surplus water flows.

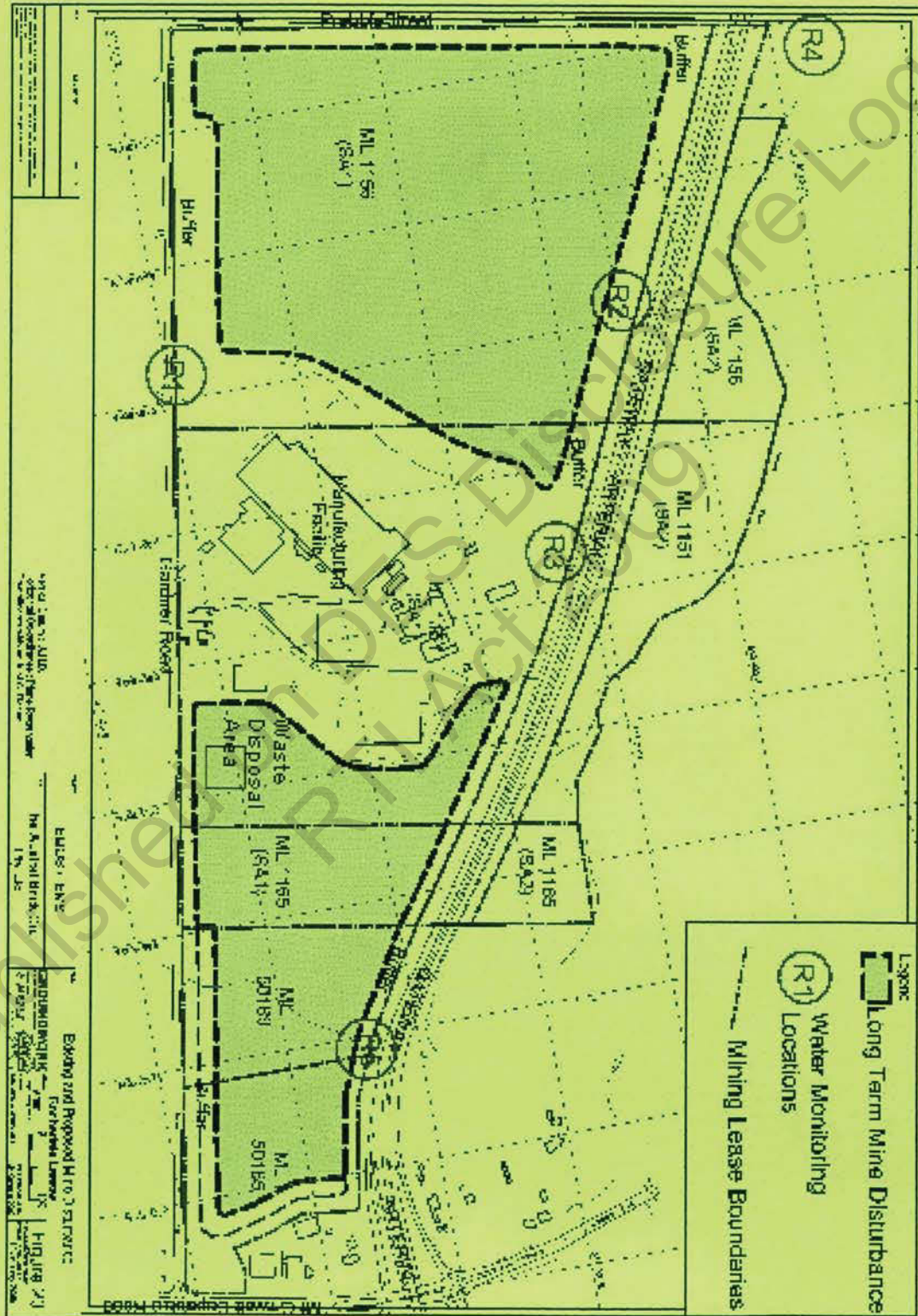
“stable” means geotechnical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

“trivial harm” means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount of, or amounts totalling more than \$5,000.

“waters” includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), groundwater or any part thereof.

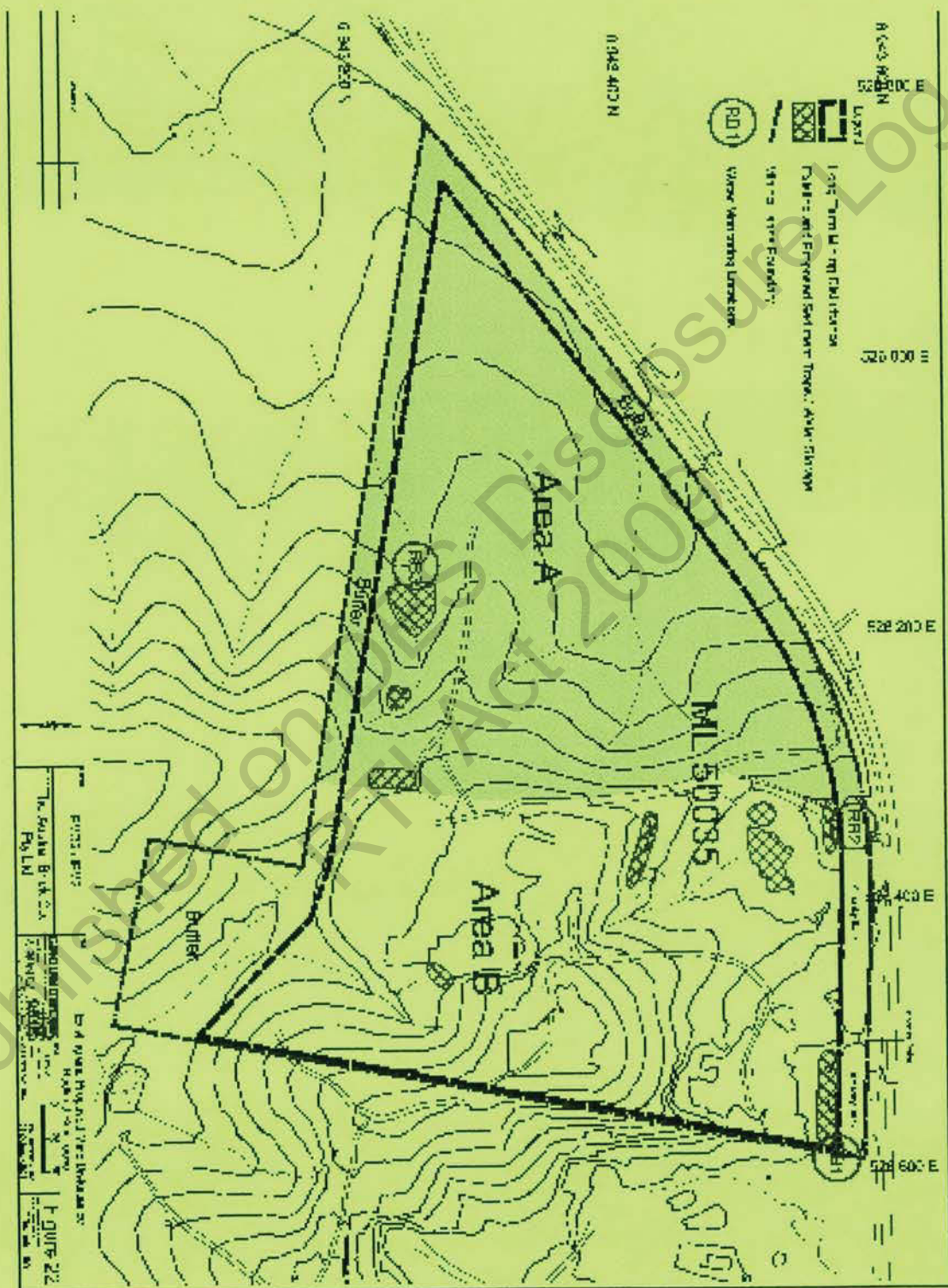
END OF CONDITIONS FOR SCHEDULE H

APPENDIX 1 – FIGURE 1
Rochedale Plant and Mining Leases – Waste Disposal Area, Water Monitoring
Locations and Buffer Zones

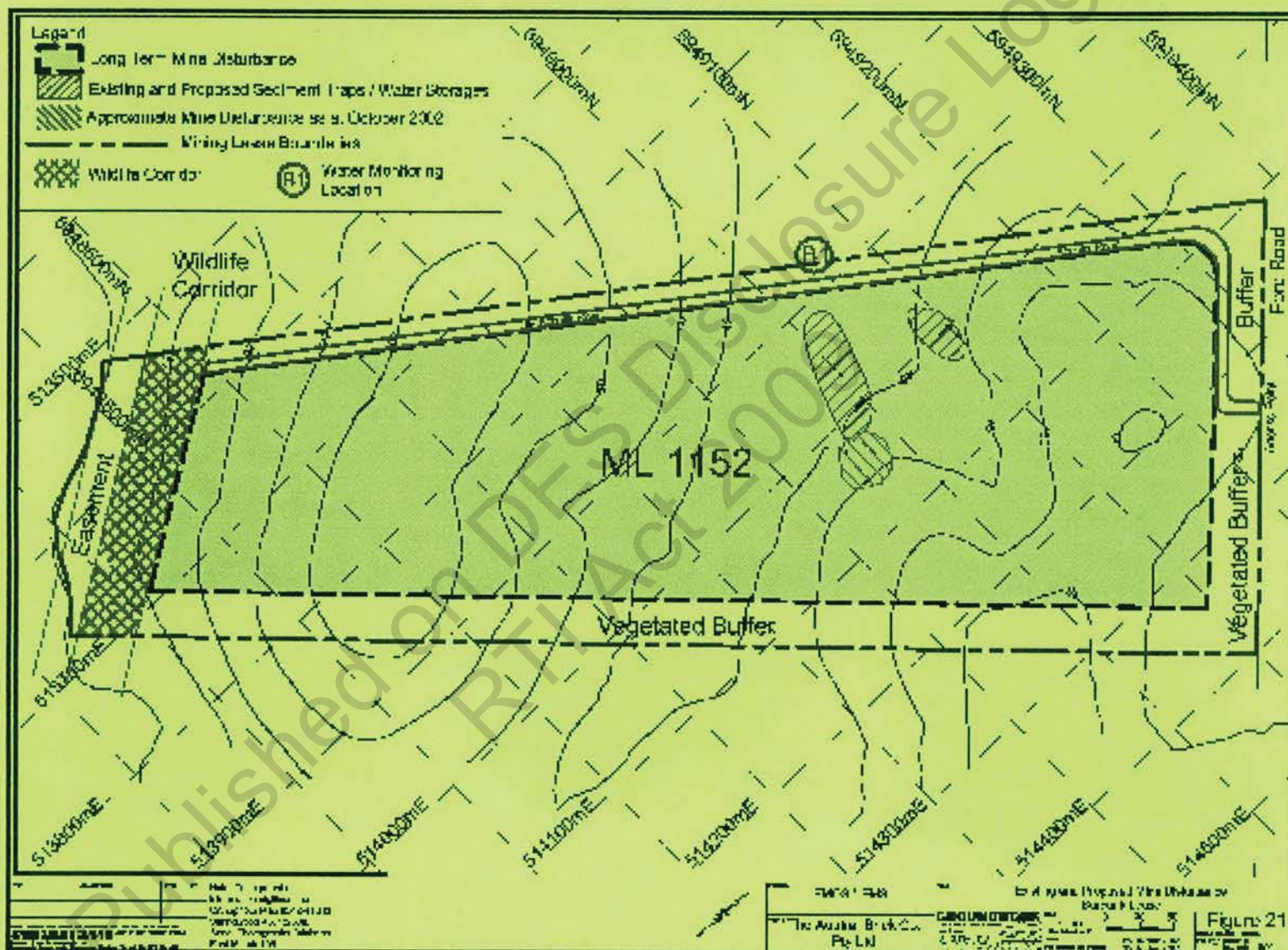


APPENDIX 1 – FIGURE 2

ML 50035 German Church Road Redland Bay – Monitoring Locations and Buffer Zones

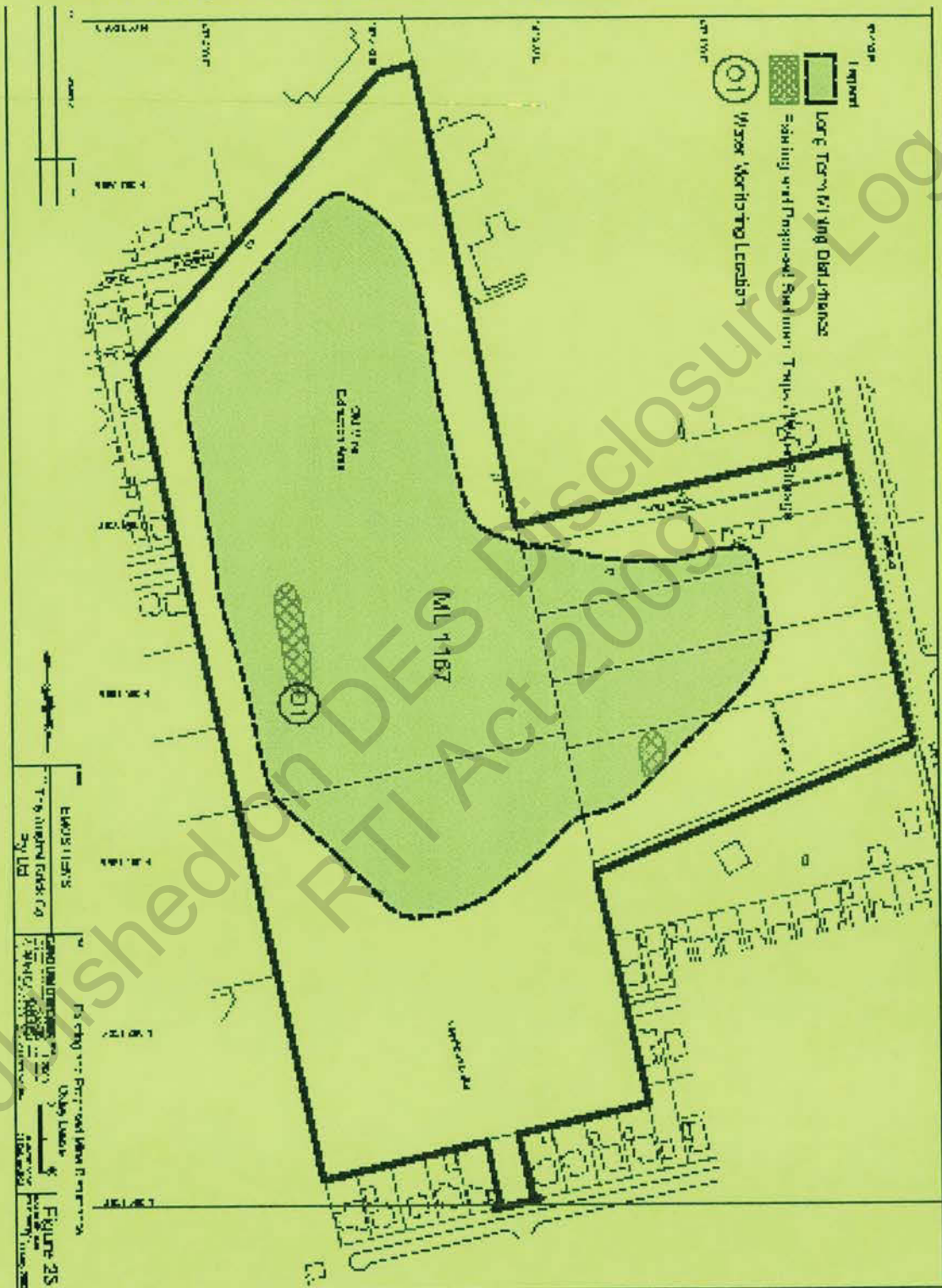


APPENDIX 1 – FIGURE 3
ML 1152 Ford Road Burbank – Monitoring Locations and Buffer Zones



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APPENDIX 1 – FIGURE 4
ML 1167 Douglas St, Oxley – Monitoring Locations and Buffer Zones



END OF ENVIRONMENTAL AUTHORITY



Notice of development application decision

Sections 3.5.11 and 3.5.15 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.5.11 and 3.5.15 of the Integrated Planning Act 1997, to advise you of a decision or action.

Enquiries to : Janet Pritchard
Telephone : (07) 3224 2763
Your reference :
Our reference : STH3748/SR0376DA

The Austral Brick Company Pty Ltd
105 Gardner Road
ROCHEDALE QLD 4123

Attention: Mr J Braga,

Re: Application (No. SR0376DA) for development approval by The Austral Brick Company Pty Ltd for assessable activity to be carried out at a place situated at German Church Road, Redland Bay

Pursuant to part 1 and 2 of Schedule 1A of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is the assessment manager for the development application.

Assessment Manager information

Assessment Manager office: Environmental Protection Agency
Southern Regional Office (Brisbane)
Postal address: GPO Box 2771
BRISBANE QLD 4001
Telephone: (07) 3224 5641
Fax: (07) 3225 8723

The Environmental Protection Agency, acting as assessment manager under the *Integrated Planning Act 1997* for your application, advises that the development application decision notice about development prescribed under a regulation under the *Environmental Protection Act 1994* for schedule 8 part 1 item 6 of the *Integrated Planning Act 1997* is attached.



Should you require any further information please do not hesitate to contact Janet Pritchard on either phone (07) 3224 2763 or e-mail: janet.pritchard@epa.qld.gov.au

Signed

Date

Peter Smith
Acting Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Published on DES Disclosure Log
RTI Act 2009

Development application decision notice

Section 3.5.11 and 3.5.15 *Integrated Planning Act 1997*

Applicant:	The Austral Brick Company Pty Ltd
EPA Development Application number:	SR0376DA
Date application received by EPA:	19 December 2002
Date of decision:	26 February 2003
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and subordinate legislation
Jurisdiction:	Item 5 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

20(c) Extracting rock or other material - Extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining authority) from a pit or quarry using plant or equipment having a design capacity of 100 000 t or more per year

22(c) Screening etc. materials - Screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining authority) or by dredging using plant or equipment having a design capacity of more than 100 000 t or more per year

at the following place(s):

Part of Lot 1 RP854704

located at:

German Church Road, Redland Bay

Type of development

Material change of use of premises is:

- the start of a new use of the premises

Decision on Development Application

In deciding the application, the Environmental Protection Agency, as assessment manager approves all of the application and includes in the approval any concurrence agency conditions as a development permit.

Further development permits required

Nil



Referral agencies

Concurrence Agencies: Nil
Advice Agencies: Nil
Referral Agencies: Nil

Additional information for applicants

This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any further approval for this development which might be required by other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities. Applicants also should comply with all relevant legislation.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.

Appeal

When issuing a decision notice under the *Integrated Planning Act 1997*, the assessment manager must state the rights of appeal for the applicant (section 3.5.15(2)(j)). The rights of appeal are attached to the back of this notice.

Signed

Date

Peter Smith
Acting Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Conditions of the development approval

This development approval consists of the following schedules of conditions relevant to various issues:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this development approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A – Activity

Prevent and /or minimise likelihood of environmental harm

- (A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of measures, plant and equipment

- (A2-1) The holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and
 - operate such measures, plant and equipment in a proper and efficient manner.

Integrated Environmental Management System

- (A3-1) Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:
- develop an Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
 - implement and maintain the IEMS from the commencement of carrying out the activities.
- (A3-2) The IEMS must provide for at least the following functions:
- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
 - The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
 - Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
 - Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
 - Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
 - Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
 - Effective communication to ensure two-way communication on environmental matters between operational staff and higher management;
 - Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
 - Monitoring of the release of contaminants into the environment including procedures, methods, record keeping and notification of results;
 - Conducting assessment of the environmental impact of any release of contaminants into the environment;
 - Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than annually; and
 - Waste prevention, treatment and disposal; and
 - A program for continuous improvement.
- (A4) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out the activities.

Records

- (A5-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

Acid sulphate soil (ASS)

- (A7-1) You must comply with the latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULPHATE SOILS, 2001, produced by the Queensland Environmental Protection Agency in consultation with the Department of Natural Resources and Mines and the Department of Primary Industries.
- (A7-2) Acid sulphate soils must be managed such that contaminants are not directly or indirectly released, as a result of the activity, to any waters or the bed and banks of any waters.

Storage and Handling of Flammable and Combustible Liquids

- (A8-1) Spillage of all flammable and combustible liquids must be contained within an on-site containment system and controlled in a manner that prevents environmental harm (other than trivial harm) and maintained in accordance with Section 5.9 of AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 1993.

Authorised site

- (A9-1) Environmentally relevant activities authorised under this authority must be undertaken at the site which is consistent with the Consent Order – Local Government of Queensland (L.G.A No.241 of 1985 as varied by Consent Order – Local Government of Queensland of 28 march 1991).

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Dust nuisance

- (B1-1) Subject to Conditions (B1-2) and (B1-3) the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any dust sensitive or commercial place.
- (B1-2) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, which is neither frivolous or vexatious or based on mistaken belief on the opinion of the authorised officer, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
- for a complaint alleging dust nuisance, dust deposition; and
 - 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 (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.
- (B1-3) If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of (B1-1):
- a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method of 1991; and
 - b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive or commercial place downwind of the operational land, when monitored in accordance with:
 - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method, when monitored in accordance with AS 3580.9.6 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet - Gravimetric method of 1990;
- or

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-Any alternative method of sampling PM10, which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

NOTE: You must propose which monitoring method is appropriate in accordance with condition (B1-3) (a) or (b) or both.

Dust Control

- (B2-1) Stockpiles must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to anemometer switching systems which trigger operation of effective water spray systems during winds likely to generate such releases, use of dust suppressants, shielding and storage in bunkers.
- (B2-2) Trafficable areas must be maintained using all reasonable and practicable measures to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to sealing with bitumen or other suitable material, keeping surfaces clean, use of water sprays, adoption and adherence to speed limits, use of dusts suppressants and wind breaks.
- (B2-3) Raw material preparation plants and external transfer conveyors must be operated and maintained using all reasonable and practicable measures to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to transfer of materials in a moist state, enclosure of conveyors and buildings, use of water sprays at transfer points, shielding and wind breaks.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Monitoring

- (C1-1) Monitoring must be undertaken and records kept of contaminant releases to waters from the discharge location for the parameters and not less frequently than specified in Schedule C Table 1. All determinations of the quality of contaminants released must be:
 - made in accordance with methods prescribed in the latest edition of the Environment Protection Agency Water Quality Sampling Manual; and
 - carried out on samples that are representative of the discharge.

Schedule C - Table 1 (Release limits)

*Monitoring point	Quality characteristics	Release Limits		Monitoring frequency
		Minimum	Maximum	
RB1 RB2 RB3	pH	6.5	9.0	Event release
	TSS (mg/L)	-	50mg/l	Event release

* Refer to Appendix 1 Figure 2 of Integrated Authority SR2484 for monitoring locations.

END OF CONDITIONS FOR SCHEDULE C

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Schedule D - Noise and vibration

Noise nuisance

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
- (D1-2) All noise from activities must not exceed the levels specified in Schedule D - Table 1 and 2 at any noise affected premises.

Schedule D - Table 1 (Noise limits)

Noise level dB(A) measured as	Monday to Friday	Monday to Friday	Saturday
	6am – 7am	7am - 6pm	7am – 4pm
Noise measured at a 'Noise sensitive place'			
L _{A10} , adj, 10 mins	b/g + 3	b/g + 5	b/g + 5
L _{A1} , adj, 10 mins	b/g + 5	b/g + 10	b/g + 10
Noise measured at a 'Commercial place'			
L _{A10} , adj, 10 mins	b/g + 8	b/g + 10	b/g + 10
L _{A1} , adj, 10 mins	b/g + 10	b/g + 15	b/g + 15

Schedule D - Table 2 (Airblast Overpressure Level)

Location	Monday to Friday 9 am - 3 pm	Saturday, Sundays and public holidays
	Air blast overpressure level is no more than 115 db (Lin) Peak for four (4) out of five (5) consecutive blasts initiated and not greater than 120 db (Lin) Peak at any time.	No blasting to occur

Note: The method of measurement and reporting of over pressure levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

Noise monitoring

- (D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, which is neither frivolous or vexatious or based on mistaken belief on the opinion of the authorised officer, and the results notified within 14 days to the administering authority. Monitoring must include:
- L_A 10, adj, 10 mins
 - L_A 1, adj, 10 mins
 - the level and frequency of occurrence of impulsive or tonal noise;
 - atmospheric conditions including wind speed and direction;
 - effects due to extraneous factors such as traffic noise; and
 - location, date and time of recording.
- (D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

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Vibration nuisance

- (D3-1) Vibration emitted from activities must not cause a nuisance at any vibration sensitive place.
- (D3-2) Vibration emitted from activities must not exceed the levels specified in Schedule D - Table 3 at any vibration sensitive place.

Schedule D - Table 3 (Vibration limits)

Location	Vibration measured	
	Monday to Friday 9 am - 3 pm	Saturday, Sundays and public holidays
Vibration sensitive or commercial place	5mm/s peak particle velocity for nine (9) out of ten (10) consecutive blasts and not greater than 10 mm/s peak particle velocity at any time	No blasting

Note: The method of measurement and reporting of vibration levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

Vibration monitoring

- (D4-1) When requested by the Administering Authority, vibration monitoring and recording must be undertaken to investigate any complaint of nuisance, which is neither frivolous or vexatious or based on mistaken belief on the opinion of the authorised officer, and the results notified within 14 days to the administering authority. Monitoring must include:
- peak particle velocity (mm/s); and
 - location of the blast/s within the site (including which bench level); and
 - atmospheric conditions including temperature, relative humidity and wind speed and direction; and
 - the level and frequency of occurrence of impulsive or tonal noise;
 - atmospheric conditions including wind speed and direction;
 - effects due to extraneous factors; and
 - location, date and time of recording.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

General

- E1-1 The holder of this development approval must not:
- (i) burn waste at or on the authorised place; or
 - (ii) allow waste to burn at or on the authorised place; or
 - (iii) remove waste from the authorised place and burn such waste elsewhere.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Rehabilitation landform criteria

- (F1-1) All areas significantly disturbed by activities must be rehabilitated in accordance with Part 3 Schedule F – Table 1.

Schedule F - Table 1 (Final Land Use and Rehabilitation Outcome Schedule)

Disturbance Type	Projective Surface Area (ha)	Rehabilitation Outcome
Mine void	17.2	To be determined
Sediment traps / water basins	1	Wetland Type 1
Roads	0.8	No rehabilitation required - retain
Buffer	4	Native ecosystem

Rehabilitation Outcome – To be determined

- (F3-1) The final land use of mine voids is to be determined by a Planning Use Study which is to be consistent with any Planning Scheme and any rehabilitation outcome.
- (F3-2) The Planning Use Study report must be submitted to the administering authority by 30 June 2005.

Rehabilitation Outcome – Wetland Type 1 (rehabilitated sediment dams)

- (F5-1) Areas that are to be rehabilitated to wetland type 1 outcome will be considered rehabilitated when the dams are revegetated with species appropriate to filter contaminants from the water, and water discharges from the dams do not exceed the total suspended solids value of the inflow to the pond.

Buffers

- (F7-1) There must be no extractive activities conducted in the buffer zones identified in Appendix 1 Figure 2 of Integrated Authority SR 2484 other than for construction of amenity banks, environmental control works and activities involved with access or provision of services to the extractive area.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

END OF CONDITIONS FOR SCHEDULE G



Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:

Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

"acceptance criteria" means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding:

- vegetation establishment, survival and succession;
- vegetation productivity, sustained growth and structure development;
- fauna colonisation and habitat development;
- ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- resilience of vegetation to disease, insect attack, drought and fire;
- vegetation water use and effects on ground water levels and catchment yields.

"administering authority" means the Environmental Protection Agency or its successor.

"airblast overpressure" means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dB).

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

"authorised place" means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

"this authority" means this environmental authority/development approval.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*

"blasting" means the use of explosive materials to fracture-

- (a) rock, coal and other minerals for later recovery; or
- (b) structural components or other items to facilitate removal from a site or for reuse

"commercial place" means a place used as an office or for business or commercial purposes, other than a place within boundaries of the operational land.

"dam" means a containment or proposed containment whether permanent or temporary, which is designed to contain, divert or control flowable substances. However this does not include a fabricated or manufactured tank or container designed to a recognised standard.

"dust sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
 - a motel, hotel or hostel;
 - a kindergarten, school, university or other educational institution;
 - a medical centre or hospital;
 - a protected area;
 - a park or gardens; or
 - a place used as an office or for business or commercial purposes.
- and includes the curtilage of any such place.

"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.

"event release" means when water is released and which must occur at least four times per year.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

"land use" term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

" $L_{A 10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A 1, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response.

"mg/L" means milligrams per litre.

"nuisance sensitive place" includes -

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
 - a motel, hotel or hostel; or
 - a kindergarten, school, university or other educational institution; or
 - a medical centre or hospital; or
 - a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or
 - a public thoroughfare, park or gardens; or
 - 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.

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

- a dwelling, 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; or
 - a park or gardens.
- and includes the curtilage of such place.

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"open area" means those parts of the mining lease that are cleared in preparation for, or to conduct mining, but have not had *rehabilitation* commence. Open area excludes permanent roads and fixed plant.

"peak particle velocity (ppv)" means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mms-1).

"progressive rehabilitation" means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

"protected area" means -

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

"rehabilitation" the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

"self sustaining" means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

"stable" means geotechnical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

"significant disturbance" – includes land

- (a) if it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it.
 - i. to a state required under the relevant environmental authority; or
 - ii. if the environmental authority does not require the land to be rehabilitated to a particular state – to its state immediately before the disturbance.

Some examples of disturbed land include:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining activities have ceased; or
- areas where land has been contaminated and a suitability statement has not been issued.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the EPA, areas previously significantly disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the EPA;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

"trivial harm" means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount of, or amounts totalling more than \$5000.

"vibration sensitive place" means a noise sensitive place or a commercial place.

"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 this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

END OF DEFINITIONS FOR SCHEDULE H

END OF DEVELOPMENT APPROVAL

Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

Appeals by applicants

- 4.1.27 (1) An applicant for a development application may appeal to the court against any of the following -
- (a) the refusal, or the refusal in part, of a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a currency period;
 - (e) a deemed refusal.
- (2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

Appeals by submitters

- 4.1.28 (1) A submitter for a development application may appeal to the court about -
- (a) the giving of a development approval, including any conditions (or lack of conditions) or other provisions of the approval; or
 - (b) the length of a currency period for the approval.
- (2) The appeal must be started within 20 business days (the “**submitter’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the submitter.
- (3) If a person withdraws a submission before the application is decided, the person may not appeal the decision.
- (4) If an application involves both impact assessment and code assessment, appeal rights for submitters are available only for the part of the application involving impact assessment.

Appeals by advice agency submitters

- 4.1.29 (1) An advice agency may, within the limits of its jurisdiction, appeal to the court about the giving of a development approval for a development application if -
- (a) the development application involves impact assessment; and
 - (b) the advice agency told the applicant and the assessment manager to treat its response to the application as a submission for an appeal.
- (2) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.



Appeals for matters arising after approval given (co-respondents)

- 4.1.30 (1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
- (a) a notice giving a decision on a request for an extension of the currency period for an approval;
 - (b) a notice giving a decision on a request to make a minor change to an approval.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

Appeals for matters arising after approval given (no co-respondents)

- 4.1.31 (1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
- (a) a notice giving a decision on a request to change or cancel a condition of a development approval;
 - (b) a notice under section 6.1.44 giving a decision to change or cancel a condition of a development approval.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Appeals against enforcement notices

- 4.1.32 (1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
- (2) The appeal must be started within 20 business days after the day notice is given to the person.

Stay of operation of enforcement notice

- 4.1.33 (1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -
- (a) the court, on the application of the entity issuing the notice, decides otherwise; or
 - (b) the appeal is withdrawn; or
 - (c) the appeal is dismissed.
- (2) However, subsection (1) does not apply if the enforcement notice is about -
- (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
 - (b) carrying out development that is the demolition of a work.

Appeals against decisions on compensation claims

- 4.1.34 (1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -
- (a) the decision; or
 - (b) a deemed refusal of the claim.
- (2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.
- (3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals against decisions on requests to acquire designated land under hardship

- 4.1.35 (1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -
- (a) the decision; or
 - (b) a deemed refusal of the request.
- (2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.
- (3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals from tribunals

- 4.1.37 (1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -
- (a) of error or mistake in law on the part of the tribunal; or
 - (b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.
- (2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

Court may remit matter to tribunal

- 4.1.38 If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

How appeals to the court are started

- 4.1.39 (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
 - (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
 - (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).



Certain appellants must obtain information about submitters

- 4.1.40 (1) If the applicant or a submitter for a development application appeals about the part of the application involving impact assessment, the appellant must ask the assessment manager to give the appellant the name and address of each principal submitter who made a properly made submission about the application and has not withdrawn the submission.
- (2) The assessment manager must give the information requested under subsection (1) as soon as practicable.

Notice of appeal to other parties (div 8)

- 4.1.41 (1) An appellant under division 8 must, within 10 business days after the day the appeal is started (or if information is requested under section 4.1.40, within 10 business days after the day the appellant is given the information) give written notice of the appeal to -
- (a) if the appellant is an applicant - the assessment manager, any concurrence agency, any principal submitter whose submission has not been withdrawn and any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal - the assessment manager, the applicant and any concurrence agency; or
 - (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given - the assessment manager and any entity that was a concurrence agency for the development application.
- (2) The notice must state -
- (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 - that the person, within 10 business days after the day the notice is given, may elect to become a co-respondent to the appeal.

Notice of appeal to other parties (div 9)

- 4.1.42 (1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -
- (a) if the appellant is a person to whom a notice mentioned in section 4.1.31⁷³ has been given - the entity that gave the notice; or
 - (b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
 - (c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
 - (d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
 - (e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
 - (f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.
- (2) The notice must state the grounds of the appeal.

Respondent and co-respondents for appeals under div 8

- 4.1.43 (1) This section applies to appeals under division 8 for a development application.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
- (5) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
- (6) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (7) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

Respondent and co-respondents for appeals under div 9

- 4.1.44 (1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.
- (2) The entity given written notice is the respondent for the appeal.
- (3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
- (4) The second entity mentioned in the provision may elect to be a co-respondent.

How a person may elect to be co-respondent

- 4.1.45 (1) An entity elects to be a co-respondent by lodging in the court, within 10 business days after the day the notice of the appeal is given to the entity, a notice of election under the rules of court.
- (2) If a principal submitter is entitled to elect to become a co-respondent, any other submitter for the submission may also elect to become a co-respondent to the appeal.

Minister entitled to be represented in an appeal involving a State interest

- 4.1.46 If the Minister is satisfied that an appeal involves a State interest, the Minister is entitled to be represented in the appeal.

Lodging appeal stops certain actions

- 4.1.47 (1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.