- Enter Daily Production Data

Production Data

Plant: PLANT 1 Location: CEDARS Period: JUL 2007

| | Date | Day Type | Opening Time | Closing Time | Avail Hrs | Down Hrs | Prodn Hrs | %Avail | Prodn Tonnes | Prodn / Hr | Sales Tonnes | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| un | 01-Jul-07 | Sunday | | | 0 | 0.00 | 0.00 | 0.0% | 0 | 0.00 | 0 | PLANT 1 |
| on | 02-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 2.00 | 8.50 | 81.0% | 1397 | 164.35 | 4560 | PLANT 1 |
| ue | 03-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 1.93 | 8.57 | 81.6% | 1490 | 173.93 | 2084 | PLANT 1 |
| ed | 04-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 2.25 | 8.25 | 78.6% | 1309 | 158.67 | 1348 | PLANT 1 |
| hu | 05-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 5.42 | 5.08 | 48.4% | 775 | 152.46 | 970 | PLANT 1 |
| ri | 06-Jul-07 | Scheduled Work Day | 7:00 | 16:30 | 9.5 | 3.87 | 5.63 | 59.3% | 1016 | 180.36 | 1041 | PLANT 1 |
| at | 07-Jul-07 | Saturday | 7:00 | 15:00 | 8 | 3.50 | 4.50 | 56.3% | 734 | 163.11 | 0 | PLANT 1 |
| un | 08-Jul-07 | Sunday | | | 0 | 0.00 | 0.00 | 0.0% | 0 | 0.00 | 0 | PLANT 1 |
| on | 09-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 1.42 | 9.08 | 86.5% | 1723 | 189.69 | 2341 | PLANT 1 |
| ue | 10-Jul-07 | Scheduled Work Day | 7:30 | 17:30 | 10 | 1.58 | 8.42 | 84.2% | 1337 | 158.85 | 2204 | PLANT 1 |
| ed | 11-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 3.67 | 6.83 | 65.1% | 1224 | 179.12 | 2566 | PLANT 1 |
| hu | 12-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 1.08 | 9.42 | 89.7% | 1376 | 146.12 | 2142 | PLANT 1 |
| ri | 13-Jul-07 | Scheduled Work Day | 7:00 | 16:30 | 9.5 | 2.08 | 7.42 | 78.1% | 1178 | 158.83 | 1490 | PLANT 1 |
| at | 14-Jul-07 | Saturday | 6:30 | 12:00 | 5.5 | 0.00 | 5.50 | 100.0% | 0 | 0.00 | 0 | PLANT 1 |
| un | 15-Jul-07 | Sunday | | | 0 | 0.00 | 0.00 | 0.0% | 0 | 0.00 | 0 | PLANT 1 |
| on | 16-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 9.17 | 1.33 | 12.7% | 182 | 136.50 | 1462 | PLANT 1 |
| ue | 17-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 2.13 | 8.37 | 79.7% | 1448 | 173.07 | 1374 | PLANT 1 |
| ed | 18-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 4.50 | 6.00 | 57.1% | 1079 | 179.83 | 1676 | PLANT 1 |
| | 19-Jul-07 | Scheduled Work Day | 7:00 | 17:30 | 10.5 | 3.03 | 7.47 | 71.1% | 1387 | 185.76 | 1599 | PLANT 1 |
| | 20-Jul-07 | Scheduled Work Day | 7:00 | 17:00 | 10 | 10.00 | 0.00 | 0.0% | 0 | 0.00 | 1906 | PLANT 1 |
| at | 21-Jul-07 | Saturday | 6:30 | 12:00 | 5.5 | 0.00 | 5.50 | 100.0% | 0 | 0.00 | 0 | PLANT 1 |
| un | 22-Jul-07 | Sunday | | | 0 | 0.00 | 0.00 | 0.0% | 0 | 0.00 | 0 | PLANT 1 |
| on | 23-Jul-07 | Scheduled Work Day | 7:00 | 17:45 | 10.75 | 7.75 | 3.00 | 27.9% | 482 | 160.67 | 1897 | PLANT 1 |
| ue | 24-Jul-07 | Scheduled Work Day | 7:00 | 17:00 | 10 | 1.92 | 8.08 | 80.8% | 0 | 0.00 | 1640 | PLANT 1 |
| ed | 25-Jul-07 | Scheduled Work Day | 7:00 | 15:20 | 8.3333333 | 0.50 | 7.83 | 94.0% | 940 | 120.00 | 1497 | PLANT 1 |
| | | Total As @ 13-Aug-2007 | | | 246.33333 | 77.53 | 168.80 | 68.5% | 55071 | 326.25 | 42559 | REFRESH TOTALS |
| | | Monthly Totals | | | 246.33333 | 77.53 | 168.80 | 68.5% | 55071 | 326.25 | 42559 | |

Garry Thomson

Operational Log – July 2007.

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# Compliance Inspection Program

Release



## Compliance Inspection Report

| | |
|---|---|
| **Date of Compliance Inspection:** | 6 September 2007 |
| **Compliance Inspection Reason:** | Reactive – Complaint |
| **Compliance Inspection Type:** | A |
| **Ecotrack Compliance Action/ Complaint Record No.** | CR38547. |
| **Compliance Level of Site:** | 2 |

| **Licence Holder / Operator Details** | |
|---|---|
| **Licensee and/or Company Name:** | Boral Resources (QLD) Pty Limited |
| **Site Address** | "Cedars Quarry" Woodward's Road, Mackay |
| **Environmental Authority No. and/or Development Approval No.** | NM0038 |
| **Environmentally Relevant Activity (number & name):** | ERA 11(a) -Crude oil storing or petroleum product storing -<br>ERA 20(c) - Extracting rock or other material -<br>ERA 22(c) - Screening etc. materials -<br>ERA 28 - Motor vehicle workshop -. |
| **Name and Position of Contact Person/s during Inspection:** | Garry Thomson – Cedar's Quarry Manager |

### General Description of the site and surrounding environment

Cedar's Quarry is located on Woodward's Road in the suburb of Richmond just north of Mackay. The adjacent land uses are primarily cane farming and grazing. The nearest residence to the site is approximately 500 metres there are also close neighbours over the back of the quarry.

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DL Documents

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## History of the Activity/ERA at the site

The most recent compliance inspection by the EPA was conducted on the 11 June 2003 as part of the EPA's targeted compliance inspection program.

The compliance inspection identified the following non compliances:

- Insufficient bunding around hydrocarbons stored onsite;
- Potential contaminated stormwater discharged offsite; and
- Operating unlicensed ERA 28

s.73 irrelevant information

MCC and Boral are in negotiations to minimise dust emanating from Woodward's road, by possibly sealing it, however no dates have been finalised.

s.73 irrelevant information

On 24 July 2007 the EPA received a complaint regarding excessive dust and noise emanating from Cedars quarry. Standard letters were sent to Boral to advise them of the complaint and to send in a response. The response received from Boral stated that upgrades have been installed on the sprinkler system, and a new tank has been fitted to the water truck.

Boral has offered to deal with complaints directly.

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## Process Description

Boral extract primarily igneous hard rock from Cedars Quarry which is sold for road base, railway ballast etc. Rock is blasted from the quarry face and then transported to the processing area. The screening and crushing system have water sprays fitted to the conveyor belts and were operational at the time of the inspection. The rock is then crushed and screened into the desired particle size and sold.

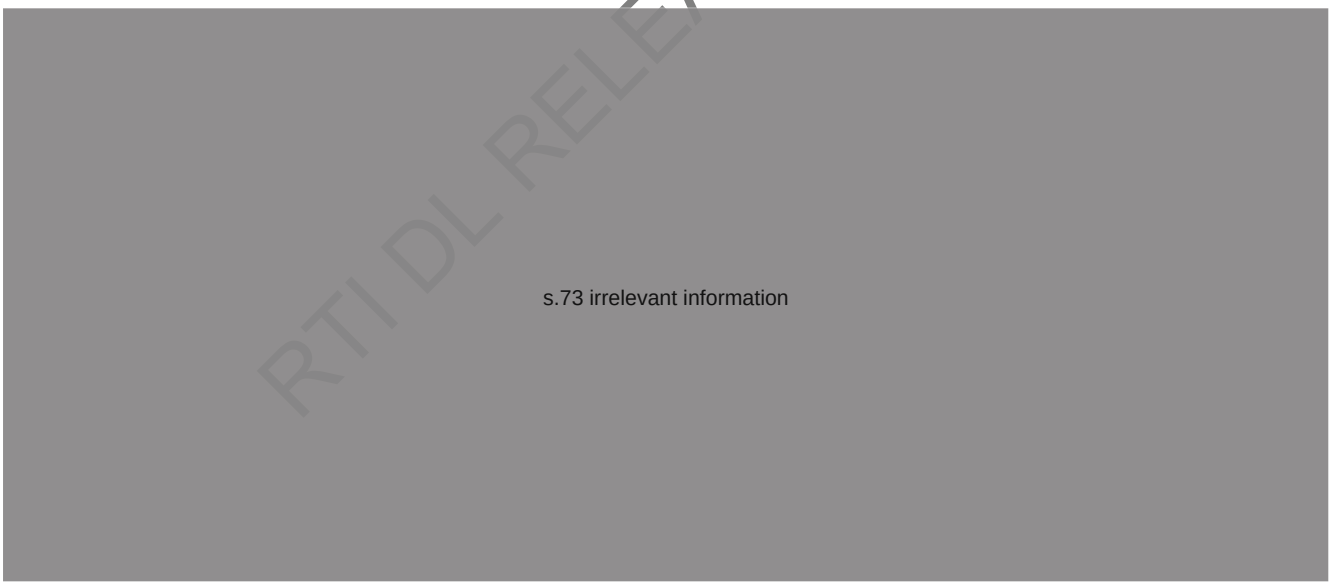
There is also a motor vehicle workshop located on site and 8000-9000 tonnes per year of fuel storage.

## Non-Compliances and/or new identified issues

On 6 September 2007 sch4p4( 6) Personal information (complainant) came to the EPA office in Mackay to advise the EPA that sediment laden waters had been released offsite and contaminated the creek. This was not identified with the original complaint regarding noise and dust.

On 6 September 2007 EPA officers met with Garry Tomson (GT) (Quarry manager) at Cedar's Quarry. The EPA then conducted an inspection of the site. The EPA observed the dust minimisation measures put in as referred to in the letter such as a water tank for the water Truck (photo 1) and a sprinkler system (photo 2).

From the inspection on 6 September 2007 the EPA determined that Boral Resources Pty Limited have taken all reasonable and practical measures to minimise dust (photo 1, 2 and 3) and noise at the site and that the complaint (CR38547) should now be closed

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## Consultation with Licensee (including commitments for improvements/required actions)

On 7 September 2007 Shantele Ianna (SI) telephoned Section 78B(2) RTI Act to advise that the EPA would be closing the complaint regarding dust and noise and that the EPA would be working with Boral to mange wastewater.

On 7 September 2007 sch4p4( 6) Personal information telephoned the EPA and said words to the effect that if the EPA were not going to do anything then he would like something in writing so that he could take it further. SI advised sch4p4( 6) Personal information sch4p4( 6) Personal information that the EPA will be working with Boral to ensure that they manage wastewater and are in compliance with the conditions of their development approval.

## Recommendation

1. A letter be sent to the complainant advising that the dust and noise complaint will be closed and that the EPA will be working with Boral to manage wastewater on site.
2. A letter be sent to Boral advising that the dust and noise complaint will be closed, of the above non compliances and the options available for them manage wastewater so that it is either:
   - Kept on site:
   - Or amend their existing development approval to allow for offsite discharges.

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| Report Completed by: | | | |
|---|---|---|---|
| Name: | Shantele Ianna | Date: | 12 September 2007 |
| Position | Environmental Officer | Signature: | sch4-Signature |

| Report Reviewed by: | | | |
|---|---|---|---|
| Name: | Kate Wall | Date: | |
| Position: | Senior Environmental Officer | Signature: | |

## Attachments:

Attachment 1: Photographs
Attachment 2: Map of the location of the quarry
Attachment 3: Notes taken during the site inspection.

Disclaimer

The information provided in this compliance inspection report cannot be seen as a comprehensive report of the compliance conditions on the site. It is prepared for a specific purpose only. Although the EPA attempts to provide reliable and accurate information in these reports at the time of their completion, we do not guarantee this as circumstances on site can change quite quickly and there may be errors or omissions. The information in this report is not, nor is it intended to be, legal, commercial or professional advice of any kind and should not be relied upon as such. You should consult your own professional advisors for individual advice regarding your own situation before taking any action, or refraining from any

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action, based on any information appearing in this report. The Queensland Government does not accept responsibility for any loss or damage, however caused (including through negligence), which you may directly or indirectly suffer in connection with your use of this report. Nor do we accept any responsibility for any such loss arising out of your use or reliance on information contained in this report.

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## Attachment 1: Photographs

**Photo 1:** Shows the water truck and new green tank on the back.

Section 78B(2) RTI Act

Section 78B(2) RTI Act

**Photo 2:** Recently installed sprinklers. Also shows wastewater ponds.

**Photo 3:** Shows the sprinkler system installed on the screening equipment.

**Photo 4:** Wastewater flowing into the sediment system on the southern boundary.

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**Photo 5:** Shows sediment leaving the site under the road

**Photo 6:** Outlet from the culvert under the road. Water then flows into a cane paddock (photo 7).

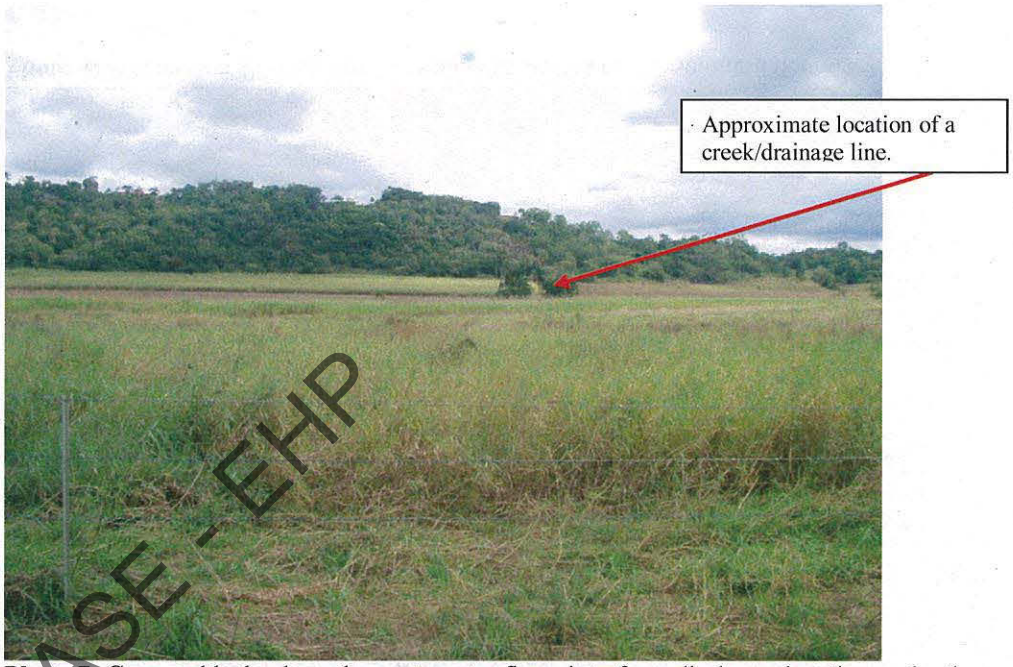


**Photo 7:** Cane paddock where the wastewater flows into from discharge location under the road.

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**Photo 8:** looking upstream along a creek/ drainage line where GT indicated that the wastewater would flow to.

.

**Photo 9:** looking downstream along a creek/drainage line where GT indicated that the wastewater would flow to.

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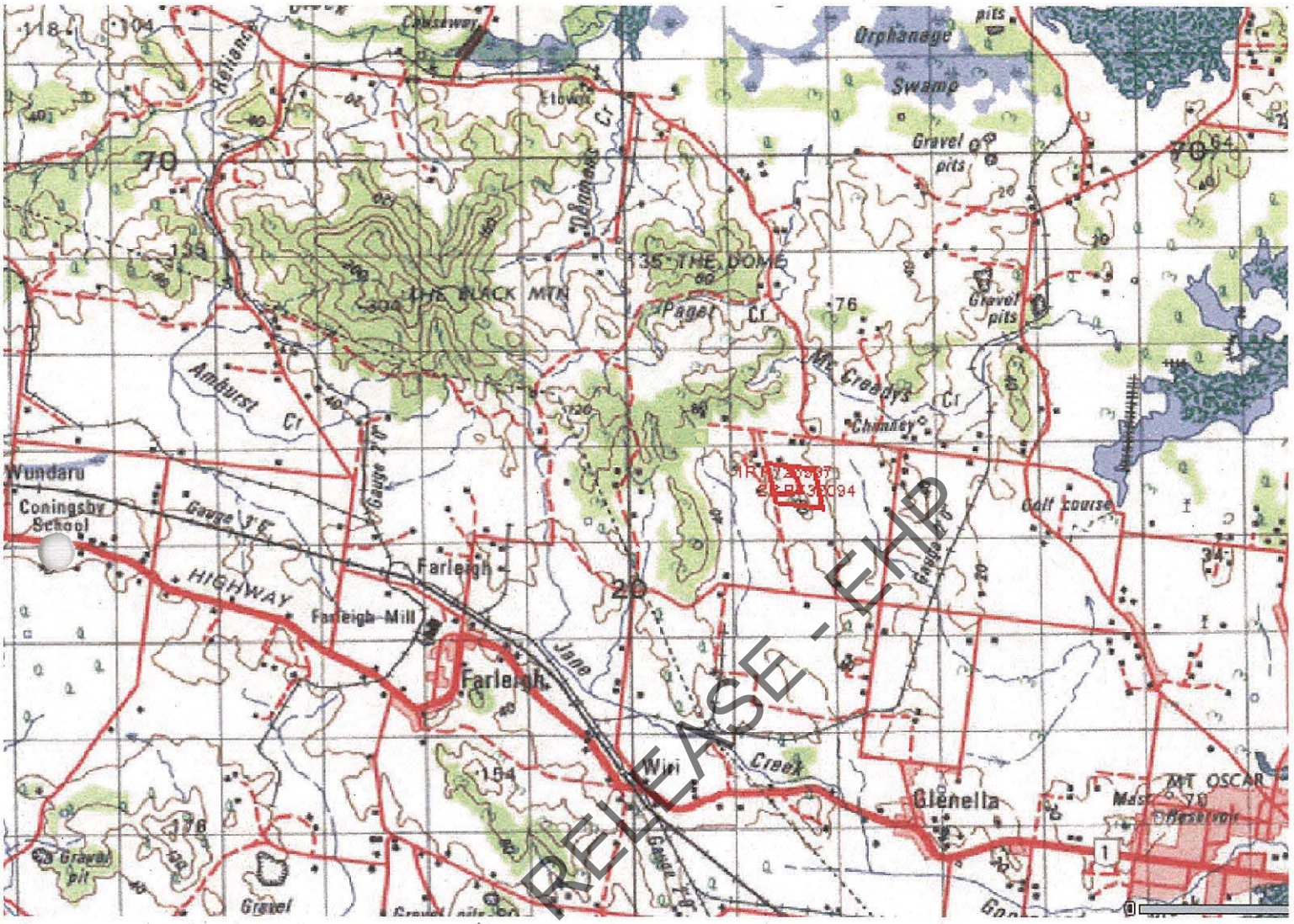
ecomaps

Queensland Environm

14/09/2007

## ecomaps Screen Plot

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RTI DE-RELEASE - EHP

ecomaps

Queensland Environm

14/09/2007

ecomaps Screen Plot

ecomaps Layers

- Cadastre Selection
- Grouped Cadastre
- Drainage
- Topographic Map 100k Images
- Places
- Rivers
- Dams and Weirs
- Queensland
- Other States

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# File Note

**File Reference: MKY 2329 v1**

## Subject: Noise and Dust complaint for Cedars Quarry

*Print and file when complete.*

**Date:** 7 September 2007

**File Name:** MKY2329 v1

**Subject (Detail):** Discussions regarding closure of complaint at Cedars Quarry

On 7 September at 12:12 pm Shantele Ianna (SI) rang [redacted] Section 78B(2) RTI Act informed [redacted] that I was ringing in regards to the complaint they had lodged with the EPA relating to noise and dust at Cedar's quarry operated by Boral. I advised that the EPA conducted a site inspection yesterday (6-9-07) in response to [redacted] coming into the office and stating that the Boral had contaminated the creek which runs through their property by allowing sediment to wash offsite into the creek.

I advised that during the inspection EPA officers had determined that Boral had taken all reasonable and practical measures to minimise noise and dust. EPA officers had also inspected the creek and determined that waters from Boral had not caused increased sediment in the creek nearest to the discharge point.

I advised [redacted] that the EPA would be closing the complaint and sending a closing letter to her, however if at any stage she feels that the nuisance has increased or reoccur's she should contact the Mackay EPA and submit a complaint form. To which she said OK.

RTI DL RELEASE - EHP

| | | | |
|---|---|---|---|
| [redacted] sch4-Signature | Signature 7/9/07 Date | | Signature Date |
| **Author:** | Shantele Ianna | | |
| **Position:** | Environmental Officer | **Position:** | |
| **Unit/Office:** | Mackay District Office | **Unit/Office:** | |
| **Phone:** | 07 4944 7835 | **Phone:** | |

Release

Queensland Government

Enquiries Kate Wall
Telephone (07) 4944 7816
Our reference MKY2329

Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Servic

24 September 2007

General Manager
Boral Resources (QLD) Pty Limited
PO Box 8019
MT PLEASANT QLD 4740

MKY2007/2266
MKY 2329

Dear Sir or Madam,

As you are aware, officers from the Environmental Protection Agency (EPA) have been investigating a complaint in relation to nuisance noise and dust from the Boral Resources (QLD), "Cedars Quarry" located at Woodward's Road, Mackay.

The investigation resulted in a compliance inspection on the 6 September 2007. The EPA is satisfied that you have taken all reasonable and practicable measures to minimise the dust and noise nuisance from your premises.

However, the EPA is of the opinion that Boral Resources (QLD) Pty Limited is in non-compliance with the following condition of NM0038:

- Condition C1 – Contaminants that my cause environmental harm must not be directly of indirectly released from any source on the licensed place to any waters at any location.

The EPA advises that Boral Resources (QLD) Pty Limited of the following available options:

1. Immediately cease the release of material from the onsite separators.
2. Apply to the EPA to amend development approval NM0038 to reflect the current discharge practice and include a licensed discharge point for the Cedars Quarry site under section 3.5.33 of the *Integrated Planning Act 1997*.

I have enclosed for your information the application form titled "*Request to Change an Existing Approval*".

RTI DL RELEASE - EHP



Level 1, 30 Tennyson St Mackay
Queensland 4740 Australia
PO Box 623 Mackay
Queensland 4740 Australia
**Telephone (07) 4944 7812**
**Facsimile** (07) 4944 7836
**Website** www.epa.qld.gov.au
ABN 87 221 158 786

The EPA has written to the complainant advising them of this assessment and as no significant environmental nuisance is occurring will now consider this matter closed. Thank you for your co-operation, and should you have any questions about this letter, feel free to contact Kate Wall on telephone (07) 4944 7816.

Yours sincerely

sch4-Signature

Ricci Churchill
**District Manager**
**Mackay District Office**

RTI DL RELEASE - EHP

Form 2 Development Application idas

# Request to change an existing approval

## Details of person making the request

1. Who is making the request?

| | |
|---|---|
| Company/organisation name *(If applicable)* | |

Individual applicant/Contact person *(If there is more than one applicant, provide details under Add another applicant)*

| | | | | | |
|---|---|---|---|---|---|
| Title | | First name | | Last name | |
| Postal address | | | | | |
| Contact telephone number | | | Mobile phone number | | |
| Facsimile number | | | e-mail address | | |

## Details of the existing approval

2. What are the details of the approval sought to be changed

| Type of approval | Identification number | Date issued | Assessment manager *(If request not made to the assessment manager)* |
|---|---|---|---|
| ☐ Development Permit<br>☐ Preliminary Approval | | | |

## Identification of the premises

3. Can any part of the premises be identified by a street address or lot on plan description?

☐ No - *Answer Q3(a)*

☐ Yes - *Complete Table B and Q3(b)*

4. Can the premises best be identified by coordinates *(e.g. for development proposed in waters, or on a site within a large rural lot)*?

☐ No

☐ Yes - *Complete Table D*

5. What is the total area that makes up the premises *(i.e. the area covered by the application)*?

| Area of land above high water mark/outside watercourse | | Area in a water body or watercourse | |
|---|---|---|---|
| | ☐ $m^2$ ☐ hectares *(Tick applicable unit)* | | ☐ $m^2$ ☐ hectares *(Tick applicable unit)* |

RTI DL RELEASE - EHP

## Owner's consent and resource owner's agreement

6. Is the person making the request the owner of the land to which the approval attaches?

☐ Yes ☐ No - *Complete Table E - provide details for each owner on a separate row, or on an attachment to this form if applicable. Note: Advice provided at the end of this form details when owner's consent is not required.*

7. If an application for the existing approval were being made now *(i.e. at the time of making this request)*, would evidence be required to support the application because it involved taking or interfering with a State-owned resource prescribed by schedule 10 of the *Integrated Planning Regulation 1998* (IP Reg) or any other regulation

☐ No ☐ Yes - *Complete Table F and submit, with the application, written agreement to the request.*

## Nature of the request

8. What is the nature of the request for change? *(Tick the applicable box/es)*

☐ An extension of the period before an approval lapses (under IPA, section 3.5.22)

☐ To change the development approval other than a change of condition (under IPA, section 3.5.24)

☐ To change or cancel a condition of approval (under IPA, section 3.5.33) - *Go to Q11*

☐ To change conditions of a rezoning approval given under the *Local Government (Planning and Environment) Act 1990* (under IPA, section 6.1.35A) - *Go to Q12*

9. Were one or more concurrence agencies involved in the approval?

☐ No ☐ Yes - *Complete Table G. Submit, with the application, a copy of the notice required to be sent to each agency under IPA sections 3.5.22(1)(a) and 3.5.24(1)(b).*

10. Does the request for change relate to an aspect of the approval that involved a building referral agency?

☐ No ☐ Yes - *Complete Table H. Submit, with the application, a copy of the notice required to be sent to each agency under IPA section 3.5.24(1)(b).*

## Details and reasons or justification for the request

11. What are the details of the requested change and the reasons or justification for the change? *Use a different row for each change if more than one.*

| | Details of requested change *(including extension of the period if relevant)* | Reasons or justification for the requested change |
|---|---|---|
| 1 | | |

## Mandatory attachments and information

12. What are the mandatory attachments and supporting information accompanying this application?

| | Description of attachment or information *(e.g. notice to concurrence /building referral agencies, owner's consent, resource owner's agreement, drawings, reports)* | Title and date *(if applicable) (e.g. James StreetTraffic Report)* | Method of delivery to assessment manager |
|---|---|---|---|
| 1 | | | |

RTI DL RELEASE - EHP

OFFICE USE ONLY

| Date Received | | Reference Numbers | | Cost Code *(applicable to EPA only)* | 433062 (ERAs) |
|---|---|---|---|---|---|

# Advice for completing Form 2

| | |
|---|---|
| General advice<br>• Form 2 may be used for any one of the four types of request for changing an existing approval -<br>  • an extension of the period before an approval lapses (under IPA, section 3.5.22)<br>  • to change or cancel a condition of approval (under IPA, section 3.5.33)<br>  • to change the development approval other than a change of condition (under IPA, section 3.5.24)<br>  • to change conditions of a rezoning approval given under the *Local Government (Planning and Environment) Act 1990* (P&E Act) (under IPA, section 6.1.35A)<br>• Form 2 is not an approved form under the IPA. The assessment manager, concurrence agency or court may have their own form for the purpose of making a request to change an approval. In the case of a request to change conditions of a rezoning approval, the P&E Act establishes the process to be followed and provides for the local government to determine the required form.<br>• The entity that should receive the request is:<br>  • for an extension of the period before an approval lapses - the assessment manager (even if the approval was granted by the court (IPA, section 3.5.22(9))<br>  • to change or cancel a condition of approval - the entity that decided or required the condition (i.e. the assessment manager, a concurrency agency or the court)<br>  • to change the development approval - the assessment manager<br>  • to change conditions of a rezoning approval - the local government<br>• When paying fees to the Environmental Protection Agency by electronic funds transfer (EFT) for requests relating to environmentally relevant activities (ERAs) or coastal development, use the process from the information sheet *Electronically paying fees to the Environmental Protection Agency (EPA)* and attach the form *Electronic Funds Transfer (EFT) payment notification* to the request. |
| Q1 | Any person may make a request to change an approval. However, in the case of a development approval for building work or operational work for the supply of community infrastructure on land designated for the community infrastructure, only the person supplying the infrastructure may make a request (IPA, section 3.5.33(3A)). |
| Q2 | If the request is made to a concurrence agency or the court, notice of any subsequent change or cancellation of a condition must be given to the assessment manager (IPA, section 3.5.33(9)). |
| Q6 | • If the person making the request is not the owner of the land to which the approval attaches, the request must be accompanied by the owner's consent. (IPA, sections 3.5.22(3), 3.5.24(3), 3.5.33(3)).<br>• However, owner's consent is not required if the approval is for:<br>  • a mobile and temporary ERA; or<br>  • building work or operational work for the supply of community infrastructure on land designated for community infrastructure (IPA, section 3.5.33(3A)). |
| Q7 | The request must also be accompanied by the written agreement of the chief executive from whom evidence of resource allocation or entitlement would be required if an application for approval were being made. (IPA, sections 3.5.22(5), 3.5.24(5), 3.5.33(3C)) |
| Q9 | For a request to extend the period before an approval lapses, or to change a development approval, each concurrence agency for the approval must be given written notice of the request (IPA, sections 3.5.22(1), 3.5.24(1)). |
| Q10 | For a request to change a development approval, if the subject of the request involved a building referral agency, that agency also needs to be given notice of the request (IPA, section 3.5.24(1)). For a request to change conditions the opinion of a relevant building referral agency must be given regard to by the entity deciding the request (IPA, section 3.5.33(9)). |

RTI DL RELEASE - EHP

Queensland Government

Enquiries Kate Wall
Telephone (07) 4944 7816
Our reference MKY2329

Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Servic

24 September 2007

Section 78B(2) RTI Act
RICHMOND QLD 4740

MKY 2007/2267
MKY 2329

Dear [redacted]

In response to your complaint regarding noise and dust nuisance Section 78B(2) RTI Act Section 78B(2) RTI Act a site inspection was conducted on Thursday 6 September 2007 in which two officers from the EPA conducted an assessment of the possible environmental nuisance and effect on neighbouring area.

The EPA believes that Boral Resources (QLD) have a lawful right to carry out their activities at this site and have taken all reasonable and practicable measures to minimise the nuisance. The EPA is therefore satisfied that no unlawful environmental nuisance is occurring and will now consider the matter closed. Thank you for your co-operation, and should there be any changes in the dust and noise nuisance at your residence please do not hesitate to contact the EPA on telephone (07) 4944 7800.

Yours sincerely Section 78B(2) RTI Act

Ricci Churchill
**District Manager**
**Mackay District Office**

RTI DE-RELEASE - DHP

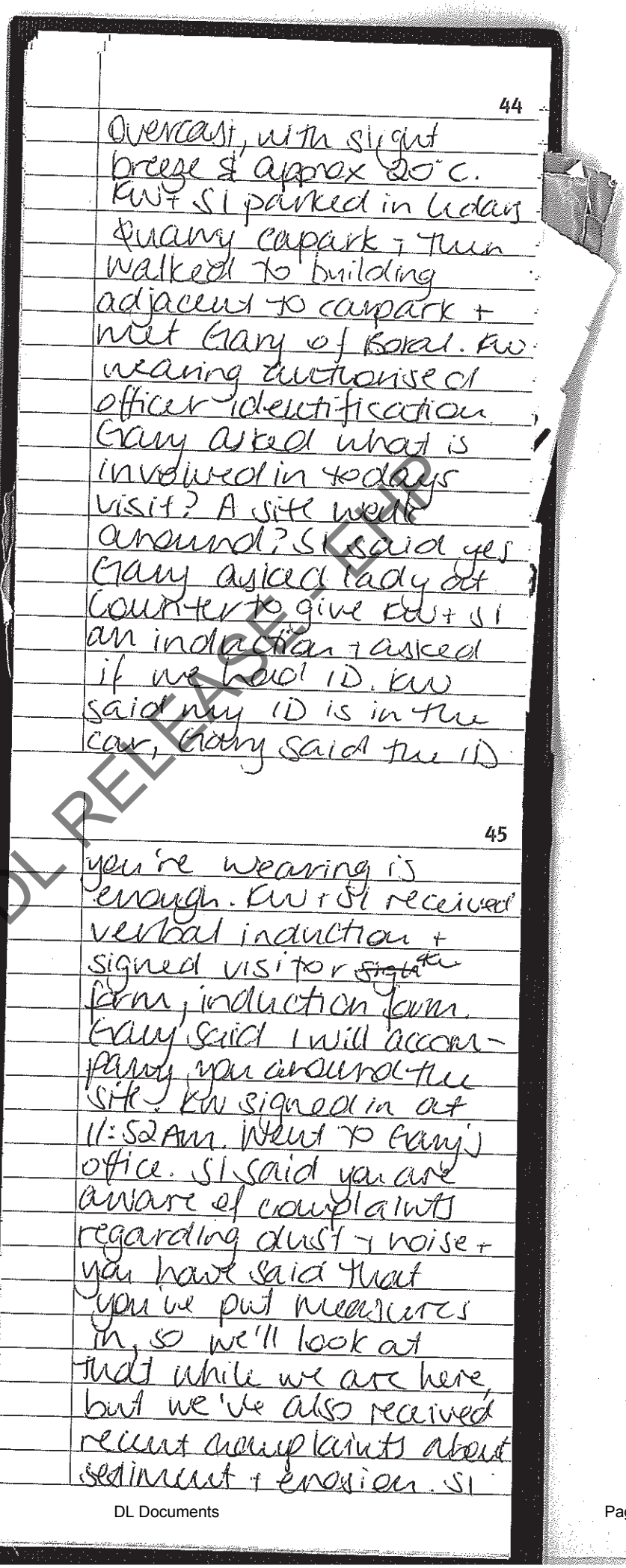


Level 1, 30 Tennyson St Mackay
Queensland 4740 Australia
PO Box 623 Mackay
Queensland 4740 Australia
**Telephone (07) 4944 7812**
**Facsimile** (07) 4944 7836
**Website** www.epa.qld.gov.au
ABN 87 221 158 786

RTI DL RELEASE - EHP

Notes taken by
Kate Wall in
Official notebook
B0365.

[illegible] returned to [illegible]
6 SEPTEMBER 2007 11:45AM
KW arrived at Boral
Cedars Quarry on Wood-
wards Road, Richmond in
the company of Shantek
Ianna. Weather is



44

Overcast, with slight breeze & approx 20°C. KW + SI parked in Lidays Quarry carpark + then walked to building adjacent to carpark + met Gary of Boral. KW wearing authorised officer identification. Gary asked what is involved in todays visit? A site walk around? SI said yes Gary asked lady at counter to give KW + SI an induction + asked if we had ID. KW said my ID is in the car, Gary said the ID

45

you're wearing is enough. KW + SI received verbal induction + signed visitor ~~sign~~ ka form, induction form. Gary said I will accompany you around the site. KW signed in at 11:52Am. Went to Gary's office. SI said you are aware of complaints regarding dust + noise + you have said that you've put measures in, so we'll look at that while we are here, but we've also received recent complaints about sediment + erosion. SI

RTI DL RELEASE - EDR

46

said we'll have a look + then go back to the office + make a decision from there. Gary said ok, standard procedure. Gary said I feel complaint probably from [redacted] Section 78B(2) RTI Act Gary said I think I should give you some history. Section 78B(2) RTI Act [redacted] Section 78B(2) RTI Act Boral has a complaint system + ask people to contact them direct + Boral responds from there.

47

Boral re Gary explained the steps Boral has put in place for dust minimisation. Councillor Jan Whilden has been involved in negotiations with that family and had a meeting with them y[re] two days ago. SI asked where are the nearest houses? Gary said the Section 78B(2) RTI Act [redacted] Section 78B(2) RTI Act [redacted] SI asked if there is any other houses close by? Gary said yes there are a number of them

RTI DL RELEASE - EHP

48

close by. KW. i SI then walked around the site with Gary after collecting hard hats + hi-vis vest. KW took photo of water truck operating. KW asked Gary how often water truck operates? Gary said daily. KW asked only once a day? Gary said no maybe 10 times, never counted. KW photographed ~~sett~~ settling ponds. SI asked if there was any discharge from here? Gary said only overflow we have sed socks with aggregate to capture

49

sediment. Gary showed new sprinkler system that Boral turn on first thing in the morning to water down the haul road for initial water down. Also turn on ~~in~~ KW if water truck insufficient. KW photographed operating screener w/ water spray occurring on conveyor + output area. KW photographed plant operating + observed no dust emissions. KW photographed water truck filling point. KW photographed collapsed rill + water discharge area opposite carpark. KW asked where

RTI DL RELEASE - END

Release



the water travelled to from there? Gary said out of the drying room to area near the settling ponds. KW asked Gary to show us where. KW, SI + Gary walked down the road to an area where a pipe was seen leaving the Boral site adjacent to a culvert. KW photographed both sides of the culvert. Gary said the water travels under the road here and across that cane field to a point between 2 trees. Trees appeared approximately 500m



away. KW photographed cane field. KW, SI then returned to Gary's office. SI told Gary that KW + SI would return to the office + discuss our findings with the District Manager. SI would then send Boral a letter. SI + KW thanked Gary for his time + left the site at approximately 1:06pm. SI + KW then walked the fence line of the paddock indicated by Gary to contain the discharge point. Approximately 50cm from the road SI + KW came to

RTI DL RELEASE-EHP

52

a small creek/cane drain. At this location SI + KW found the trees Gary indicated + SI photographed creek/cane drain. KW walked downstream + noted the liquid in the creek was discoloured a creamy brown colour and cloudy. KW photographed creek/cane drain. KW noted that the bank adjacent to creek/cane drain on the Quarry side had partially collapsed, photographs taken. KW + SI left the site [illegible] ~~241~~ KW 6/9/07

I Shantele Ianna adopt the

notes from page 42 to 52 53

sch4-Signature 6/9/07

RTI DL RELEASE - EHP

MKY 200 7/1828
MKY 2329
RECEIVED
EPA/OPWS
22 AUG 2007
MACKAY

Australian Construction Materials Division

BORAL

Concrete – Quarries – Transport - Asphalt

**Queensland**
BORAL RESOURCES (QLD) PTY LTD
ABN 46 009 671 809
147 Coronation Drive Milton QLD 4064
PO Box 1369, Milton QLD 4064
Telephone (07) 3867 7600
Facsimile (07) 3867 7420

www.boral.com.au

16th August 2007

Attn: Odette Langham
Environmental Protection Agency
PO Box 623
Mackay Qld 4740

Dear Ms. Langham

***Noise and Dust Complaints – Cedars Quarry***

Boral Resources (Qld) Pty Limited (Boral) acknowledges your letter dated 1st August 2007 (Your Ref: CR38547) regarding noise and dust complaints at the Boral Cedars Quarry.

With regards to dust emissions from the site, a number of recent upgrades have been made to reduce any emissions; these include a sprinkler system on the access to the weighbridge; and a new tank for the water truck. Boral feels that the council road (Woodwards Road) would be the major emitter of any air borne dust in the area.

Boral have not previously had any complaints regarding noise from the site and as such will now investigate this matter. We noted that operations have not started prior to 7:00 am on weekdays and 6:30 am on Saturdays, we attach an operations log for your reference.

Boral have attached copies of their licences for your perusal. If you have any further questions regarding the matter please do not hesitate to contact the undersigned.

Yours sincerely,

sch4-Signature

**LUKE HOLLEY**
Environmental Manager
Boral ACM Qld/NT
Telephone (07) 3867 7668
Mobile sch4p4( 6) Personal information
Email luke.holley@boral.com.au

RTI DL RELEASE - EHP

RECEIVED
22 NOV 2007
MACKAY

MKY 200 7/2946 | 51

Australian Construction Materials Division

BORAL

Concrete – Quarries – Transport - Asphalt

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BORAL RESOURCES (QLD) PTY LTD
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147 Coronation Drive Milton QLD 4064
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Facsimile (07) 3867 7420

www.boral.com.au

19th November 2007

Attn: Ricci Churchill
District Manager - Mackay
Environmental Protection Agency
PO Box 623
Mackay Qld 4740

Dear Ricci,

***Letter Dated 24 September 2007***

Boral Resources (Qld) Pty Limited (Boral) acknowledges your letter dated 24th September 2007 (ref: MKY2329) regarding non-compliance with Condition C1 of NM0038.

Boral has commenced a water monitoring program to determine the current water quality onsite. Further to this Boral has commenced a Stormwater management planning process for the site to determine the holding capacity needed on site.

Once both of these studies are completed Boral intends to make an application to amend the current Development Approval under 3.5.33 of the Integrated Planning Act 1997 as suggested in your letter to allow for an approved discharge point.

If you have any further questions regarding this or any other matter don't hesitate to contact me on the phone number below.

Yours sincerely,

sch4-Signature

RTI DL RELEASE - EHP

**LUKE HOLLEY**
Environmental Manager
Boral ACM Qld/NT
Telephone (07) 3867 7668
Mobile sch4p4( 6) Personal information
Email luke.holley@boral.com.au

MKY 2007/1828

MKY

Queensland Government

Enquiries Shantele Ianna
Telephone 07 4944 7835
Our reference CR38547

Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

1 August 2007

General Manager
Boral Resources (QLD) Pty Limited
PO Box 8019
Mt Pleasant QLD 4740

Dear Sir or Madam

The Environmental Protection Agency (EPA) recently received complaints regarding noise and dust nuisance emanating from Cedars Quarry, operated by Boral Construction Materials Group Ltd, located at Lot 2 Woodwards Road, Richmond. The complainant alleges that the noise and dust is affecting their amenity.

The role of the EPA is to investigate this matter and ensure that where a valid complaint is identified, appropriate action is taken in accordance with the relevant environmental legislation.

This matter will be investigated by the EPA, however at this stage you are invited to respond with your views on the matter, your advice on proposed measures to abate any such nuisance, and copies of any relevant approvals such as development approvals or consent permits.

Please respond by the **17 August 2007**, quoting reference number CR38547 and addressing your response to:

Environmental Protection Agency
PO Box 623
MACKAY QLD 4740

Should you have any questions about this matter or require any further information, please do not hesitate to contact Shantele Ianna on 07 4944 7835.

Yours sincerely

sch4-Signature

Odette Langham
**District Manger**
**Mackay District Office**

C/c Environmental Manager
Boral Resources (QLD) Pty Ltd
PO Box 1369
MILTON QLD 4064

RTI DL RELEASE EHP

1st Floor, 30 Tennyson Street, Mackay
Queensland 4740 Australia
PO Box 623 Mackay
Queensland 4740 Australia
**Telephone** 07 4944 7816
**Facsimile** 07 4944 7836
**Website** www.epa.qld.gov.au
ABN 87 221 158 786

Release

Queensland Government

Enquiries Shantele Ianna
Telephone (07) 4944 7835
Our reference CR 38547

1 August 2007

**Environmental Protection** Agency
Incorporating the
Queensland **Parks and Wildlife Service**

Section 78B(2) RTI Act

RICHMOND QLD 4740

Dear Section 78B(2) RTI Act

The Environmental Protection Agency (EPA) has received your complaint expressing concern regarding noise and dust from the operations being carried out at Cedars Quarry located on Woodwards Road, Richmond.

The role of the EPA is to investigate this matter in order to ensure that where a valid complaint is identified, appropriate action is taken in accordance with the relevant environmental legislation.

Since receiving your information from Mackay City Council, we have written to the person who is responsible for the operations outlining your concerns and seeking a response. Please be assured that your identity will remain confidential unless you permit otherwise.

We have written to the alleged source because often issues such as this are quickly resolved by making all parties aware of the issue. The alleged source has been offered two weeks to respond to the letter. An officer from the EPA will contact you following this period to discuss any response.

If a response is not received or the issue is not resolved, an officer of the EPA will telephone you to arrange any necessary actions (e.g site inspections, monitoring). The results of these actions will determine the best way for the EPA to proceed. You will be kept informed of the outcome.

Should you have any questions about this matter or require any further information, please do not hesitate to contact Shantele Ianna on (07) 4944 7835.

Yours sincerely

Section 78B(2) RTI Act

Odette Langham
**District Manager**
**Mackay District Office**

RTI DL RELEASE - EHP



1st Floor, 30 Tennyson Street, Mackay
Queensland 4740 Australia
PO Box 623 Mackay
Queensland 4740 Australia
**Telephone** 07 4944 7816
**Facsimile** 07 4944 7836
**Website** www.epa.qld.gov.au
ABN 87 221 158 786

MACKAY
CITY COUNCIL

MKY 2007/1770
MKY ~~49(4)~~ 2329

Address all communications to:
The Chief Executive Officer
PO Box 41 Mackay Qld 4740

Your Ref:

In reply please quote our Ref:
732094-002-1
CS:CS

For enquiries please contact
Craig Shepherd

RECEIVED
26 JUL 2006

24 July 2007

District Manager
Mackay District Office
Environmental Protection Agency
PO Box 623
MACKAY Q 4740

Dear Ms Ricci Churchill

**RE: DUST AND NOISE COMPLAINT - BORAL, CEDARS QUARRY, LOT 2 WOODWARDS ROAD, RICHMOND**

This letter is in reference to a complaint lodged with Mackay City Council on Monday, 23 July 2007 by Councillor Joan Williamson, Mackay City Council (telephone 07 4942 3297), regarding excessive dust and noise emanating from Cedars Quarry, operated by Boral Construction Materials Group Ltd, located at Lot 2 Woodwards Road, Richmond.

At this site, Council understands that the Environmental Protection Agency currently regulates Environmentally Relevant Activities and therefore refers this information to the Agency for investigation and any necessary action.

Mackay City Council has advised the complainant Section 78B(2) RTI Act Richmond (telephone: Section 78B(2) RTI Act Section 78B(2) RTI Act that complaint has been referred to the Environmental Protection Agency for investigation.

Should you have any queries relating to this matter, please contact Environmental Protection Officer, Craig Shepherd on telephone 07 4968 4444.

Yours faithfully

sch4-Signature

J. B. Grandcourt
ACTING MANAGER ENVIRONMENTAL SERVICES

RTI DL RELEASE - EHP

Civic Centre Gordon Street Mackay Queensland
Telephone (07) 4968 4444 • Facsimile (07) 4944 2400
E-Mail mackaycc@mackay.qld.gov.au
ABN 86 568 229 462



THE HEART OF QUEENSLAND

12:12 7/9/07 SI rang Section 78B(2) RTI Act Section 78B(2) RTI Act & advised ~~that~~ the EPA had conducted a site inspection + have determined that all reasonable ~~practical~~ practical measures had been taken to minimise dust & dust & the EPA would be closing the complaint. (file not on file MIC#2329).

2:55pm 7/9/07. sch4p4( 6) Personal information rang the EPA. I advised that the EPA would be working with Boral to manage their wastewater so that they could be in compliance with their development approval. Section 78B(2) RTI Act asked if we ~~could put~~ put we were not going to do anything could we put that in writing so that he could take it further. I said that we would be sending a closing letter to him.

7/9/07 sch4-Signature

RTI DL RELEASE - EHP

Notes taken by
Shantelle Ianna
in official notebook
no B0247

sch4-Signature

RTI DL RELEASE - EHP

Shantelle Ianna & Kate
Wall arrived at Cedars
Quarry on Woodwards

Road @ 11:45 on 6/9/02 37
We went into the site office
and completed an induction.
Kelly read out induction
form. KW & SI signed the
forms. We then went into
Gary Thompsons (GT) office &
he discussed dealings with
The Section 78B(2) RTI Act Who they
have & had direct complaints
from. Have installed upgrades
to minimise dust. Boral
have been in contact with
Joan Williamson. Boral have
started a community relations
program across the state. We
then started a site tour.
Water tank goes around
daily. 7 settling ponds
any discharge off site.

Release

In extreme wet weather 38
water is discharged off
site. ~~in~~ SI. GT showed us
the new sprinkler system it
is turned on @ night & first
thing in the morning —
water also goes into another
pit. Belts have sprinkler
systems installed. & are
going all the time. GT
[redacted] Section 78B(2) RTI Act
[redacted] —
[redacted] dust —
protection on the screens. GT:
only dust would be from
the build up of dust on
the legs of the screens.
create high stockpiles to
minimise the fall of metal
dust & dust created. A —

Rock breaker used to 39
break the rock. Conducted
blasting near the front
of the quarry which created
rocks which needed to be
broken. GT then showed
us the other pit which contains
wastewater from the site. The
pit water goes to the road
& flows along to the road
and joins up with the other
overflow point (from the settling
ponds). GT said the rock
breaker had been relocated
to the rear of the site at
the quarry face. We inspect-
ed the area where the
water would be discharged
from. GT pointed out that
the water goes through some

RTI DL RELEASE - EHP

Release

vegetation vegetation and 40
is then discharged into a
drain which flows into a
paddock (cane paddock) &
then into a creek. GT pointed
out the creek & said it was
between the two trees. We
then went back into GT's
office & explained to him
that we will be sending —
correspondance regarding —
todays site visit to him afte-
I have discussed the site visit
with my district manager. —
he asked from today what
I thought about the operation.
I said that I had seen the
water/dust minimisation
that they had refereed to
in the letter sent to the EPA

& that also there is no 41
licensed discharge point on
their development approval
given that they discharge
water off site they would
need to ensure that this
water was not contaminated
as it could flow through the
paddock and then into the
creek. I advised that they
EPA would adress this in
the correspondance to be
sent out. Kate & I then
left the office and walked
across the road to an —
adjacent cane farm & —
followed this to the creek
& the location where GT ind-
icated that the waste water
would flow too. I walked

RTI DL RELEASE-EHP

Release

upstream from that point and noted that the small creek had another source of water coming from the paddock on the opposite side of the creek. The water was coming from a muddy stream from a grazing paddock. I walked upstream of where CT had indicated that the water from the site would be discharged too. I did not notice any sediment laden waters upstream. I took photos of the creek & the small source of water flowing into the creek. I then walked back downstream to our access point. I noticed some turbid water downstream of a causeway across the creek. I could not determine if this water was turbid due to a discharge from the boral site or off the adjacent land uses of cane farming & grazing. Kate & I then walked back to the car and drove to the discharge point off site & took some more photos. We left the site at approximately 1:06pm and drove back to the Mackay district office.

RTI DL RELEASE - ETP

ENVIRONMENTAL PROTECTION ACT 1994

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Mackay District Office
PO Box 623 MACKAY QLD 4740
Phone: (07) 4944 7812 Fax: (07) 4944 7811
www.env.qld.gov.au ABN: 87221158786

# Integrated Authority No. NM0038

## 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 one or more type of environmental authority 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:**

Boral Resources (QLD) Pty Limited
147 Coronation Drive
MILTON QLD 4064

**in respect of carrying out the Environmentally Relevant Activities (ERAs) at the different places and under the type of environmental authority described in the following parts.**

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

The anniversary date of this integrated authority is 21 May each year.

This amended integrated authority takes effect from 26 February 2004.

sch4-Signature

Signed

26 February 2004
Date

**Ricci Churchill**
**Acting District Manager**
Delegate of Administering Authority
*Environmental Protection Act 1994*

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

RTI DL RELEASE - EHP

## THIS INTEGRATED AUTHORITY CONSISTS OF THE FOLLOWING PART(S):

Each part consists of conditions relevant to various issues.

## Licence Without Development Approval (Section 93) Part

**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 premises / place described as:**

Lot 1 on RP726997 and Lot 2 on RP732094

**located at:**

'Cedars' Quarry Woodwards Road, Mackay

**and,**

s.73 irrelevant information

**at premises / place described as:**

Lot 1 on RP726997

**located at:**

'Cedars' Quarry Woodwards Road, Mackay

RTI DL RELEASE - EHP

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.

The authority is issued subject to conditions as set out in the schedule(s) attached that form part of the integrated authority.

## Licence Without Development Approval (Section 93) Part

*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.*

## Schedule A - Activity

### Access to copy of environmental authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

### Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. For daily and weekly records, the record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

### Alterations

(A3) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

### Monitoring and measurements

(A4) All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.

(A5) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

(A6) The holder of this environmental authority must:

- develop and implement an Integrated Environmental Management System which provides for the following functions:
  - the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; and
  - staff training and awareness of environmental issues; and
  - the conduct of environmental and energy audits; and
  - waste prevention, treatment and disposal; and
- on or before the date of the first annual return lodge a detailed description of the Integrated Environmental Management System and its documentation with the administering authority for its review and comment; and
- have due regard to that comment in the finalisation of the Integrated Environmental Management System; and
- on or before the date of the first annual return, have completed and implemented the Integrated Environmental Management System.

RTI DL RELEASE - EHP



Scan Signature
26/2/04

(A7) A copy of the Integrated Environmental Management System must be kept in a location readily accessible to personnel carrying out the activity OR at the licensed place OR at another place negotiated with the holder of the environmental authority.

**Report Submission**

(A8) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

**Notification of emergency and incidents**

(A9) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number A8 must include but not be limited to the following:

- the holder of the environmental authority;
- the location of the emergency or incident;
- the number of the environmental authority;
- the name and telephone number of the designated contact person;
- the time of the release;
- the time the holder of the environmental authority became aware of the release;
- the suspected cause of the release;
- the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
- actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(A10) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number A9 in addition to:

- proposed actions to prevent a recurrence of the emergency or incident; and
- outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

END OF CONDITIONS FOR SCHEDULE A

## Schedule B - Air

**Dust control**

(B1) Water sprays are to be installed at the transfer points on the conveying equipment and operated on the system as necessary to minimise the release of dust and particulate matter to the atmosphere.

**Materials handling**

(B2) All practicable measures must be taken to minimise the generation of wind-borne dust during operation of external material stockpiles.

(B3) Watering of internal roads shall be carried out so as to minimise the release of dust and particulate matter to the atmosphere.

END OF CONDITIONS FOR SCHEDULE B

RTI DL RELEASE - EHP



C34-Signature
26/2/04

## Schedule C - Water

### Release points

(C1) Contaminants that may cause environmental harm must not be directly or indirectly released from any source on the licensed place to any waters at any location.

### Release of Contaminants to Stormwater

(C2) The holder of this environmental authority must ensure that no contaminated stormwater directly or indirectly is released from the licensed place to any waters or the bed and banks of any waters.

(C3) Rainfall and stormwater runoff which may contact wastes or contaminants on the licensed site shall not be released to any stormwater drain or waters without the holder of this environmental authority taking such practicable measures as may be necessary to prevent or minimise the release of such waters or contaminants.

(C4) Rainfall and stormwater runoff not likely to contact any wastes or contaminants on the premises may be discharged to waters, roadside gutters or stormwater drainage systems.

### Bunding

(C5) All petroleum product storage tanks must be bunded so that the capacity of the bund is sufficient to contain at least 100% of the largest tank plus 10 % of the second largest tank within the bund.

(C6) All bunding must be constructed of materials which are impervious to the materials stored.

(C7) All empty drums must be stored on a concrete hardstand area with their closures in place.

(C8) All spilled materials in bunded areas on the site must be cleaned up as soon as practicable.

END OF CONDITIONS FOR SCHEDULE C

RTI DL RELEASE - EHP

## Schedule D - Noise

### Noise monitoring

(D1) In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in levels greater than those specified in Table 1 of the Noise Schedule until the circumstances which gave rise to the complaint are resolved.

**Schedule D Table 1**

| **Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,T}$** | **Period** |
|---|---|
| Background noise level plus 5dB(A) | 7 am - 6 pm |
| Background noise level plus 5dB(A) | 6 pm - 10 pm |
| Background noise level plus 3dB(A) | 10 pm - 7 am |
| **Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,T}$** | **Period** |
| Background noise level plus 10dB(A) | 7 am - 6 pm |
| Background noise level plus 10dB(A) | 6 pm - 10 pm |
| Background noise level plus 8dB(A) | 10 pm - 7 am |



Sch4-Signature
26/2/04

(D2) For the purposes of checking compliance with D1, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptions, characteristics and conditions:

- $L_{Amax, Adj\ T}$;
- $L_{Abg, T}$ or $L_{A90, T}$;
- $L_{AN,t}$ (where N equals statistical levels of 1, 10, 50, 90 and 99);
- The level and frequency of occurrence of impulsive or tonal noise;
- Atmospheric conditions including temperature, relative humidity and wind speed and direction; and
- Effects due to extraneous factors such as traffic noise.

(D3) The holder of this environmental authority must monitor and record the noise levels to check compliance with the conditions of D1.

(D4) The method of measurement and reporting of noise levels must comply with the Department of Environment Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as become available.

END OF CONDITIONS FOR SCHEDULE D

## Schedule E - Waste

### General

(E1) The holder of this environmental authority must not:

- (i) allow waste to burn or be burned at or on the licensed place; nor
- (ii) remove waste from the licensed place and burn such waste elsewhere.

(E2) Regulated waste is not permitted to be released from any vehicle or any container transported by that vehicle other than at a proper and appropriate place that can lawfully accept such waste.

(E3) Any loss or spillage of regulated wastes must be cleaned up forthwith.

(E4) Regulated waste must be handled and transferred in a proper and efficient manner to prevent any leakage or spillage of waste.

(E5) All regulated waste removed from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.

END OF CONDITIONS FOR SCHEDULE E

## Schedule F - Land

### Site Rehabilitation

(F8) Completed area must be stabilised by landscaping or revegetating as soon as practicable after completion.

END OF CONDITIONS FOR SCHEDULE F

PTTDL RELEASE - EMP



Sent Signature
26/2/04

## Schedule G - Community

### Complaint recording

(G1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept with the following details:

- time, date and nature of complaint;
- type of communication (telephone, letter, personal etc.);
- name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
- response and investigation undertaken as a result of the complaint;
- name of person responsible for investigating complaint; and
- action taken as a result of the complaint investigation and signature of responsible person.

END OF CONDITIONS FOR SCHEDULE G

## End of Licence Without Development Approval (Section 93) Part

RTI DL RELEASE - EHP

## 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 authority is sought and the term is not defined within this authority the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

### Word Definitions

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

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

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

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

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

**"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*.

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

**"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


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- a place used as an office or for business or commercial purposes.
  and includes the curtilage of any such place.

**"odour sensitive place"** has the same meaning as a "dust sensitive 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.

**"noxious"** means harmful or injurious to health or physical well being.

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

**"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.

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**"$L_{A\ 10,\ adj,\ 10\ mins}$"** 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.

**"$L_{A\ 1,\ adj,\ 10\ mins}$"** 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

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

**"noise 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.

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

**"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.

**"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.

**"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.

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

**"mg/L"** means milligrams per litre.

**"NTU"** means nephelometric turbidity units

**"regulated waste"** means non-domestic waste mentioned in Schedule 7 of the Environmental Protection Regulation 1998 (whether or not it has been treated or immobilised), and includes:

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

**"licensed vehicle"** means a vehicle authorised to be used under the licence to transport regulated waste.

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

**"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.

END OF DEFINITIONS FOR SCHEDULE H

## Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

## END OF INTEGRATED AUTHORITY

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