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26 MAR 2015

PaLM

Application form

Environmental Protection Act 1994

Application for surrender or partial surrender of an environmental authority

This approved form is to only be used for applications requesting the surrender, or partial surrender of an environmental authority under sections 257 to 264 of the Environmental Protection Act 1994 (EP Act).

Only the holder of an environmental authority can apply to surrender the environmental authority.

It is recommended that applicants read the information provided by the Department of Environment and Heritage Protection (the department) on partial and whole surrenders of an environmental authority. This information is available at www.business.qld.gov.au.

If the environmental authority contains conditions relating to rehabilitation, a rehabilitation report must be included as part of this application. The rehabilitation report must be done in the approved form available at www.qld.gov.au using the publication number (EM872) as a search term.

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 application for the surrender or partial surrender of an environmental authority

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

If your application is for:

- ☐ A prescribed ERA → Fill in section 1 of the checklist below
- ☐ A resource activity → Fill in section 2 of the checklist below

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

If you answer yes to any of the below questions, you cannot use this application form.

Section 1	
Checklist questions	Guidance

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 for surrender or partial surrender of an environmental authority

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.

Application details

1. Environmental authority details

ENVIRONMENTAL AUTHORITY NUMBER EPPR00411413
ENVIRONMENTAL AUTHORITY HOLDERS NAMES THE AUSTRAL BRICK COMPANY Pty Ltd

Agent details/address for service

The address supplied here will also be used as a service address for sending statutory documents. If this section is left 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)	
RESIDENTIAL ADDRESS OR REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX ADDRESS)	
POSTAL ADDRESS (IF DIFFERENT FROM ABOVE)	
CONTACT PERSON	
PHONE	FACSIMILE
EMAIL	

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

☒ No

☐ Yes → Complete the table below and if any response is 'yes', provide the additional details requested

R

Application for surrender or partial surrender of an environmental authority

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
Has a site management plan been approved for the land?	☐	☐	If yes is ticked, attach a copy of the site management plan.

3. Is the environmental authority, or the part of the environmental authority that is to be surrendered, subject to any of the following statutory requirements under the EP Act?

PLEASE TICK RELEVANT BOXES	YES	NO
Transitional environmental program	☐	☒
Environmental protection order	☐	☒
Environmental evaluation	☐	☒
Prosecution proceedings	☐	☒
Other (please specify):	☐	☒
OTHER REQUIREMENTS:		

A resource activity is any of the following:

- (a) a geothermal activity
- (b) a greenhouse gas (GHG) storage activity
- (c) a mining activity
- (d) a petroleum activity.

A prescribed ERA is an ERA that is not a resource activity and is prescribed under section 19 of the EP Act.

4. Surrender type

Tick the surrender type that applies to this application and then go to the question stated.

- ☐ This application is for the partial surrender of an environmental authority for a resource activity. Go to question 5.
- ☐ This application is for the whole surrender of an environmental authority for a resource activity. Go to question 5.
- ☒ This application is for the whole surrender of an environmental authority for a prescribed ERA. Go to question 10.

Application for surrender or partial surrender of an environmental authority

Resource activities

You will only be able to apply for a full or partial surrender of the environmental authority if an application to surrender the relevant tenure is also made under the resource legislation.

Resource legislation is either:

- Geothermal Energy Act 2010
- Mineral Resources Act 1989
- Petroleum and Gas (Production and Safety) Act 2004
- Petroleum Act 1923
- Petroleum (Submerged Lands) Act 1982.

If your environmental authority requires a plan of operations, you may need to amend it if you are making a partial surrender.

5. Surrender of tenures

Describe the tenures being surrendered.

TENURE TYPE	TENURE NUMBER	WHOLE OR PART*	EXPIRY DATE	CANCELLATION DATE (WHERE RELEVANT)
FREE HOLDING RIVERVIEW LOT 1 BAN RP	SC# 66658	WHOLE	23/4/2015	

*Where 'part' of a tenure has been identified as the subject of this application, attach a plan that contains the GPS coordinates (in GDA 94) of the corners of the area or the metes and bounds of the perimeter of the area.

☐ → Tick to indicate attachment

6. Is your application to surrender sub blocks on an environmental authority for a mining activity (exploration permit)?

☒ No

☐ Yes → Describe the exploration area being surrendered in the table below.

Application for surrender or partial surrender of an environmental authority

EXPLORATION AREAS BEING SURRENDERED																										
BIM & Block	Sub blocks:																									
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7. Have all the ERAs that are being surrendered, commenced?

☒ Yes

☐ No →

☐ None of the ERAs within the environmental authority have commenced. Go to question 13

☐ Only some of the ERAs being surrendered have commenced. Provide details of the ERAs that are to be surrendered but have not yet commenced, in the table below.

ERAS NOT YET COMMENCED TO BE SURRENDERED (NAME AND THRESHOLD)	LOCATION

8. Has an application for progressive rehabilitation certification previously been approved for a resource tenure that forms part of the environmental authority which is the subject of this surrender application?

☐ Yes

☒ No → Go to question 11

9. Have the areas which obtained certification for progressive rehabilitation, continued to be managed in accordance with:

- The rehabilitation conditions of approval which were in place for the environmental authority when the certification was given (including any rehabilitation standards or completion criteria)?
- Any ongoing maintenance commitments which were made in the progressive rehabilitation report?

☐ Yes → Go to question 11.

☐ No → Provide details below where the management or maintenance has not been undertaken in accordance with the above, then go to question 11.

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DETAILS

Prescribed ERAs

10. Have all the ERAs that are being surrendered, commenced?

☐ Yes

☐ No → ☐ None of the ERAs within the environmental authority have commenced. Go to question 13.

☐ Only some of the ERAs being surrendered have commenced. Provide details of the ERAs that are to be surrendered—but have not yet commenced—in the table below, then go to question 12.

ERAS NOT YET COMMENCED	LOCATION

Resource activities and prescribed ERAs

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.business.gov.au using 'forms and fees for environmental authorities' as a search term.

11. Does your environmental authority contain any rehabilitation conditions?

☐ Yes → You must attach a final rehabilitation report.

☒ No

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

12. Compliance statement

This compliance statement must be completed by, or on behalf of the environmental authority holder.

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

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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.).

- The activities carried out under the environmental authority have complied with each condition of approval.
- The final rehabilitation report is accurate (include the date of the final rehabilitation report). Note: the extent to which the final rehabilitation report is accurate, will only be required if the answer to question 11 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

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

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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

You may apply to amend or discharge your financial assurance using the form Application to Amend or Discharge Financial Assurance (EM875). This form is available at www.qld.gov.au using the publication number (EM875) as a search term.

Note that the administering authority may require payment of an amount for residual risk associated with the area the subject of the environmental authority for a resource activity.

13. Do you currently have any financial assurance held as part of the approved environmental authority?

☒ Yes → If you want to apply to amend or discharge your financial assurance, you may lodge an Application to Amend or Discharge Financial Assurance (EM875) with this application.

☐ No

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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 one 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 application for surrender or partial surrender of an environmental authority. This collection is authorised under sections 257 to 264 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.

14. Applicant 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.
- 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 an incomplete application may be invalid. Invalid applications will be returned without processing and will only be processed if resubmitted with all invalidating issues addressed.
- Where 'no' is ticked in questions 7 or 10, that all or some of the approved ERAs had not commenced.

APPLICANT'S NAME <i>Gerard Schluter</i>	
APPLICANT'S SIGNATURE <i>73(2) Irrelevant</i>	
POSITION OF SIGNATORY <i>Quality of Mining Manager</i>	DATE <i>20/3/2015</i>
JOINT HOLDER'S NAME (IF APPLICABLE)	JOINT HOLDER'S SIGNATURE (IF APPLICABLE)
JOINT HOLDER'S NAME (IF APPLICABLE)	JOINT HOLDER'S SIGNATURE (IF APPLICABLE)

Application form Application for surrender or partial surrender of an environmental authority

Applicant checklist

- ☒ Application form has been signed and completed.
- ☐ Question 2: details of any land recorded on the environmental management register (if required).
- ☐ Question 5: additional details have been attached to describe the tenures being surrendered for a surrender of the environmental authority (if required).
- ☐ Question 9: additional details have been attached to describe any outstanding progressive certification matters (if required).
- ☐ Question 11: final rehabilitation report has been attached (if applicable).
- ☐ Question 12: compliance statement has been signed and completed and documentation describing compliance has been attached.

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 (EM796 for this document) as a search term.

Please submit your completed application kit to:

For a mining activity where not all tenements have been cancelled

Mining Registrar
Department of Natural Resources and Mines
DNRM has 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

Application for surrender or partial surrender of an environmental authority

<p>Are you applying for a partial surrender of the environmental authority?</p>	<p>☒ YES ☐ NO</p>	<p>If yes, you cannot make a partial surrender for a prescribed ERA from an ERA project. A partial surrender can only be made if the environmental authority is for the following resource activities:</p> <ul style="list-style-type: none"> • a mining activity • a petroleum activity • a geothermal activity <p>If you want to reduce the number of ERAs on your environmental authority you will need to make an amendment application instead.</p>
<p>Section 2</p>		
<p>Checklist questions</p>		<p>Guidance</p>
<p><i>Answer 'yes' only if the answer to both the questions, listed below, is 'yes'.</i></p> <p>Is the environmental authority for a greenhouse gas storage activity?</p> <p>AND</p> <p>Are you intending to apply for a partial surrender of the environmental authority?</p>	<p>☐ YES ☒ NO</p>	<p>If yes, you cannot make an application for a partial surrender as the underlying tenure cannot be partially surrendered.</p>
<p>Do you still need to lodge an application to surrender the relevant tenure under applicable resource legislation?</p> <p>Resource legislation is either:</p> <ul style="list-style-type: none"> • Greenhouse Gas Storage Act 2009 • Geothermal Energy Act 2010 • Petroleum and Gas (Production and Safety) Act 2004 • Petroleum Act 1923 • Petroleum (Submerged Lands) Act 1982. 	<p>☐ YES ☒ NO</p>	<p>If yes, you cannot make this application to surrender or partially surrender an environmental authority until an application to surrender the relevant tenure is also made under resource legislation.</p>
<p><i>Answer 'yes' only if the answer to all 3 of the questions, listed below, is 'yes'.</i></p> <p>Is the environmental authority for a mining activity?</p> <p>AND</p> <p>Has a conditional surrender of all or part of the relevant tenure been made under the <i>Mineral Resources Act 1989</i> (MR Act)?</p>	<p>☐ YES ☒ NO</p>	<p>If yes, you cannot surrender or partially surrender the environmental authority. You may need to make an application to amend the environmental authority instead. It is recommended you contact Permit and Licence Management (contact details at the end of this form to discuss).</p>

Application for surrender or partial surrender of an environmental authority

<p>AND</p> <p>Are you intending to apply to surrender all or part of the environmental authority that relates to the land on which a new mining tenure will apply if the conditional surrender is approved under the MR Act?</p>		
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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 MR Act, the terms in the EP Act and the MR Act apply.

Conditional surrender	<p>The surrender of a mining tenure (exploration permit, mining claim, mining lease or mineral development licence) under sections 107(7), 161(4), 210(13) and 309(12) of the MR Act.</p> <p>For example: the holder of a mining claim may apply to surrender the mining claim under the MR Act, and then immediately lodge an application for a new mining claim or a mining lease over the same land or part of land. The surrender of the existing tenure will be conditional upon the approval of the application for the new tenure.</p>
Environmentally relevant activity (ERA)	A resource activity or a prescribed ERA
Prescribed ERA	An ERA that is not a resource activity and is prescribed under section 19 of the EP Act.
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.

☐ Regional Information and Filing

☒ Regional - Action Required

☐ PALM to File

AR #: 071913

Admin. Office: Waste and Contaminated Land assessment

Project #: 241391

Posted to:

EA Application #:578397

Permit # EPPR00411413

Development Permit Ref # (if applicable)

PaLM Coordinator: Veronica Lightfoot

PaLM Processor: HANWRIGHT, Rachel

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

Application Details		Cross for Yes
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: Minor threshold
Amendment Reason: Remove location 103 Riverview Road, Riverview		
Existing ERA No/s:16(2b), 16(3b), 42(a), 60(2f)-ERAs are required to remain on the EA.		
Proposed ERA No/s (if applicable): temporary	☐ ERA is <u>not</u> mobile and	
Version of Code (for ERA 57 or 16): ☐ temporary	☐ ERA is mobile and	
ERA No/s to be removed (if applicable):		
Applicant Name:The Austral Brick Company Pty Ltd		
Application Dates		Cross for Yes
Application Received:7/4/2015		Application requirements requested date:.
Response Due Date:	☐ Application Invalid (tick which applies below) ☐ Application requirements not met within timeframe ☐ Application is unable to be made Invalid date	
Application Complete Date:28/4/2015		ALD Due Date:12/5/2015 (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:12/05/2015 Decision Due Date:10/06/2015 10 b days inclusive of ALD issue date) Variation days -1 day Decision Date:	
Application Checks		Cross for Yes
EA Take Effect Date:	EA Take Effect Date: ☐ Applicant has nominated take effect date 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 <div style="text-align: right;">Amount Paid \$285.60 Receipt No:4219525 Date Paid: 28/4/2015</div>
For all amendment applications	<p>“Environmental Impact assessment ” on application form - Administrative check to determine applicant has submitted:</p> <p>☐ a description of the environmental values likely to be affected by each relevant activity; and</p> <p>☐ details of any emissions or releases likely to be generated by each relevant activity; and</p> <p>☐ a description of the risk and likely magnitude of impacts on the environmental values; and</p> <p>☐ details of the management practices proposed to be implemented to prevent or minimise adverse impacts; and</p> <p>☐ details of how the land the subject of the application will be rehabilitated after each relevant activity ceases</p> <p>“Waste management” on application form <i>Administrative check</i> to determine:</p> <p>☒ Applicant has indicated not applicable on application form</p> <p>☐ Applicant has given description of the proposed measures for minimising and managing waste generated by the ERA activities</p> <p>“Site Management Plan or Environmental Protection Order” <i>Administrative check</i> to determine:</p> <p>☒ Applicant has indicated there is no site management plan or environmental protection order on the application form</p> <p>☐ Applicant has given details of the site management plan</p> <p>☐ Applicant has given details of the environmental protection order</p>
<div style="display: flex; justify-content: space-between;"> Validity Check Cross for Yes </div>	
For all amendment applications	<p>☐ Proposed amendment does not require a development application</p> <p>☐ A development application has already been made</p> <p>☐ Ticked No in sections 1 and 2 in the front checklist on the application form</p> <p>if ☒ to the above the application is invalid:</p> <p>Notice of Invalid Application Issue Date</p>

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.

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

Email: gerard.schluter@australbricks.com.au

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 28-Apr-2015.

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

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

Kelly Gleeson
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

12/5/2015.

Date

Enquiries:

Kimberley Marian
Development and Industry Assessment
PO Box 15155
CITY EAST QLD 4002
Phone: 07 3330 5527
Email: kimberley.marian@ehp.qld.gov.au

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

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.

Note: checkboxes disabled to allow use of track changes. Use 'insert symbol' to insert ticks or crosses as required.

PROJECT NAME: Austral Bricks – amendment to EPPR00411413	
PRINCIPAL APPLICANT: Austral Brick Company Pty Ltd	
JOINT APPLICANTS: N/A	
AGENT/ SERVICE ADDRESS: PO Box 269, Mt Gravatt 4122	
ERA DESCRIPTION: 16-(2b) Extracting, other than by dredging, in a year, more than 100,000t but not more than 1,000,000t of material; 16-(3b) Screening, in a year, more than 100,000t but not more than 1,000,000t of material; 42-(a) Manufacturing 200t to 5,000t of clay or ceramic products in a year; 60-(2f) Operating a facility for disposing of, in a year, more than 50,000t but not more than 100,000t of waste.	
LOCATION DESCRIPTION: German Church Road REDLAND BAY - Lot 1 Plan RP854704; 105 Gardner Rd ROCHEDALE QLD 4123 - Lot 2 Plan RP844169	
TENURE DESCRIPTION:	
ECOTRACK PROJECT NO: 241391	ENVIRONMENTAL AUTHORITY NO: EPPR00411413
FILE NO: 101/0014803	

1. Type of application

- ☐ Variation application – change to standard conditions
- ☒ Amend an existing Environmental Authority¹
- (☐ Minor amendment – condition conversion → go to 2
- ☒ Minor amendment (threshold) → go to 3
- ☐ Major amendment → go to 3

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.

2. Has the applicant signed written declaration that they can comply with eligibility criteria and standard conditions for the ERA to which the authority relates?

- ☐ Yes → go to 11
- ☐ No Have applicant complete the declaration, or

→go to 11 and recommend refusal

3. Is the application requesting amendment of a standard condition that requires the relevant activity comply with the relevant eligibility criteria?

☐ Yes →you may wish to give written refusal of the amendment application within 10 BD of its receipt and, where reasonable, consider whether a site-specific application should also be required under section 227A. In this instance, no further assessment or assessment level decision is necessary. If it is not reasonable to refuse the application and require a site specific application (e.g. where the eligibility criteria require that the activity does not have a sensitive receptor within 1km, and a sensitive receptor is subsequently established within 1k of the existing activity) the application may proceed as a major amendment.

☒ No

4. Background

Austral Bricks submitted an application on 28 April 2015 to remove one of the addresses/Lots, Riverview, from their Environmental Authority as the site had been decommissioned and the screening and brick manufacturing activities were no longer being carried out at this site.

Recent site inspection by officers of the Ipswich EHP office has confirmed that no activities are being carried out by Austral Bricks at the Riverview site. Further investigation has confirmed that when the site was inspected in May 2014, no ERAs were being conducted.

5. Assessment Level Decision (ALD) (amendment applications only - not condition conversion)

What is the assessment level decision?

☒ Minor (threshold)

☐ Major - Notice of ALD must be given to the applicant within 10 BD of making an ALD

By decommissioning and discontinuing to conduct ERAs at the Riverview site, the level of environmental harm has been reduced, no conditions have been changed for the remaining sites on the Environmental Authority, there is no change to the rehabilitation objectives, and the scale and intensity of the activities has been reduced.

This satisfies s223 of the EPAct, specifically the minor amendment (threshold) subsections (a)-(d) and (f).

6. Documents submitted to support the application

☒ Rehabilitation Plan/Report (if removing an ERA)

☐ Post Closure Management Plan (if removing an ERA)

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☒ Compliance statement (if removing an ERA)

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

☒ Declaration stating activity was not carried out (if removing an ERA)

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

7. Assessment

Are all the ERAs for the environmental authority eligible ERAs? (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. (if applicable)	Details of proposed change to condition or EA	Applicant's justification for proposed change to condition or EA

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) 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)

[This information must be provided by the applicant. Technical Guides are on the Business and Industry Portal, www.business.qld.gov.au can provide further information]

- b) What are the Environmental values that may be affected by the identified risks/discharges? This must be considered as per section 51 of the Environmental Protection Regulation 2008 (EP Reg). Any Quality Objectives in a relevant EPP must also be considered.

[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.]

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c) Have **mitigation measures** been proposed and has an acceptable level of impact been determined if discharges/emissions are unavoidable?

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.**

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.**

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.**

[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.]

*Environmental Values **MUST** be protected*

Performance could be:

No release

Limits prescribed

Monitoring schedule

Contingency measures

Buffers

Acceptable footprint

Rehabilitation

Offsets

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 guideline Assessment requirements for making a decision for an environmental authority or development approval for an environmentally relevant activity, EM1127, for guidance on how to consider the standard criteria]

The application has been assessed against the Standard Criteria to the extent relevant to the application.

8. Other assessment considerations

EIS process and public notification requirements compliant?

☐ Yes

☐ No – EA amendment cannot

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	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 - 351423 ☐ No – Variation application must be refused ☐ Not applicable

9. Consultations

Email and phone call to the applicant to confirm application and decommissioning of site activities.

Various correspondence and phone calls between Kimberley Marian, of the Waste and Contaminated Land Assessment team, and Sinead Summerville of the Ipswich Compliance office of EHP. Sinead conducted a site inspection and was able to confirm that all processing equipment, kilns, etc have been removed from the site and it is now being operated by a different company.

10. Summary

By decommissioning activities at this site, Austral Bricks are reducing their environmental impact and risk. As such, reference to the Riverview site has been removed from the Environmental Authority, including all conditions specific to that site.

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

11. Recommendation

Complete part (a) or (b) and check the 'approve' or 'refuse' check box.

(a)	If your recommendation is to approve, complete the following:	
	<ul style="list-style-type: none"> Send decision notice and amended EA to applicant within 5 BDs of decision 	APPROVE ☒

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<ul style="list-style-type: none"> • Will the newly amended EA have a <u>higher</u> annual fee than that of the previous (un-amended) EA? If Yes, <ul style="list-style-type: none"> i. email a copy of this signed decision notice to Permit and Licence Management on palm@ehp.qld.gov.au so they are aware an application shortfall is payable; and ii. include the following in the decision notice <ul style="list-style-type: none"> 1. Application fee shortfall The administering authority has determined that there is a shortfall in the amendment application fee. The shortfall has been calculated in accordance with s. 135 of the Environmental Protection Regulation 2008. The shortfall to be paid is \$<INSERT amount>. The shortfall must be paid within 20 business days of the date of this notice. Please call Permit and Licence Management on 13QGOV (13 74 68) and quote your reference number to pay the application fee shortfall. iii. Send factsheet titled 'Changes to the Environmental Protection Regulation 2008 - Increase to some application fees' (EM1307) with decision notice and amended EA to client. <p><i>Note: The fee for a major amendment is \$285.60 plus 30% of the annual fee for the existing (current) authority subject to the application. An application fee shortfall is payable if the amended EA results in an annual fee being payable that is higher than the annual fee for the previously amended EA. The shortfall is calculated based on the following: Shortfall = 30% of the new annual fee - 30% of the previous annual fee.</i></p> <p><i>Ignore changes in fees due to indexation and base fees on the fee unit at the time the application was made.</i></p>	
<ul style="list-style-type: none"> • Will the newly amended EA have a <u>lower</u> annual fee than that of the previous (un-amended) EA? If Yes, <ul style="list-style-type: none"> i. email a copy of this signed decision notice to Permit and Licence Management on palm@ehp.qld.gov.au so they are aware an application refund is payable; and ii. include the following in the decision notice. <ul style="list-style-type: none"> 1. Refunding overpayment of application fee The administering authority has determined that your amendment has resulted in an overpayment of amendment application fee. The overpayment has been calculated in accordance with s.136 of the Environmental Protection Regulation 2008. The overpayment to be refunded is \$<INSERT amount>. The administering authority will contact you regarding this refund however if you have any questions please call Permit and Licence Management on 13QGOV (13 74 68) and quote your reference number. iii. Send factsheet titled 'Changes to the Environmental Protection Regulation 2008 - Increase to some application fees' (EM1307) with decision notice and amended EA to client. 	<p>APPROVE</p> <p>☒</p>

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	<p><i>Note: The fee for a major amendment is \$285.60 plus 30% of the annual fee for the existing (current) authority subject to the application. Refunding an overpayment is required when the amended EA results in an annual fee being payable that is lower than the annual fee for the previously amended EA. The overpayment is calculated based on the following: Overpayment (to be refunded) = 30% of the previous annual fee - 30% of the new annual fee.</i></p> <p><i>Ignore changes in fees due to indexation and base fees on the fee unit at the time the application was made.</i></p>	
(b)	<p>If your recommendation is to refuse, provide statement of reasons.</p>	
	<p><Insert statement of reasons if recommending refusal></p>	
	<ul style="list-style-type: none"> Send Decision Notice to applicant within 5 BDs of decision 	
	<p>You should only consider refusing an application if one or more of the following apply:</p> <ul style="list-style-type: none"> MUST refuse if a wetland will be destroyed or reduced in size or its biological integrity may not be maintained as a result of a release of water or waste from the activity; MUST refuse if waste is not released entirely within a confined aquifer (except for petroleum activities); MUST refuse if waste directly released to groundwater is or may adversely affect a surface ecological system or will result in deterioration of environmental values of the groundwater; If the application is for a condition conversion and the applicant cannot meet the eligibility criteria or comply with any of the standard conditions. May refuse where an EA has been issued with standard conditions and an application is made to amend the condition that requires the activity to comply with the relevant eligibility criteria. <p>In addition, section 227A allows a site specific application to be required so that the EA can be assessed and conditioned as a site-specific application would be. A notice must first be given allowing the applicant to make written representations about the proposal to require a site-specific application.</p> <p>If the amendment application is about a proposed change to the condition requiring compliance with the eligibility criteria, and the holder can continue to comply with the eligibility criteria if the amendment is not made, then the amendment application can be refused without a requirement for the holder to make a site-specific application for a new environmental authority.</p>	<p>REFUSE</p> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 0 auto;"></div>

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	<ul style="list-style-type: none"> Following a request for further information, the applicant has still not provided enough information to allow you to comply with the regulatory requirements. For example, the applicant has not provided any information to demonstrate how they meet the relevant environmental objectives in Schedule 5 of the Regulation; The information you have considered shows that it is not possible to conduct the activity without causing unacceptable serious or material environmental harm or unacceptable impact on environmental values. For example, the application involves the destruction of habitat for an endangered species and offsets are not appropriate or possible or the activity cannot be conducted without contaminating large areas of land with persistent organic pollutants. These circumstances will be rare but still possible. 	
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Assessing Officer: Kimberley Marian

Position: A/Senior Environmental Officer

Signed:

Date:

12. Review and endorsement

Insert any comments relevant for the delegates consideration:

Approve as submitted

Olga Hawas	73(2)Irrelevant	26/05/2015
Manager/Supervisor	Signed	Date

Approval

I approve the recommendation based on the reasons stated in this report.

Kelly Gleeson	73(2)Irrelevant	26/5/2015
Delegate	Signed	Date



Department of
**Environment and
Heritage Protection**

26-MAY-2015

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

Your reference: EPPR00411413
Our reference: EPPR00411413

Application details

I refer to the application that was received by the administering authority on 28-APR-2015.

Land description: **German Church Road REDLAND BAY QLD 4165** Lot 1 Plan RP854704; **105 Gardner Rd ROCHEDALE QLD 4123** Lot 2 Plan RP844169.

Decision

Your application has been approved and your amended environmental authority (reference EPPR00411413) is attached.

Should you have any further enquiries, please contact Kimberley Marian on telephone (07) 3330 5527.

Yours sincerely

<div data-bbox="325 1350 474 1375" data-label="Text"><p>73(2)Irrelevant</p></div> <div data-bbox="272 1375 667 1473" data-label="Text"></div>	<div data-bbox="667 1375 896 1473" data-label="Text"></div>	<div data-bbox="912 1375 1401 1473" data-label="Text"><p>26/05/2015</p></div>
<div data-bbox="529 1467 632 1494" data-label="Text"><p>Signature</p></div>		<div data-bbox="1120 1467 1181 1491" data-label="Text"><p>Date</p></div>

Kelly Gleeson
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Kimberley Marian
Industry and Development Assessment
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 5527
Email: kimberley.marian@ehp.qld.gov.au
Website www.ehp.qld.gov.au
ABN 46 640 294 485

Enclosed

Permit - environmental authority (reference EPPR00411413)

Published on DES Disclosure Log
RTI Act 2009

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Department of Environment and Heritage Protection

Permit¹

Environmental Protection Act 1994

Environmental authority EPPR00411413

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

Permit¹ number: EPPR00411413

Environmental authority takes effect 26 May 2015

The anniversary date of this environmental authority remains as **24 April** each year.

Environmental authority holder(s)

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

Environmentally relevant activity and location details

Environmentally relevant activities	Locations
16-(2b) Extracting, other than by dredging, in a year, more than 100,000t but not more than 1,000,000t of material; 16-(3b) Screening, in a year, more than 100,000t but not more than 1,000,000t of material;	German Church Road REDLAND BAY - Lot 1 Plan RP854704
42-(a) Manufacturing 200t to 5,000t of clay or ceramic products in a year; 60-(2f) Operating a facility for disposing of, in a year, more than 50,000t but not more than 100,000t of waste.	105 Gardner Rd ROCHEDALE QLD 4123 - Lot 2 Plan RP844169

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant **activity** (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the **environmental authority** is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable **activity** (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

	73(2) Irrelevant	
Signature		

26/05/2015
Date

Kelly Gleeson
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Kimberley Marian
Industry and Development Assessment
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 5527
Email: kimberley.marian@ehp.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

Part 1 – Site specific conditions

Location: German Church Road REDLAND BAY - Lot 1 Plan RP854704

Relevant activities:

- 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;

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following **site specific conditions of environmental authority**.

Agency interest: General	
Condition number	Condition
G1-1	<p>Prevent and /or minimise likelihood of environmental harm</p> <p>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 environmental authority.</p> <p>NOTE: This environmental authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this environmental authority explicitly authorises that harm. Where there is no condition or the environmental authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.</p>
G1-2	<p>Maintenance of measures, plant and equipment</p> <p>The holder must:</p> <ul style="list-style-type: none"> - 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.

G1-3	<p>Site based management plan</p> <p>From commencement of the activity, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all environmentally relevant activities that are carried out.</p> <p>The site based management plan must address the following matters:</p> <ul style="list-style-type: none"> - Environmental commitments - a commitment by senior management to achieve environmental goals. - Identification of environmental issues and potential impacts. - Control measures for routine operations to minimise likelihood of environmental harm. - Contingency plans and emergency procedures for non-routine situations. - Organisational structure and responsibility. - Effective communication. - Monitoring of the contaminant releases. - Conducting environmental impact assessments. - Staff training. - Record keeping. - Periodic review of environmental performance and continual improvement.
G1-4	<p>Records</p> <p>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.</p>
G1-5	<p>Acid sulphate soil (ASS)</p> <p>You must comply with the latest edition of the administering authority's '<i>Instructions for the Treatment and Management of Acid Sulphate Soils, 2001</i>', produced by the Queensland administering authority in consultation with the Department of Natural Resources and Mines and the Department of Primary Industries.</p>
G1-6	<p>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.</p>
G1-7	<p>Financial assurance</p> <p>Provide a financial assurance in the amount and form and at a time required by the administering authority.</p>
Agency interest: Air	
Condition number	Condition
A1-1	<p>Dust nuisance</p> <p>The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.</p>

A1-2	<p>Exceedance of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition A1-1.</p> <ul style="list-style-type: none"> - Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; or - 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 place downwind of the site, when monitored in accordance with: <ul style="list-style-type: none"> - Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
A1-3	<p>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:</p> <ul style="list-style-type: none"> - 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.
Agency interest: Water	
Condition number	Condition
WA1-1	<p>Monitoring 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 Appendix 2 - Table 1 (Release limits). All determinations of the quality of contaminants released must be:</p> <ul style="list-style-type: none"> - made in accordance with methods prescribed in the latest edition of the administering authority 'Water Quality Sampling Manual'; and - carried out on samples that are representative of the discharge.
WA1-2	<p>Erosion protection measures and sediment controls Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment. The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years. Sediment released to the bed of the receiving waters, effected by process water and stormwater contaminated by activities, can only be released when in compliance with the limits in Appendix 2 - Table 1 (Release limits).</p>
WA1-3	Prevent the release of sediment to waters or a build-up of sediment in any stormwater drain.
Agency interest: Noise & vibration	
Condition number	Condition
N1-1	<p>Noise nuisance Noise from activities must not cause an environmental nuisance at any noise affected premises.</p>

N1-2	All noise from the activities must not exceed the levels specified in Appendix 3 - Table 1 (Noise limits) 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.
N1-3	<p>Noise monitoring 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:</p> <ul style="list-style-type: none"> - LAeq,adj,T - Background noise (Background) as LA90,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.
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' .
N1-5	Blasting activities must not exceed the limits for air blast overpressure in Appendix 3 - 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 : <ol style="list-style-type: none"> 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 Appendix 3 - Table 2 (Blasting noise limits) at any sensitive place or commercial place .
N1-9	Vibration nuisance Vibration emitted from activities must not cause a nuisance at any vibration sensitive place .
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.
N1-11	<p>Vibration monitoring 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 administering authority. Monitoring must include:</p> <ul style="list-style-type: none"> - 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.

Agency interest: Land	
Condition number	Condition
L1-1	Rehabilitation landform criteria All areas significantly disturbed by activities must be rehabilitated in accordance with Appendix 4 - Table 1 (Final land use and rehabilitation outcome schedule).
L1-2	Rehabilitation Outcome – Industrial 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.
L1-3	To remove any doubt, the nomination of the final land use of industrial, industrial (landfill) or residential in Appendix 4 - Table 1 (Final land use and rehabilitation outcome schedule), does not negate any local or state government planning or approval requirements for the development of that land .
L1-4	Rehabilitation Outcome – Native Ecosystem Areas that are to be rehabilitated to native ecosystem must comply with the following outcomes: a) achievement of a 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 L1-4 a), not impede pre-mining fauna corridors and be stable and non-polluting.
L1-5	Complete an investigation into rehabilitation of disturbed areas and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in L1-4. A report on the investigation, which will propose acceptance criteria , must be submitted to the administering authority by 30 June 2005.
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.
Agency interest: Waste	
Condition number	Condition
W1-1	General The holder of this environmental authority must not: - burn waste at or on the authorised place ; or - allow waste to burn at or on the authorised place ; or - remove waste from the authorised place and burn such waste elsewhere.
Agency interest: Community	
Condition number	Condition
C1-1	Complaint response 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.

Part 2 – Site specific conditions

Location: 105 Gardner Rd ROCHEDALE QLD 4123 - Lot 2 Plan RP844169

Relevant activities: 42-(a) Manufacturing of 200t to 5000t of clay or ceramic products in a year;
60-(2f) Operating a facility for disposing of more than 50 000t but not more than 100 000t of waste a year;

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following **site** specific conditions of environmental authority.

Agency interest: General	
Condition number	Condition
G2-1	<p>Prevent and /or minimise likelihood of environmental harm 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.</p> <p>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 this authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.</p>
G2-2	<p>Maintenance of measures, plant and equipment The holder must:</p> <ul style="list-style-type: none"> - 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.
G2-3	<p>Records 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.</p>
G2-4	<p>Storage and Handling of Flammable and Combustible Liquids 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 - <i>Storage and Handling of Flammable and Combustible Liquids of 1993</i>.</p>
G2-5	<p>Definitions Words and phrases used throughout this environmental authority are defined in Appendix 5 – 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 <i>Environmental Protection Act 1994</i>, its Regulations and Environmental Protection Policies must be used.</p>

G2-6	<p>Integrated Environmental Management System (IEMS) Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:</p> <ul style="list-style-type: none"> - 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.
G2-7	<p>The IEMS must provide for at least the following functions:</p> <ul style="list-style-type: none"> - 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 - 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.
G2-8	<p>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.</p>
Agency interest: Air	
Condition number	Condition
A2-1	<p>Nuisance 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.</p>
A2-2	<p>The Release of Contaminants to the Atmosphere The release of contaminants to the atmosphere from a point source must only occur from those release points identified in Appendix 1 - Table 2 (Release of contaminants) and must be directed vertically upwards without any impedance or hindrance.</p>
A2-3	<p>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 Appendix 1 - Table 2 (Release of contaminants) and not more than the efflux temperature stated for that release point in Appendix 1 - Table 2 (Release of contaminants).</p>

A2-4	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 Appendix 1 - Table 2 (Release of contaminants) and monitored not less frequently than Appendix 1 - Table 2 (Release of contaminants).
A2-5	Monitoring provisions and monitoring points must be provided for all the release points listed in Appendix 1 - Table 2 (Release of contaminants). 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".
A2-6	<p>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 Appendix 1 - Table 2 (Release of contaminants) and which complies with the following:</p> <p>(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.</p> <p>(b) All determinations of the quality and quantity of contaminants released to the atmosphere must be made in accordance with methods prescribed in the latest edition of administering authority's 'Air Quality Sampling Manual'.</p> <p>(c) The following tests must be performed for each required determination specified in Appendix 1 - Table 2 (Release of contaminants):</p> <ul style="list-style-type: none"> (i) gas velocity and volume flow rate; (ii) temperature; and (iii) water vapour concentration. <p>(d) Where practicable, samples taken must be representative of the contaminants discharged when emissions are expected to be maximum,</p> <p>(e) During the sampling period the following additional information must be gathered:</p> <ul style="list-style-type: none"> (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; and (viii) proportion of each raw clay used. <p>(f) Oxides of nitrogen must be calculated as NO₂ at a seven percent (7%) oxygen level and total particulates must be determined where gas volume is calculated to twelve percent (12%) CO₂.</p>
A2-7	The only fuel to be used in the Swindell Dressler Tunnel Kiln (A1) and the Ceric Tunnel Kiln (A2) is natural gas.
A2-8	There must be no visible emission from release point numbers A1 or A2.
A2-9	The holder of this environmental authority must conduct a vegetation survey to detect chemical fumigation when there is non-compliance with any limit in Appendix 1 - Table 2 (Release of contaminants) and/or with the fluoride mass emission rate in Appendix 1 - Table 2 (Release of contaminants), or within three (3) years of the last vegetation survey submitted to the administering authority .
A2-10	The vegetation survey required by condition A2-9 must be conducted at Gardner Road and Prebble Street.
A2-11	A person or body possessing appropriate experience and qualifications must perform the vegetation survey required by condition A2-9 of this environmental authority .
A2-12	The holder of this environmental authority must ensure the data collected by conditions A2-11 and A2-9 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 A2-9.

A2-13	<p>Dust nuisance</p> <p>Subject to conditions A2-14 and A2-15 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.</p>
A2-14	<p>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 fourteen (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:</p> <ul style="list-style-type: none"> - 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 twenty-four (24) hour averaging time.
A2-15	<p>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 A2-13:</p> <ol style="list-style-type: none"> a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 <i>Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method of 1991</i>; 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 twenty-four (24) hour averaging time, at a sensitive or commercial place downwind of the operational land, when monitored in accordance with: <ul style="list-style-type: none"> - 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 <i>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</i>; 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. <p>NOTE: You must propose which monitoring method is appropriate in accordance with condition A2-15 (a) or (b) or both.</p>
A2-16	<p>Dust Control</p> <p>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.</p>
A2-17	<p>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.</p>
A2-18	<p>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.</p>

Agency interest: Water	
Condition number	Condition
WA2-1	Release to waters Process water, storm water and/or receiving waters must be monitored at the locations and frequencies defined in Appendix 2 - Table 2 (Water monitoring locations and frequency) and comply with the contaminant limits defined in Appendix 2 - Table 3 (Discharge contaminant limits).
WA2-2	Stormwater Management Plan 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 approved place.
WA2-3	The Stormwater Management Plan must address at least the following matters: a) prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants; and b) diversion of upstream runoff away from areas containing wastes or contaminants; and c) minimisation of the size of contaminated areas; and d) cleaning of contaminated areas without water; and e) installation and maintenance of pollution control equipment such as oil separators, silt and rubbish traps, and stormwater diversion systems; and f) 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 g) paving and roofing of contaminated areas; and h) revegetation of exposed or disturbed areas; and i) diversion of upstream runoff from exposed or disturbed areas and stockpiles; and j) sampling and monitoring of stormwater discharges from the approved place to waters for parameters including the following: i) suspended solids, and ii) pH.
Agency interest: Noise	
Condition number	Condition
N2-1	Noise from activities must not cause an environmental nuisance at any noise affected premises .
N2-2	All noise from activities must not exceed the levels specified in Appendix 3 - Table 4 (Noise limits) at any noise affected premises .
N2-3	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 fourteen (14) days to the administering authority . Monitoring must include: <ul style="list-style-type: none"> - 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.
N2-4	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's 'Noise Measurement Manual' .

Agency interest: Land	
Condition number	Condition
L2-1	Release of Contaminants to Land 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 .
Agency interest: Waste	
Condition number	Condition
W2-1	Waste Management Plan (WMP) 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 approved place.
W2-2	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 twelve (12) months from the date of issue of this environmental authority and thereafter every five (5) years.
W2-3	A copy of the Waste Management Plan and subsequent amendments must be kept at the approved place and must be made available to any authorised person or the administering authority on request.
W2-4	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 .
W2-5	On Site Waste Disposal The defined on site waste disposal area is described as "Waste Disposal Area" delineated in Appendix 5 - Definitions.
W2-6	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.

W2-7	Where general waste associated with the manufacture of bricks or pavers on the approved 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.
W2-8	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.
W2-9	Wastes must not be deposited beyond the boundaries of the waste disposal area.
W2-10	Regulated waste must not be stored or disposed of or deposited in the waste disposal area.
W2-11	Security The holder of this environmental authority must prevent any unauthorised disposal of waste on or in the approved place.
W2-12	The holder of this environmental authority must ensure that all access gates are locked when the approved place is unattended.
W2-13	General The holder of this environmental authority must not: (i) burn waste at or on the approved place; nor (ii) allow waste to burn or be burnt at or on the approved place; nor (iii) remove waste from the approved place and burn such waste elsewhere.
W2-14	Off Site Movement Where regulated waste is removed from the approved 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 <i>Environmental Protection Act 1994</i> or any other law for regulated waste will be deemed to satisfy this condition).
W2-15	Regulated waste must not be sent for disposal at any facility without the written approval of the person operating that facility.
W2-16	Records Records must be maintained for a period of five (5) years for all wastes mentioned in this schedule.
W2-17	Notification of Improper Disposal of Regulated Waste If the holder of this environmental authority becomes aware that a person has removed regulated waste from the approved 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.
Agency interest: Community	

Condition number	Condition
C2-1	Complaint response 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.

Appendix 1 – Air

103 Riverview Road and RIVERVIEW - Lot 1 Plan RP166658

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/m3	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Concentration nitrogen oxides	0.35 g/m3	Not less frequently than annually
				Mass emission nitrogen oxides	n/a	Not less frequently than annually

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Table 2 (Release of contaminants)

Release point number	Minimum release height (metres)	Minimum velocity (m/sec)	Minimum efflux temp (°C)	Contaminant	Release Limit	Sampling frequency
Rochedale Plant A1 - Swindell Dressler Tunnel Kiln	30	8.7	126	Total particulates	0.25 g/m3	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Nitrogen oxides	0.35 g/m3	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
Rochedale Plant A2 – Ceric Tunnel Kiln	15	9.5	124	Total particulates	0.25 g/m3	Not less frequently than annually
				Mass emission total particulates	n/a	Not less frequently than annually
				Nitrogen oxides	0.35 g/m3	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

Appendix 2 – Water

German Church Road REDLAND BAY - Lot 1 Plan RP854704

Table 1 (Release limits)

Monitoring point	Discharge location	Co-ordinates		Quality characteristics	Release Limits		Monitoring frequency
		Easting	Northing		Minimum	Maximum	
RB1, RB2, RB3	Moogurrapum Creek (RB1&2) Native Dog Creek (RB3)	526590	6943600	pH	6.0	9.0	Event release
		526350	6943600	Dissolved Oxygen (mg/L)	6.0	-	Event release
		526160	6943250	SS	-	50mg/l	Event release

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Table 2 (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"

Table 3 (Discharge containment 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

Appendix 3 – Noise

German Church Road REDLAND BAY - Lot 1 Plan RP854704

Table 1 (Noise limits)

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				
	6am – 7am	7am – 6pm	6pm – 6am	7am – 4pm	4pm – 7am
	Noise measured at a nuisance sensitive 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 (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.

103 Riverview Road and RIVERVIEW - Lot 1 Plan RP166658

Table 3 (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'					
	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+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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Table 4 (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 'Residential 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

Appendix 4 – Land

German Church Road REDLAND BAY - Lot 1 Plan RP854704

Table 1 (Final land use and rehabilitation outcome schedule)

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

Appendix 5 - Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

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.

activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the **environmental authority** relates.

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

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

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

blasting is the use of explosives to fracture:

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

commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

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 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.

holder means the person who made an application for the **environmental authority**; or the person to whom the transferred **environmental authority** has been issued.

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

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

mg/L means milligrams per litre.

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.

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

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'.

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

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.

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.

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**.

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.

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 **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.

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

this authority means **this environmental authority**.

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 environmental authority**.

German Church Road REDLAND BAY - Lot 1 Plan RP854704 – specific definitions

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.

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.

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

105 Gardner Rd ROCHEDALE QLD 4123 - Lot 2 Plan RP844169 – specific definitions

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.

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*'

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System (mining, manufacturing and extractive industries). Prepared for The Austral Brick Company Pty Ltd. Prepared by Groundwork Environmental Management Services Pty Ltd. October 2002'.

LA 10, adj, 10 mins means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for ten percent (10%) of any 10-minute measurement period, using Fast response.

LA 1, adj, 10 mins means the A-weighted sound pressure level, (*adjusted for tonal character and impulsiveness of the sound*) exceeded for one percent (1%) of any 10-minute measurement period, using Fast response.

LA, 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 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.

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

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 twenty (20) persons are carrying out or will, at any one time, carry out the mining activities;

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.

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.

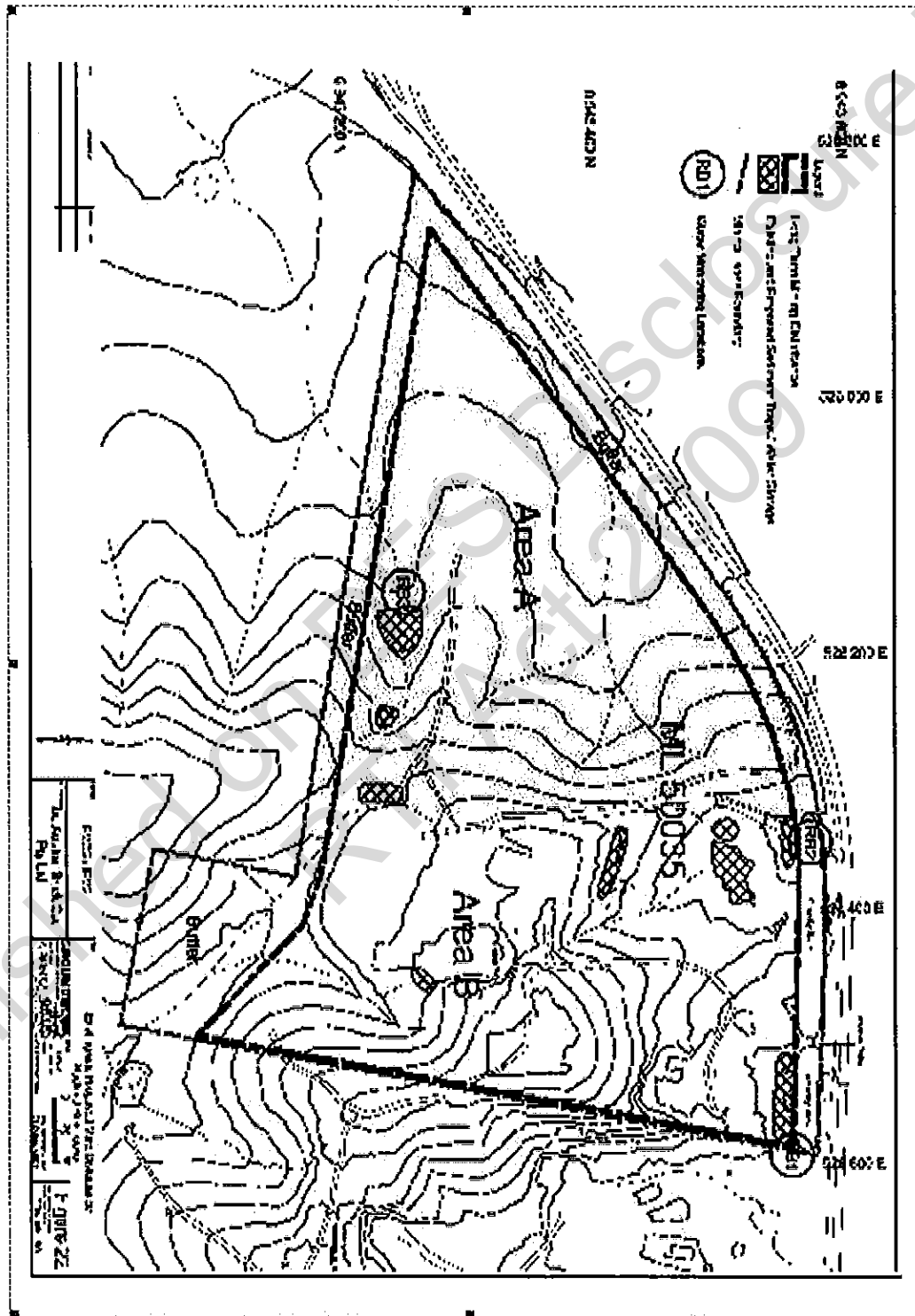
residual void means an open pit resulting from the removal of ore and/or waste rock which will remain following the cessation of all mining activities and completion of rehabilitation processes.

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

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.

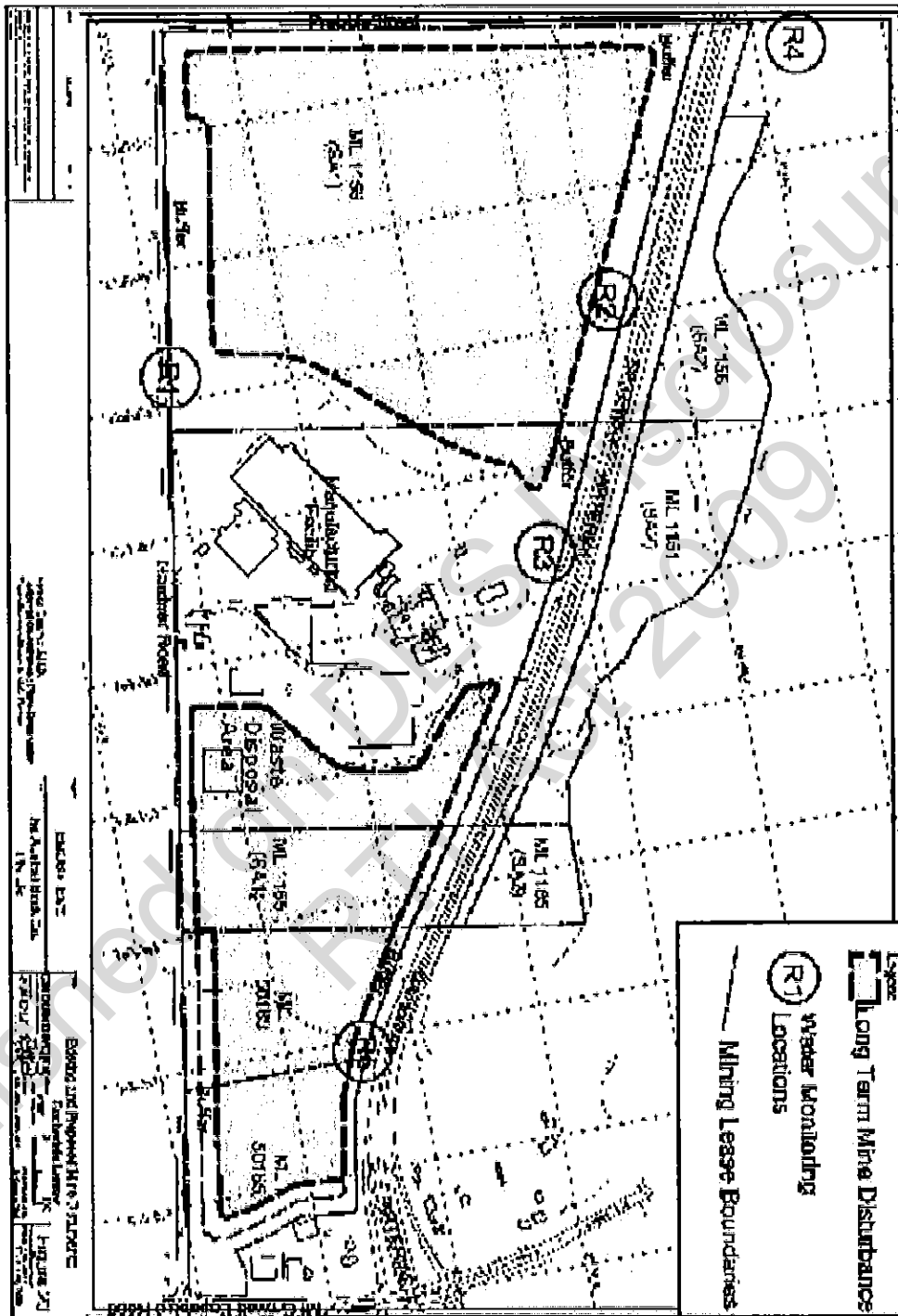
Appendix 6 – Maps/Plans

German Church Road REDLAND BAY - Lot 1 Plan RP854704



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105 Gardner Rd ROCHEDALE QLD 4123 - Lot 2 Plan RP844169



END OF PERMIT

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