

From: FRITZ Lisa [Lisa.Fritz@des.qld.gov.au]
Sent: Thursday, 5 October 2017 3:03 PM
To: KHAN Tariq
Subject: RE: SDA-0117-036455 - condition query - Shadforth industries
Attachments: Untitled

Hi Tariq,
FYI – I had a chat with Kassim and identified the concerns I was trying to address with the condition recommended.

- Application applied to 2 lot/plans – extraction and screening applied to only one of these (other lot for access purposes only) – wanted to ensure DA reflected this. He has proposed an alternative (attached) which should address this concern.
- SDAP assessment acknowledged that the screening area was proposed for a particular area, this appeared strategic for managing environmental nuisance. The plans identify this which in part is why they were included. Kassim appeared satisfied that the EA conditions still addressed this concern in the absence of the condition on the DA.

Cheers
Lisa

From: KHAN Tariq
Sent: Thursday, 5 October 2017 2:22 PM
To: FRITZ Lisa
Subject: FW: SDA-0117-036455 - condition query

Lisa
Your response please. Due back to SARA before 3pm

From: Kassim Mahomed [<mailto:Kassim.Mahomed@dilgp.qld.gov.au>]
Sent: Thursday, 5 October 2017 2:20 PM
To: KHAN Tariq <Tariq.Khan@ehp.qld.gov.au>
Cc: Celeste Bownds <Celeste.Bownds@dilgp.qld.gov.au>
Subject: SDA-0117-036455 - condition query

Hi Tariq,

Thanks for your time on the phone.

As discussed, in relation to application for a quarry at Landsborough (SDA-0117-036455), EHP have recommended the following condition to be included on the concurrence agency response:

The environmentally relevant activity must be carried out generally in accordance with the following plans:

- *Stage 1 Overall Layout prepared by Covey Associates Pty Ltd dated 23/05/2017, reference P100 and issue P2*
- *Stage 2 Overall Layout prepared by Covey Associates Pty Ltd dated 15/05/2017, reference P200 and issue P2*
- *Final Form Overall Layout prepared by Covey Associates Pty Ltd dated 15/05/2017, reference P400 and issue P3.*

I also note that the Environmental Authority (your ref: BRID0019) recently issued has the following condition:



My query relates the need to condition any requirements at all on the concurrence agency response. Particularly given that a condition limiting the extent of the disturbed area is already condition within the EA.

We'd like to avoid duplication between the DA and EA process. Removal of the condition from the concurrence response would also reduce administrative burden for any potential future changes to the EA.

Not providing any conditions to the MCU ERA component through the concurrence response does not mean that the use is not supported, just regulated more through the EA.

Lastly, if we cannot agree to remove the condition form the concurrence response in its entirety, then I would prefer draft the condition to read similar that of the EA which restricts the area in which the EA takes place.

Could you please have a look into this further. As I noted on the phone, I have an appointment with the delegate at 3pm so a response prior would be greatly appreciated (apologies for the short notice).

Kind Regards,

Kassim Mahomed
Manager – Development Assessment Advisory Team
Development Assessment Division
Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000
p. 07 3452 7656 | e. kassim.mahomed@dilgp.qld.gov.au



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Kassim Mahomed

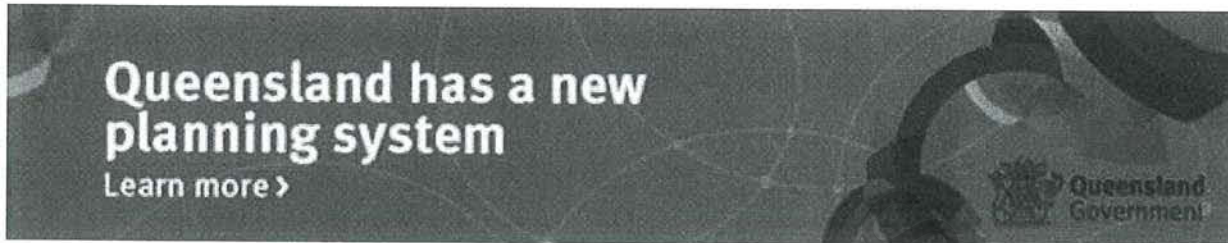
Manager – Development Assessment Advisory Team

Development Assessment Division

Department of Infrastructure, Local Government and Planning

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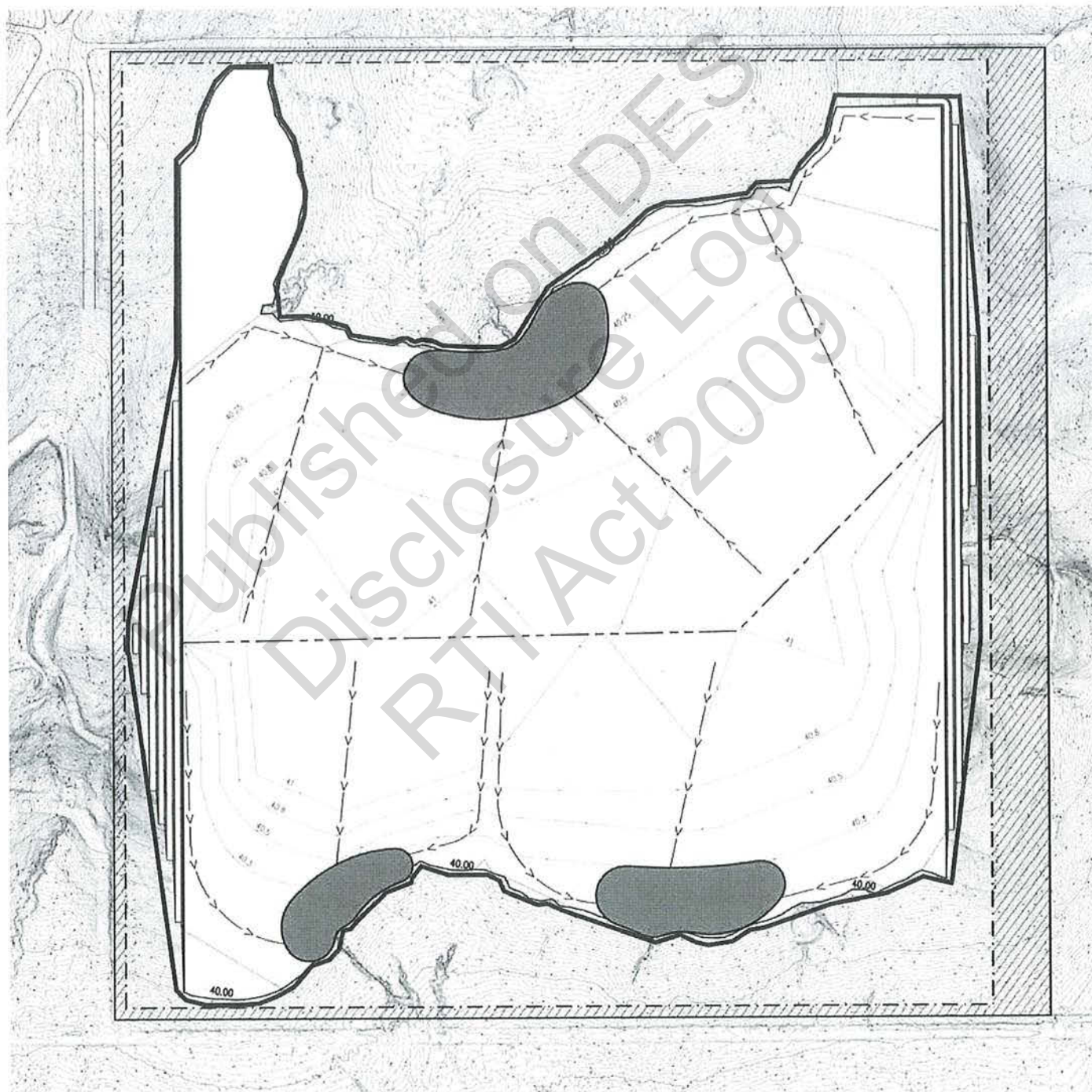
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PARSONS Janie

From: Kassim Mahomed <Kassim.Mahomed@dilgp.qld.gov.au>
Sent: Thursday, 5 October 2017 2:54 PM
To: FRITZ Lisa

The environmentally relevant activity authorised under this concurrence agency response is limited to the area identified as 'Extent of disturbed area' as shown on Final Form Overall Layout prepared by Covey Associates Pty Ltd dated 15/05/2017, reference P400 and issue P3, as amended in red.



Drawn - SK Date - JUNE 2016 PRELIMINARY	P3 15-05-17 PRELIMINARY ISSUE P2 25-12-16 PRELIMINARY ISSUE P1 29-03-16 PRELIMINARY ISSUE Issue Date Description By	 Consulting Civil & Structural Engineers Project Management & Planning AIN 58 137 300 992	Approved KEVIN COVEY BEng, CPENG, MIEAust, MIPFPNG, RPEQ-1823 CHRIS CAMP BEng(Struct), MIEAust, RPEQ-4944 124 DUPORTH AVENUE Ph (07) 5443 7777 PO BOX 16 Fax (07) 5443 7577 MAROOCHYDORE QLD 4558 E-MAIL: engineers@covey.com.au	Drawing title - FINAL FORM OVERALL LAYOUT	Project - PROJ Client - SHAL PTY LTD
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Permit

Environmental Protection Act 1994

Environmental authority BRID0019

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

Environmental authority number: BRID0019

Environmental authority takes effect on Environmental Authority takes effect when your related development application takes effect.

Environmental authority holder(s)

Name(s)	Registered address
Shadforth Industries Pty Ltd	99 Sandalwood Lane, Forest Glen, Qld 4556

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
16 (2)(b) Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material	Lot 753 C 311115 & Lot 561 FTY 1884 Hapgood Road & Forestry Road LANDSBOROUGH
16 (3)(b) Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material	

Additional information for applicants

Environmentally relevant activities

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

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

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

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

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

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

Take effect

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

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

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

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

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

sch4p4(6) Personal information, signature

20/9/2017

Date

Tariq Khan
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
Brisbane QLD 4001
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

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Obligations under the *Environmental Protection Act 1994*

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

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

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrm.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Heritage Protection to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
G1	The activity must only occur within the area identified as the extent of disturbed area as part of development within Appendix 1 – Stage 1 Overall Layout, prepared by Covey Associates Pty Ltd, dated 23 May 2017, reference P100 version P2.

G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
G3	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
G4	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G5	Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the administering authority , or nominated delegate upon request, within the required timeframe and in the specified format.
G6	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G7	All analyses required under this environmental authority must be carried out by a laboratory that has NATA certification, or an equivalent certification, for such analyses. The only exception to this condition is for <i>in situ</i> monitoring of pH, dissolved oxygen and electrical conductivity.
G8	When required by the administering authority , monitoring must be undertaken in the manner prescribed by the administering authority , to investigate a complaint of environmental nuisance arising from the activity . The monitoring results must be provided to the administering authority , or nominated delegate , within the required timeframe and in the specified format upon request.
G9	The activity must be undertaken in accordance with written procedures that: <ol style="list-style-type: none"> 1. identify potential risks to the environment from the activity during routine operations and emergencies; and 2. establish and maintain control measures that minimise the potential for environmental harm; and 3. ensure plant, equipment and measures are maintained in a proper and effective condition; and 4. ensure plant, equipment and measures are operated in a proper and effective manner; and 5. ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i>; and 6. ensure that reviews of environmental performance are undertaken at least annually.
G10	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system .

Agency interest: Air							
Condition number	Condition						
A1	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place .						
A2	<p>Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place:</p> <ol style="list-style-type: none"> 1. dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or 2. a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority. 						
Agency interest: Noise							
Condition number	Condition						
N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .						
N2	Generation of substantial low frequency noise is not permitted.						
N3	<p>Blasting activities must not exceed the limits for peak particle velocity and air blast overpressure in <i>Table 1—Blasting noise limits</i> when measured at any sensitive place or commercial place in accordance with the associated monitoring requirements.</p> <p>Table 1—Blasting noise limits</p> <table border="1"> <thead> <tr> <th>Blasting criteria</th><th>Blasting limits</th></tr> </thead> <tbody> <tr> <td>Airblast overpressure</td><td>115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.</td></tr> <tr> <td>Ground vibration peak particle velocity</td><td>5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.</td></tr> </tbody> </table> <p>Associated monitoring requirements</p> <ol style="list-style-type: none"> 1. Monitoring must be performed in accordance with the most recent edition of the administering authority's Noise and Vibration from Blasting guideline and Noise Measurement Manual and any relevant Australian Standard. 2. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual. 	Blasting criteria	Blasting limits	Airblast overpressure	115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.	Ground vibration peak particle velocity	5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.
Blasting criteria	Blasting limits						
Airblast overpressure	115 dB (Linear) Peak for 9 out of 10 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.						
Ground vibration peak particle velocity	5 mm/s peak particle velocity for 9 out of 10 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.						

N4	Blasting must be carried out in accordance with the current edition of the administering authority's Noise and vibration from blasting guideline and with <i>Australian Standard 2187</i> .
N5	Unless prior approval is obtained from the administering authority : <ol style="list-style-type: none"> blasting is only permitted during the hours of 9 am to 3 pm Monday to Friday, and from 9 am to 1 pm on Saturdays. blasting is not permitted at any time on Sundays or public holidays.
N6	When required by the administering authority , a blast monitoring program must be developed and implemented to monitor compliance with <i>Table 1—Blasting noise limits</i> at any sensitive place or commercial place .
Agency interest: Water	
Condition number	Condition
WT1	Erosion and sedimentation control measures must be implemented and maintained to minimise erosion and the release of sediment.
WT2	Stormwater runoff from disturbed areas of the site, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on site.
Agency interest: Land	
Condition number	Condition
L1	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: <ol style="list-style-type: none"> suitable native species of vegetation for the location are established and sustained for earthen surfaces; potential for erosion is minimised; the quality of water released from the site, including seepage, does not cause environmental harm; potential for environmental nuisance caused by dust is minimised; the water quality of any residual water body does not have potential to cause environmental harm; the final landform is stable and protects public safety.
L2	Rehabilitation of disturbed areas required under condition L1, must take place progressively as works are staged and new extraction areas are commenced.
Agency interest: Waste	
Condition number	Condition
WS1	All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste..

Definitions

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

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 successors or predecessors.

Airblast overpressure is the energy transmitted from the blast site within the atmosphere in the form of pressure waves. As these waves pass a given position, the pressure of the air rises very rapidly then falls more slowly then returns to the ambient value after a number of oscillations. The pressure wave consists of both audible (noise) and inaudible (concussion) energy. The maximum excess pressure in this wave is known as the peak air overpressure, generally measured in decibels using the linear frequency-weighting.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

Blasting is the use of explosives to fracture:

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

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

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

Land does not include **waters**.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

NATA means National Association of Testing Authorities.

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

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

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

Prescribed water contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

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

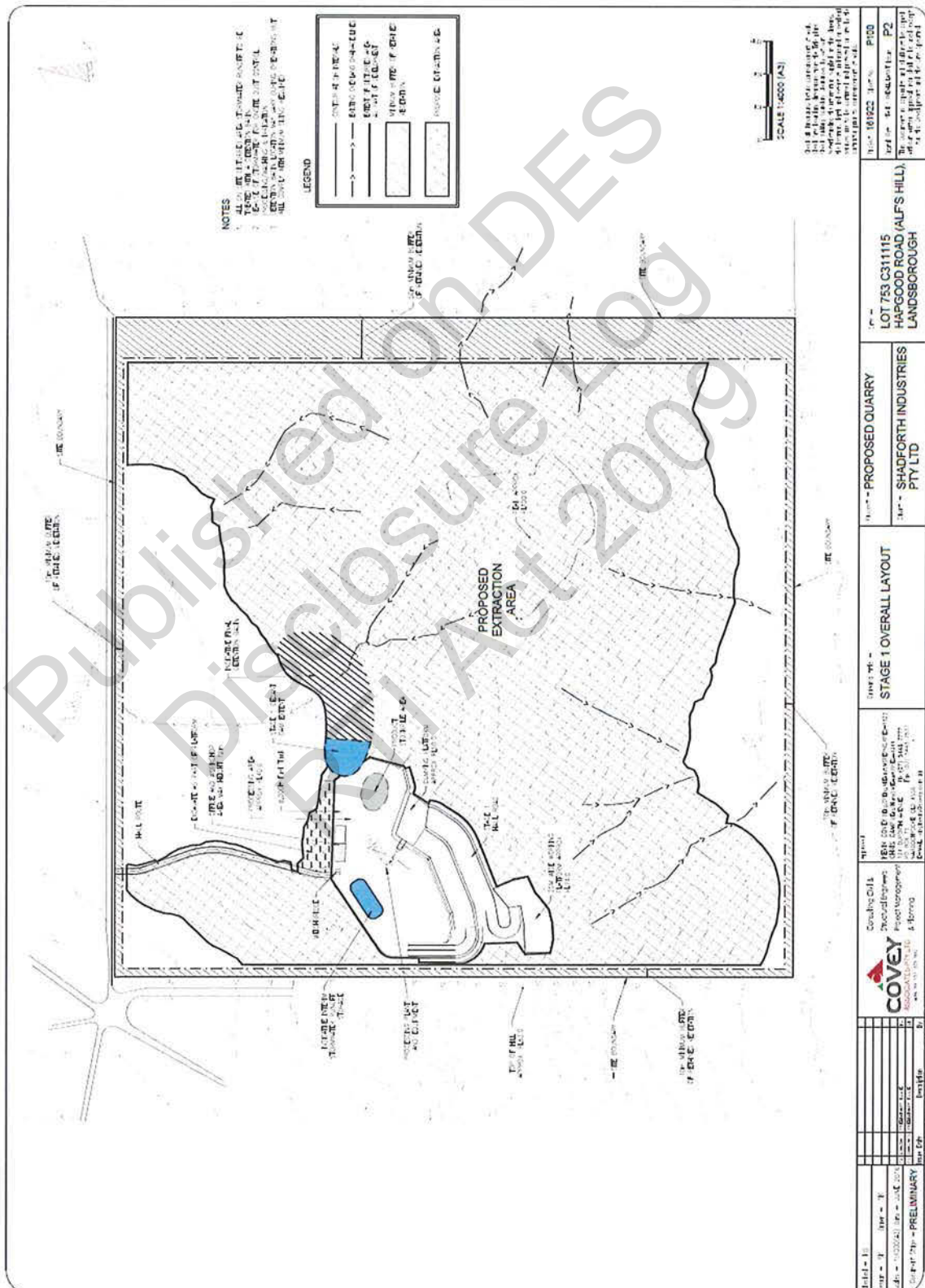
Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

24 hour storm event with an average recurrence interval of 1 in 5 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 5 years, identifies a rainfall intensity of 7.09mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09mm/hour = 170.16mm.*

Appendices

Appendix 1 – Stage 1 Overall Layout, prepared by Covey Associates Pty Ltd, dated 23 May 2017, reference P100 version P2.



END OF ENVIRONMENTAL AUTHORITY